

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

January 13, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Richard Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Arthur Brood, Secretary
Kathy Noel, Trustee member
Barb Hampton

MEMBERS ABSENT

Also present George Marble of Wilderness Meats and Judy Wright.

Chairman Bernhardt called the meeting to order at 6:38 PM.

#1 MOVED: by Arthur Brood, support by Kathy Noel, to approve the agenda with the addition of an item from the Zoning Bulletin. Motion carried.

#2 MOVED: by Kathy Noel, support by Arthur Brood, to approve the minutes from the December 9, 2013, regular meeting. Motion carried.

PUBLIC COMMENT:

Mr. George Marble described the nature of his business that will be operating at 2775 W. M-80 as a combination of wholesale/retail meats, sportsman's club, and event venue. He asked that the Commissioners give him direction as to what documentation he needed to file with the Township to be in compliance with current ordinances. As the property is zoned Residential/Commercial (Res. Com.) Article XI of the Zoning Ordinance (1.100) was reviewed with him. Seeing no conflicts with current regulations he was informed that he would only need to register his business with the Township. The Zoning Administrator will be contacted to insure that the necessary forms are completed and to determine if any Planning Commission action is necessary. Mr. Marble also informed the Commission that he would be applying for a Class C liquor license and requested that the form for Local Government Approval be forwarded to the Township Board.

OLD BUSINESS:

Members reviewed updated language received to amend the Quarry Ordinance #47A to include Quarry Plants.

#3 MOVED: by Arthur Brood, support by Kathy Noel, to approve the language prepared to amend the Quarry Ordinance #47A. Motion carried.

After reviewing suggestions from attorney Ron Reddick regarding changes to the Zoning Ordinance #1.100, the commission decided to change the definition of an active operation to *"A quarry plant shall be considered to be operated in conjunction with an actively operating quarry located on the same lot or parcel only if at least 35%, by weight, of the sand, gravel and other raw materials used at the quarry plant, in any consecutive 12-month period, shall have been extracted from the quarry located on the same lot or parcel"* from the 90% requirement originally proposed and to retain the section regarding dust control to read *"All interior roads, trails or other areas used by motor vehicles in connection with the transportation to or from a quarry plant and any dust arising therefrom shall be controlled by best management practices, in compliance with the United States Mine Safety and Health Administration's regulations."*

#4 MOVED: by Gerda Frimberger, support by Kathy Noel, to approve the content of the amendments to the Zoning Ordinance #1.100. Motion carried.

Chairman Bernhardt asked that a public hearing be scheduled as soon as it is feasible to gather public comment on amendments to both the Quarrying (#047A) and Zoning (#1.100) Ordinances concurrently with a public hearing on Payne & Dolan's special use permit application for a quarry plant (batch asphalt) at their Caldwell Road location.

Meeting adjourned at 8:00 PM

Next regularly scheduled meeting will be Monday, February 10, 2014, at 6:30 PM. The subject of temporary special use permits will be discussed in the near future. Commissioners are encouraged to review special uses listed in each zoning district in the Zoning Ordinance (#1.100) for discussion of changes to be made at the next meeting.

Arthur Brood, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

February, 10, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Rick Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Kathy Noel, Trustee
Arthur Brood, Secretary

MEMBERS ABSENT

Barb Hampton

Also in attendance, community member Pat Mason.

Chairman Bernhardt called the meeting to order at 6:30 p.m.

#1 MOVED: by Arthur Brood, second by Gerda Frimberger, to approve the agenda as presented. Motion carried.

#2 MOVED: by Gerda Frimberger, second by Arthur Brood, to approve the minutes of the January 13, 2014 meeting. Motion carried.

PUBLIC COMMENT

Pat Mason addressed the commission with concerns of the air quality, noise, and road conditions on Caldwell Road. He also had a concern about snow removal being placed on his property. He was given the name of the agency or individual to which his concerns should be directed.

OLD BUSINESS

Commissioners continued review of special uses within zoning districts, no formal action taken.

NEW BUSINESS

Temporary special use permits: Discussion about general guidelines. Chairman Bernhardt will put together a draft version for the committee to further review. No formal action taken.

Meeting adjourned at 8:05 PM.

Next meeting will be Monday, March 10, 2014, at 6:30 PM

Arthur Brood, Secretary

**PLANNING COMMISSION
REGULAR MEETING
PUBLIC HEARING – QUARRY PLANTS**

March 10, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Rick Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Kathy Noel, Trustee
Arthur Brood, Secretary
Barb Hampton

MEMBERS ABSENT

Chairman Bernhardt called the meeting to order at 6:30 p.m. Attendance 2.

#1 MOVED: by Arthur Brood, second by Kathy Noel, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Kathy Noel, second by Gerda Frimberger, to approve the minutes of the
February 10, 2014 meeting. Motion carried.

PUBLIC COMMENT

OLD BUSINESS

Commissioners continued review of special uses within zoning districts. Articles 9-12 have several special uses that need to be either included by right or not allowed at all within the zoning district. Sections 13-15 will be covered at the next meeting.

PUBLIC HEARING OPENED 7:00 PM

No written comments were received regarding the amendments to the Quarrying (#47A) or Zoning (#1.100) Ordinances.

Comments from the public were as follows:

What actually changes with these amendments?

What does an asphalt plant have to do with agricultural zoned land?

How do we know that the quarries will follow the rules?

PUBLIC HEARING CLOSED 7:50 PM

#3 MOVED: by Kathy Noel, second by Arthur Brood, to recommend that the Township Board adopt the amendment to the current Quarrying Ordinance #47A by replacing ordinance #47A with the updated ordinance as #1.137. Motion carried.

March 10, 2014

Page 2

#4 MOVED: by Arthur Brood, second by Kathy Noel, to recommend that the Township Board adopt the amendment to the Zoning Ordinance #1.100. Motion carried.

#5 MOVED: by Kathy Noel, second by Barb Hampton, to recommended that the Township Board instruct the Zoning Administrator to notify all current quarry operators of these changes. Motion carried.

Meeting adjourned at 8:00 PM.

Next meeting will be Monday, April 14, 2014, at 6:30 PM

Arthur Brood, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

April 14, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Rick Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Kathy Noel, Trustee
Arthur Brood, Secretary

MEMBERS ABSENT

Barb Hampton

Chairman Bernhardt called the meeting to order at 6:30 p.m.

#1 MOVED: by Kathy Noel, second by Gerda Frimberger, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Kathy Noel, second by Arthur Brood, to approve the minutes of the March 10, 2014, meeting. Motion carried.

PUBLIC COMMENT

None

OLD BUSINESS

-Commissioners continued review of special uses within zoning districts, no formal action taken.

-Chairman Bernhardt will follow up with Supervisor Moore to contact all parties involved with quarrying in the township to inform them of ordinance amendments regarding quarrying plants.

-In reviewing ordinance language it appears the auto salvage auction yard is not in compliance with Section 14.04, item 2, in regard to screening vehicles from public view. To maintain consistency with the ordinance, it is requested that the zoning administrator be notified.

NEW BUSINESS

None

Meeting adjourned at 7:30 PM.

Next meeting will be Monday, May 12th, 2014, at 6:30 PM

Arthur Brood, Secretary

**PLANNING COMMISSION
REGULAR MEETING**

May 12, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Rick Bernhardt, Chairman
Gerda Frimberger, Vice Chair
Kathy Noel, Trustee
Arthur Brood, Secretary

MEMBERS ABSENT

Barb Hampton

Chairman Bernhardt called the meeting to order at 6:40 p.m.

#1 MOVED: by Kathy Noel, second by Gerda Frimberger, to approve the agenda with the addition of a discussion about enforcement of ordinances. Motion carried.

#2 MOVED: by Gerda Frimberger, second by Arthur Brood, to approve the minutes of the April 14, 2014, meeting. Motion carried.

PUBLIC COMMENT

None

OLD BUSINESS

A listing of the updated special uses within each zoning district will be prepared for review by an attorney before presentation to the Board. There was some discussion about temporary special use permits for exceptional circumstances such as a quarry plant for a large construction project or business incubator. No further action was taken at this time.

There was considerable discussion about a quarry plant at Payne & Dolan's Caldwell Road location including the following comments:

- Maybe we should write a letter to the company asking them to explain why they did not want to have a public hearing.
- If they begin operating they can be fined, but in turn they could conceivably bring suit against the Township.
- If the ordinances are not enforced uniformly any citizen could get an injunction against the Township.
- Only the Planning Commission can issue a special use permit.
- The reason that the first quarry permit was invalid was that the required public hearing was not held prior to issuance of the permit by the zoning administrator.

#3 MOVED: by Gerda Frimberger, second by Arthur Brood, to approve the Township Board Rep. and Township Clerk contact Payne & Dolan by telephone to ascertain their position. Motion carried.

NEW BUSINESS

An invoice from the Michigan Association of Planning was reviewed. Judy Wright will contact the organization to ask if the Zoning Administrator and a Planning Commission member could be members by just naming the positions rather than each individual member of the Commission being dues paying members.

It does not appear that the Kinross District Police are being kept up to date on changes in the ordinances. It was reported that they did not know about the Township's Medical Marihuana Ordinance. They also need to be directed by the Township Supervisor to enforce the ordinances. The residents with the "perpetual garage sale" on Ploegstra Road are gone, but the stuff is still there. Something needs to be done about cleaning it up.

Meeting adjourned at 7:40 PM.

Next meeting will be Monday, June 9, 2014, at 6:30 PM

Arthur Brood, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
SPECIAL MEETING & QUARRY PLANT PUBLIC HEARING**

June 18, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood
Kathy Noel, Township Board Trustee
Barbara Hampton
Carolyn Hall
John Kane

MEMBERS ABSENT

Also present: Representatives from Payne & Dolan, Dep. Clerk Judy Wright and 12 residents of the community

Deputy Clerk Wright issued the oath of office to Commissioners Hampton, Hall and Kane.

Meeting called to order at 6:35 PM by Commissioner Arthur Brood.

#1 MOVED: by Kathy Noel, second by John Kane, to appoint Arthur Brood as Chairman to preside over the meeting. Motion carried.

#2 MOVED: by Kathy Noel, second by John Kane, to approve the agenda as presented. Motion carried.

#3 MOVED: by Kathy Noel, second by Arthur Brood, to approve the minutes of the May 12, 2014, meeting. Motion carried.

#4 MOVED: by Barbara Hampton, second by Carolyn Hall, to elect Arthur Brood to the office of Chairman for the year. Motion carried.

#5 MOVED: by Barbara Hampton, second by Kathy Noel, to elect Carolyn Hall to the office of Vice Chairman for the year. Motion carried.

Commissioner John Kane volunteered to fill the office of Secretary for the year.

6:40 PM PUBLIC HEARING OPENED

There were no written comments, either in favor of or opposing, the issuance of the special use permit which is the subject of this hearing.

Comments and questions posed by the residents in attendance, commissioners, and representatives of Payne & Dolan included the following:

- What are we doing here? I thought this was all done already.
- Has a signed special use permit been issued?

- Does Commissioner Noel confirm that only the Planning Commission is authorized to issue a special use permit?
- The administrative office staff was not able to locate a signed special use permit for Payne & Dolan's asphalt plant when I inquired at the office.
- Was a letter sent to Payne & Dolan informing them that this public hearing could have been held at the same time as the public hearing regarding amending the Zoning & Quarrying Ordinances?
- Where and when was this public hearing advertised?
- The date an applicant receives a special use permit is the start date for them to conduct the activity covered by the permit.
- When I was at my property on Caldwell Road on Monday there was an offensive odor in the air, heavy road traffic, and constant noise.
- Any special use permit should be issued with provisions for periodic review and oversight.
- As soon as word got out in the community that DTE would be putting in a new natural gas pipeline, telephones at the Township Hall were ringing off the hook with residents wanting to get service.
- If an activity is not specifically prohibited by the ordinance can it be stopped by using the penalty provisions of the ordinance?
- Representatives from Payne & Dolan and Huyck & Son Excavating came to the Planning Commission before Payne & Dolan purchased the site to insure that they would be able to operate a quarry operation and asphalt plant at the location.
- Everything that has been done at the subject property has been done in good faith believing that the operation was in complete compliance with Township ordinances.
- Several residents, in addition to Planning Commission members, have toured the site and had questions addressed directly by staff of Payne & Dolan.
- The company would not have had a sufficient comfort level to invest the amount of money necessary to bring the natural gas pipeline to the site with a one year permit.
- I have invested all my extra money in my property on Caldwell Road. Now because of health concerns I may not even be able to use it.

7:10 PM PUBLIC HEARING CLOSED

#6 MOVED: by Kathy Noel, second by Barbara Hampton, to pay for two memberships to the Michigan Association of Planning, one for the Zoning Administrator and one for a Planning Commissioner. Motion carried.

Kathy Noel and Arthur Brood will develop a complete listing of the changes to the special uses listed in each zoning district. This listing will be forwarded to the Township Board for review and referral to an attorney.

Commissioners commented that after touring Payne & Dolan's facility they were very impressed with the operation from the perspectives of environmental and economic impact. They also did not find noise or odor to be intrusive to the area.

Payne & Dolan submitted a quarry plant application; proper notice of the hearing on the special use permit for a quarry plant in an agricultural district was served in accordance with the Kinross Charter Township Zoning Ordinance and/or the Michigan Zoning Enabling Act;

Discussion was had relative to the application and it was RESOLVED, as follows:

1. The application was found to be sufficient in all respects;
2. The application was submitted to the Planning Commission for review and approval;
3. The Planning Commission reviewed the application to determine compliance with the standards for granting Special Use Permits for quarry plants in agricultural districts;
4. The Planning Commission determined and resolved that Payne & Dolan's request met all of the requirements set forth in the Standards for Review of Special Use Permits set forth at Section 3.18 (1) to (7) of the Kinross Township Zoning Ordinance.
5. The Planning Commission determined and resolved to grant the Special Use Permit for a quarry plant to be operated in conjunction with an actively operating quarry located on the same lot or parcel.
6. The Special Use Permit is granted, subject to the terms and conditions of the Ordinance No. 1.137 and Ordinance No. 47 regarding Quarry Plants.
7. The Special Use Permit is granted under Ordinance No. 1.100 regarding Special Use Approval for Quarry Plants, Section 3.19 of the Zoning Ordinance, and specifically 3.19 (9)(a(ii)) regarding quarry plants operated in conjunction with a quarry that is in active operation on the same parcel, and the Planning Commission specifically finds that Payne & Dolan satisfied all requirements of that sub-section.

#7 MOVED: by Kathy Noel, second by Carolyn Hall, to issue a quarry plant special use permit to Payne & Dolan for an asphalt plant at their current quarry operation at 17777 S. Caldwell Road.

Motion Amended to include:

Payne & Dolan has submitted a properly executed application with site plan that complies with Section 3.18 Special Approval Use Permit Procedures and Review Standards, Section 15.03 Uses Subject to Special Approval, and Section 15.04 Performance Standard of Kinross Charter Township's Zoning Ordinance #1.100. Amendment carried.

Motion carried.

Meeting adjourned at 7:40 PM. Next meeting will be Monday, July 14, 2014, at 6:30 PM

John Kane, Secretary

**PLANNING COMMISSION
REGULAR MEETING**

July 14, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Chairman
Carolyn Hall, Vice Chairman
John Kane, Secretary
Kathy Noel, Township Board Trustee
Barbara Hampton, Commissioner

MEMBERS ABSENT

Chairman Brood called the meeting to order at 6:30 PM.

#1 MOVED: by John Kane, second by Barbara Hampton, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Kathy Noel, second by Carolyn Hall, to approve the minutes of the June 18, 2014, meeting. Motion carried.

CHAIRMAN'S REMARKS:

- I would like everyone to familiarize themselves with PA 110, the Michigan Planning Enabling Act.
- In the past year it was decided that the Secretary would read the Zoning Bulletins as they are received and report on any cases in Michigan.
- Because of the training that Barb and I attended, I would like Barb to be the Planning Commission's representative to the Zoning Board of Appeals.
- During the year we will be reviewing and updating the Master Plan. CD copies of the current plan will be made available to each commissioner.
- I would like to have the meetings recorded for reference.
- Barb and I found the Planning and Zoning Essentials Workshop, sponsored by the MTA, to be very beneficial and would recommend that everyone on the Commission attend in the future. Some of the things that we learned were:
 - Decisions about variances should be made to comply with the zoning ordinances, not to provide preferential treatment for individuals (spot zoning).
 - Many municipalities have the same issues to deal with as we do here. People in those communities can be a valuable resource.
 - As permits are approved, variances granted, etc., those decisions need to be referenced back to the ordinances that govern them.
 - There are Federal regulations that prohibit restricting the placement of cell phone towers. As landline services decrease this may become more of an issue for the Township.

- The MTA suggested that all Zoning Administrators attend training sessions. It was mentioned that the Township's insurer may cover the cost as a risk reduction plan.
- We cannot require people who attend public hearings to give their names or addresses.

PUBLIC COMMENT - None

OLD BUSINESS

A listing of the updated special uses within each zoning district prepared by Kathy Noel and Arthur Brood was reviewed. It was discussed that a definition of "institutional" needs to be included in Article II, Section 2.02 Definitions. MTA will be contacted to obtain a definition.

#3 MOVED: by John Kane, second by Barbara Hampton, to move items #3, 5, and 6 (Churches..., Publicly owned buildings, and Public utility ... respectively) from "Uses Subject to Special Approval" (Section 5.03) to Permitted Uses and Structures (Section 5.02). Motion carried.

#4 MOVED: by John Kane, second by Carolyn Hall, to clarify Section 6.01 "Intent" by deleting "*to provide for lodging and rooming houses under specific capacities and to serve the needs of the Township for apartments, townhouses, and group housing of similar character and density.*". Motion carried.

#5 MOVED: by Kathy Noel, second by Carolyn Hall, to move items #3 and 6 (Churches..., and Schools respectively) from *Uses Subject to Special Approval* (Section 6.03) to Permitted Uses and Structures (Section 6.02). Motion carried.

It was further discussed to:

1. Define all *Uses Subject to Special Approval* items that list Schools to be "preschool and K-12".
2. Add an item "Quarries - gravel or sand pits" to all districts' *Uses Subject to Special Approval* sections.
3. Move "Home occupations..., Bed & breakfast..., and Planned unit developments..." from Section 6.03 to Section 6.02.
4. Move "Commercial riding... and Fur bearing animals..." from Section 7.03 to Section 7.02.
5. Add to Section 8.01 *Intent* "whether privately or publicly owned" to the end of the listed intent.
6. To eliminate "without drive through service" from the permitted use of restaurants and bars in section 11.02.
7. To add "Campgrounds/recreational vehicle park" to permitted uses in section 11.02 and to *Uses subject to Special Approval* in section 6.03.
8. Add to section 14.03 *Uses Subject to Special Approval (I-1)*:
 2. Gas & oil bulk storage and distribution facilities
 3. Petroleum and other flammable liquid storage and distribution tanks when not closer than 300 feet from any residential district and 100 feet from any other district

4. Bulk laundries and dry cleaning establishments
5. Manufacture of mobile home and travel trailers
6. Metal plating, buffing, polishing, painting, varnishing and undercoating shops when setback at least 75 feet from any adjacent residential district and when conducted within a completely enclosed building
7. Quarrying – gravel or sand pits
8. Accessory uses, buildings and structures customarily incidental to the above special approval uses.
10. Include all Performance standards as set forth in the I-1 District (Section 14.04) in the I-2 District.

Trustee Noel will prepare an updated listing for review and adoption at the August 2014 meeting.

NEW BUSINESS

Quarry Plant Special Use Permits

The subject of setting a fee for an initial Quarry Plant Special Use Permit was discussed at length. Currently the Township has a \$100.00 fee established for special use permits. Many comments were made that quarry plants require considerable follow-up by the Zoning Administrator and should have a larger fee. Commissioners will research what is customary and discuss this further at the August meeting. The length of time that a permit would be issued for was discussed. General opinion seemed to be that a tiered permit system might be beneficial. It could have different fees for different lengths of time that a permit would be in effect. Performance standards would still apply each year the permit was in effect. It was suggested that dates of approval and issuance be added to the permit form that is signed by the Zoning Administrator.

#6 MOVED: by Barbara Hampton, second by John Kane, to request that the Clerk's office add approved and issued dates to the Special Use Permit. Motion carried.

Noxious Weeds

After a short discussion it was decided to investigate amending current ordinance(s) to enable better enforcement.

Meeting adjourned at 8:30 PM.

Next meeting will be Monday, August 11, 2014, at 6:30 PM

John Kane, Secretary

**PLANNING COMMISSION
REGULAR MEETING**

August 6, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Chairman
Carolyn Hall, Vice Chairman
John Kane, Secretary
Kathy Noel, Township Board Trustee

MEMBERS ABSENT

Barbara Hampton, Commissioner

Chairman Brood called the meeting to order at 6:30 PM.

#1 MOVED: by Kathy Noel, second by John Kane, to approve the agenda as presented. Motion carried.

#2 MOVED: by Kathy Noel, second by Carolyn Hall, to approve the minutes of the July 14, 2014, meeting with the correction to Motion #6 of deleting "Quarry Plant". Motion carried.

CHAIRMAN'S REMARKS:

- EUP Regional Planning gave me a checklist to use when we update the Master Plan.
- When we do begin reviewing the Master Plan we can decide how we want to divide the work. We could work on it as a group, small groups, or individually.

ZONING ADMINISTRATOR'S REPORT:

- The updated land use maps titled "Future Land Use", included in the Master Plan, show the area where the Chippewa County Road Commission is building the new salt barn is designated as a local mixed use zone. We will need to include this zoning designation in the update to the Zoning Ordinance #1.100.
- There have been several complaints about an auto repair garage being operated in the R2 residential district. Signage in this area has been removed, but the issue has not been fully resolved as yet.
- When the Commission addresses the issue of unkempt lawns it would be helpful, as an enforcement tool, to specify that all lawn areas are included in the ordinance.
- There has been an issue with determining the setback requirements at Kinross Lake properties as the "high water mark" fluctuates.

PUBLIC COMMENT - None

OLD BUSINESS

Noxious Weeds: A discussion of this subject yielded the following comments:

- The State's Noxious Weeds Act 359 of 1941 (MCL 247) is rather cumbersome and restrictive.

- The sample ordinance from MTA has some good points, but is not exactly what we are looking for to control lawn mowing.
- Ordinance #1.109 (Anti-noise and Public Nuisance) could be modified to cover unkempt lawns as a public nuisance. The title of this ordinance could be changed to the Public Nuisance Ordinance with a summary at the beginning of the ordinance of the nuisances covered.
- We can publish one notice in the spring each year about the regulations that cover lawn mowing and proceed to enforce it throughout the season without having to give notice each time a lawn is not kept up.
- Commissioners will prepare suggested text amendments for ordinance #1.109 for review at the September meeting.

Quarry Plant Application Fee: Our township is one of the few in the U.P. that even licenses or charges a fee for a quarry license. Inspections of the quarry plants would be done at the same time as the annual quarry inspection, so it would not require that the Zoning Administrator make extra trips.

Special Uses Listed in Zoning Ordinance #1.100: MTA has no definition of "Institutional". It was decided that the uses listed in Article IX define the zoning designation adequately.

#3 MOVED: by Carolyn Hall, second by Kathy Noel, to eliminate the phrase "*and similar uses*" from Section 9.02 Item 2. Motion carried.

#4 MOVED: by Kathy Noel, second by John Kane, to approve the listing of the updated special uses within each zoning district prepared by Kathy Noel and Arthur Brood with minor structural and grammatical corrections as discussed at the July 14, 2014, meeting. Motion carried.

Meeting adjourned at 7:45 PM.

Next meeting will be Monday, September 8, 2014, at 6:30 PM

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

September 8, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Chairman
Barbara Hampton, Commissioner
Kathy Noel, Township Board Trustee

MEMBERS ABSENT

Carolyn Hall, Vice Chairman
John Kane, Secretary

Chairman Brood called the meeting to order at 6:35 PM.

#1 MOVED: by Kathy Noel, second by Barb Hampton, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Arthur Brood, second by Kathy Noel, to approve the minutes of August 6, 2014.
Motion carried.

CHAIRMAN'S REMARKS - None

ZONING ADMINISTRATOR'S REPORT - None

PUBLIC COMMENT - None

OLD BUSINESS

Updated Special Uses: It was decided to hold a public hearing on the changes to the special uses listed in each zoning district of the Zoning Ordinance #1.100 and ask that the Clerk's office post the hearing as required by law.

Unkempt Lawns: Ordinance #1.109 (Anti-noise and Public Nuisance) could be modified to cover unkempt lawns as a public nuisance. The following suggestions were discussed:

1. Change the title of this ordinance to the Public Nuisance Ordinance.
2. Add a summary at the beginning of the ordinance listing the nuisances covered.
3. Current Sections 3 & 4 be combined into Section 3 with sub-sections.
4. Make Section 4 address the unkempt lawn issues.
 - Specify that both front and back lawns are included.
 - Use a height of 10" or higher as a violation.
 - Set 70% as the percentage of lawn that violates the height standard.
5. Retain subsequent sections verbatim.

Meeting adjourned at 7:15 PM. Next meeting will be Monday, October 13, 2014, at 6:30 PM

John Kane, Secretary

**PLANNING COMMISSION
REGULAR MEETING & ZONING AMENDMENT PUBLIC HEARING**

October 13, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Chairman
Carolyn Hall, Vice Chairman
Barbara Hampton, Commissioner
John Kane, Secretary
Kathy Noel, Township Board Trustee

MEMBERS ABSENT

Also present: Zoning Administrator Herman Calkins, Judy Wright and one resident. Chairman Brood called the meeting to order at 6:25 PM.

#1 MOVED: by Kathy Noel, second by Barb Hampton, to approve the agenda as presented.
Motion carried.

#2 MOVED: by Kathy Noel, second by Carolyn Hall, to approve the minutes of September 8, 2014. Motion carried.

CHAIRMAN'S REMARKS – The Police department has asked that the Commission update the burning ordinance to address grass clippings, twigs, and campfires.

OPEN PUBLIC HEARING 6:45 PM

PUBLIC COMMENT

- At 2:30 PM this afternoon I was greeted by a cloud of noxious smoke from Payne & Dolan's asphalt plant on Caldwell Road.
- The road is in the worst shape I've seen it in 20 years.
- My neighbor is moving.
- Everything that they said they would do is not being done.
- The noise level is way above the allowed limit.
- I have health issues that are aggravated by the plant.

OLD BUSINESS

Suggested changes to Ordinance #1.109 (Anti-noise and Public Nuisance) were discussed, including:

1. Change the title of this ordinance to the Public Nuisance Ordinance.
2. Add a summary at the beginning of the ordinance listing the nuisances covered.
3. Current Sections 3 & 4 should be combined into Section 3 with sub-sections as the sections both address the same subject.
4. Make Section 4 address the unkempt lawn issues.
 - Specify that both front and back lawns are included.
 - Use a height of 10" or higher as a violation.
 - Set 70% as the percentage of lawn that violates the height standard.

5. Retain subsequent sections verbatim.
6. We need to verify that we can recover the cost of maintaining the unkempt lawns as a lien on the properties involved.
7. In order to insure that a property is not a chronic problem we need to have a substantial penalty, possibly \$100.00, for infractions.
8. The campfire/burning issues that the Police department asked to be addressed could be covered in section 5 of the ordinance with annual permits being issued to residents for a minimal cost. \$10.00 was suggested as the fee.

NEW BUSINESS

Our zoning ordinance does not define “local mixed use” as a district. The “future land use” maps, included in the existing Master Plan, do include this designation. This issue would be best resolved during the review of the Master Plan.

No written comments, either in favor of or against, the changes to the special uses within each zoning district were received by the Commission.

PUBLIC HEARING CLOSED 7:40 PM

#3 MOVED: by Kathy Noel, second by Barb Hampton, to recommend that the Township Board amend the special uses within each zoning district, stated in Zoning Ordinance #1.100, as presented by the Commission. Motion carried.

Meeting adjourned at 7:45 PM. Next meeting will be Monday, November 10, 2014, at 6:30 PM.

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

November 10, 2014

4884 W. Curtis St.

MEMBERS PRESENT

Arthur Brood, Chairman
Carolyn Hall, Vice Chairman
Barbara Hampton, Commissioner
John Kane, Secretary
Kathy Noel, Township Board Trustee

MEMBERS ABSENT

No members were absent

CALL TO ORDER

Chairman Brood called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA

Agenda was approved by unanimous voice vote.

CHAIRMAN'S REMARKS

- (1) Review of the Township Master Plan will start at the December 2014 meeting. We will do a little bit every month rather than all at one time.
- (2) Many thanks to Kathy Noel for her work on the plan.

PUBLIC COMMENT

No members of the public were present so there were no comments.

OLD BUSINESS

Chairman Brood reviewed the strategy for completing the Public Nuisance Ordinance:

- (1) Changes to the ordinance are in the title and Sections C and D. These changes involved changing length of grass/weeds "NTE 10" for consistency.
- (2) Next steps involve presenting the revised ordinance to the Township attorney for legal review and then to offer it for public comment in December.
- (3) Following public comment the ordinance must be presented to the Township Board for approval.

This strategy and inclusive changes were approved by the Planning Commission by unanimous voice vote.

NEW BUSINESS

The commission reviewed the proposed new budget and discussed upcoming training opportunities.

There being no further business the meeting was adjourned at 7:30 p.m.

John A. Kane, Secretary