

These are the minutes of the March 5, 2007 Planning Commission meeting.

Meeting called to order at 7:30 p.m. by Chairman Shields.

Present: Shields, Oosterink, Coffey, Davis, Heasley, Parmelee, Myers and Mark Sisson

Absent: none

Davis made a motion to approve the 12/7/06 minutes as presented, Coffey seconded, motion carried.

Township Board Update - Parmelee (nothing)

New Business:

Donald and Sarlene Waswick are requesting a SUP to place an accessory building (pole barn approximately 24' x 36') in front of their house located at 4439 36th St., Hamilton, MI, parcel 0319-007-018-10 per section 11.09(d) of the zoning ordinance.

Bob Jones gave the following overview: the building is already finished. The applicant was under the assumption that the building was considered for agricultural use so he didn't request a SUP. It is, however, a nice building that blends with the house and looks very nice.

The applicant owns a mule ranch in CO and trains mules. He will be using this pole barn during the summer months for possibly such business; however the building will be mainly used for storage. The building has a private septic and he has obtained water & sewer permits. There is a bathroom in the barn. In approximately two years the parcel can be split and there is a possibility of building a house at that time on the parcel with this building, however, a special use application will be needed to build.

Public comment:

Seth Ponstein: What penalty is applied in this case? The building does not look like an agricultural building.

Tim Hall: the building is not offensive, he would like the permit granted.

Myers: no neighbor complaints

Parmelee: It's a nice building. Normally we require more information on the building before approving the SUP. If we approve this as is, we are compounding errors that have been made. Possibly table for more information?

Davis: Could we deny the request and make them tear the building down?

Mark Sisson: There is obviously a concern of the applicant living there in the barn as there is a well & septic. The PC should place a stipulation that the building is not permitted as a dwelling.

After further discussion by the PC, Shields made a motion to approve the SUP with the following conditions:

1. The building will not be used as a dwelling/residence - not to be inhabited.
2. Building to be used for storage & maintenance work only
3. Site plan & dimensions must be submitted to Bob Jones
4. Copy of building permit to be submitted to the PC
5. Building not to be used as a business
6. To be used as an accessory building only with the Waswick residence located at 4439 36th St., Hamilton, MI.

Davis, seconded, motion carried.

Rezone Request:

Robert Miller and Jesse Demaray have requested a rezone of 15 acres of land located at the SW corner of 142nd & 26th St. Part to be rezoned to C-1 commercial and part to I-1 Industrial. Presently it is zoned A-2. Parcel 0319-023-001-00. Both applicants would like to relocate their existing business as well as others on this parcel. Miller is an electrical contractor and Demaray owns an injection molding shop. The applicants have not formally indicated where they would prefer the District line separating the I-1 and C-1 be placed.

Rob Miller indicated to the PC that they are trying to conform with the future Master Plan of the township.

Mark Sisson noted that the current Master Plan (1992-2010) identifies the 142nd/26th St. Intersection as future commercial. The “future industrial designation” for subject property and an additional 40 acres to the South is a “proposed designation” in the updated Master Plan which has not yet been officially adopted.

142nd Av. At 26th St. Currently handles 6,000-7,000 cars daily with a capacity of 12,000 cars daily which is enough capacity should this parcel be rezoned. Mark also

questioned whether the road frontage is more desirable for residential or commercial/industrial development. Farming could continue and a number of other uses are also permitted under present zoning.

An overview is presented in Mark's memo to the PC dated 3/2/07 which is attached hereto and made a part of these minutes.

Public Comment:

Dennis Roys - he doesn't want this rezone. He moved out to the country for a reason and does not want to look out at an industrial building.

Leonard Gill - agrees with Mr. Roys. This will negatively affect the value of their homes.

John Van Bonn - moved here last year and agrees with Mr. Roys also. Does not want a business across from his home.

Katie Weber - she was not notified of the public hearing. She is concerned of industrial waste in the water supply, home values being reduced and water and sewer constraints.

Cris Compagner - currently farms this and wants this to stay A-2. How does this affect taxes and traffic issues? Also this would affect his pivot; it would have to be moved.

Ryan Pitsch - How does an outsider look at the Master Plan and what needs the township has, where to place a business, etc.?

Mark Sisson answered that the Master Plan states future planning and it is a starting point. You then need to research the different areas with township officials.

Dennis Roys - when building you need to be aware of the surrounding zoning. But if you don't ask the right questions then you don't know.

Paul Rewa: At what date was the Master Plan updated? He owned the property where the homes are located. Are there other areas in the township that are better suited for commercial and industrial? Are other sites identified?

Mark answered: the Vollink farm was not identified in 2001 as future possible commercial/industrial. It is now on the Master Plan to be formally adopted. All four corners of 142nd & 26th were "future commercial" since 2001.

Also the DNR, DEQ & Health Dept. Requirements will limit the type of industrial/commercial uses because there are no public utilities. It will be very low

density because of this. Businesses will have to have pollution incident protection plans in place. Growth is to be expected in the township. Knowing the limitations, does the township really want to rezone land that way? As far as the traffic issue, the business will have access off both 142nd & 26th. Limited individual driveways will occur, more likely shared drives.

Public comment closed.

After general discussion, it was found that some neighbors within 300' of this rezone request were not notified. That being the case, Shields made a motion to table the public hearing to reconvene at a later date (April 12, 2007) and to renotify and republish the public hearing to cover all interested parties within 300'. Parmelee seconded, motion carried.

Shields: The PC would like to know the C-1 and I-1 separation lines that the applicants are proposing for this request before discussing further. Also what to do with the existing house on this parcel? Either leave home as A-2, remove, or cut this parcel out of the rezone request.

Davis: would like to see boundary lines for the C-1 and I-1 zoning. A-2 can also support a lot uses as well.

Coffey - would like to see boundary lines as well

Myers - I started on the PC when we were working on the Master Plan. It was a 20 year plan. If there is no good reason we should stick with the Master Plan. He feels it's the right piece of property, just not the right time.

The transfer station property is more beneficial to place industrial type business than this property on 142nd & 26th.

Parmelee - no matter where it goes, not everyone will be happy. Rob and Jesse have been looking for three years and nothing is available. A couple others have approached them for commercial business as well.

Heasley - the PC has put a lot of time and effort into identifying future land use sites such as this one. A lot of research and discussion to find the best suited parcels were carefully considered. No one is going to be happy all of the time. Industrial and commercial business is not going away; we must have land available for them. The township will continue to grow and these businesses will benefit the township.

Mark Sisson - the Master Plan needs to be considered into the division request. You can be selective... approve I-1 or deny C-1?

Myers - is the transfer station land available? The back dump is economically not feasible.

General discussion within the PC of this transfer station land.

Parmelee will ask the Township Board if this land is available.

Shields asked the applicants to give the PC the line requirements for the division of C-1 and I-1 prior to the April meeting. Cris will republish and renotify all interested parties within 300'.

Davis made a motion to table the request for additional information, Coffey seconded, motion carried.

Overlay - Mark Sisson. He wants to hold a public hearing in May for funding. All PC members will review their handout prior to May.

Davis has submitted her resignation for the end of May 2007. She has received some complaints on the noise in the township. Why don't we have a noise ordinance? The police will not enforce if we don't have one in place.

It was resolved that this is a Township Board issue and Parmelee will bring it their regular meeting.

Parmelee made a motion to adjourn, Davis seconded, meeting adjourned at 9:20 p.m.

Submitted by,

Cris Heasley, Secretary