

August 23, 2016 PLANNING COMMISSION MEETING

Call to Order: The meeting was called to order at 7:00 pm by Chair Craig vanMelle.

Roll Call: Members present: Harry Smith, Ron Remington, Craig VanMelle, Carol Browne, Tammy Taylor.
Also present: Brian MacCartny, Zoning Officer and Catherine Kaufman, Township Attorney

The Pledge of Allegiance was recited.

Approval of the Agenda: Harry Smith made a motion supported by Ron Remington approve the Agenda for August 23, 2016 Planning Commission Meeting. Motion passed.

Minutes: Harry Smith made a motion supported by Ron Remington to approve minutes of the June 28, 2016 Planning Commission Meeting. Motion passed.

Old Business:

A. Turtle Cove PUD

Mr. Conti presented the final draft of the condominium by laws and Exhibit B (site drawings to accompany the Master Deed). Attorney Kaufman voiced concern that the Master Deed allowed the developer to withdraw land from the condominium site which could change the site plan and approved land use. Mr. Conti said he would have his attorney contact the township attorney directly to rectify the oversight. Attorney Kaufman also asked that a statement be added that indicated any actions must be in compliance with township ordinances. Mr. Conti agreed.

The commission will review the by-laws and site plan for discussion at the next meeting. Attorney Kaufman will review the Master Deed.

B. S & F Propane request for rezoning parcel number #03-22-012-010-10

Attorney Kaufman discussed the Valley Township 2014 Master Plan which indicates the intention for parcels along the 89 corridor to become commercial and/or light industrial in the future. (This was later confirmed by her review of future land use maps for the township). The question before the commission is whether or not this parcel is appropriate for industrial use. Reasons to support the request are that there is a commercial use across the road and there are no other parcels specifically designated as industrial in the township. Problems with the request are this is a small parcel to be used for an industrial use. Also it is less than the required 500 feet from a residence. Attorney Kaufman indicated the applicant could request a partial rezoning but cannot be asked to do so by the township.

C. Review of Zoning Ordinance Revisions

Recommendations from Ordinance Review Committee were discussed. The additional revisions suggested were:

Chapter VIII: C-1 Neighborhood Business District

Section 8.02: Internet service or retail store added; Electronics retail replaced "Radio and Television store."
"five and ten" wording removed from Variety store.

Section 8.05.a: All of (a) removed. "Setbacks shall not be less than 50 feet" added.

Section 8.05. b. 2 "unless used for parking, in which case the side yard shall be not less than 50 feet." added

Section 8.05. d. references to screening by trees and shrubs removed.

Chapter IX: General Business District. 9.02: added :electronics and sales or service; retail to Electrical supplies; added Lawnmower repair, added Liquor, beer and/or wine wholesale distribution or manufacturing, added veterinary services (small animals only); removed Radio and TV sales.

Chapter X: Industrial District. 10.02: added Breweries and Distilleries, Lawn Care Service, Landscaping Retail or Wholesale, Cell, energy and microwave towers.

Chapter XI: General Provisions: added "unless otherwise specified" to the first sentence of this section.

Section 11.02: removed "nothing in this Ordinance shall prevent the strenghtening or restoring to safe condition of any part of any building or structure which is unsafe." added "buildings may be restored to a safe condition as approved by the Township building official."

Section 11.03.c. added cell, "energy or wind towers" to list of structures exempt from height regulations.

Section 11.04.a added "After the effective date of this ordinance new"; changed fence requirement from 6 feet to 10 feet.

Section 11.05 B. added "Addresses of multiple dwellings on an easement shall be identified at the entrance of the easement. Each dwelling shall display signage with contrasting numbers corresponding to their address for purposes of identification." Removed "All easement owners shall mark said easements by installing a mailbox with contrasting numbers at the entrance to the easements for purposes of fire and police protection."

Section 11.05.E. added " Each township dwelling shall display signage with contrasting numbers corresponding to their address for purposes of identification and emergency services."

Section 11.12 Signs b. added "Permanent"

Section 11.12 d. changed Zoning Inspector to Zoning Administrator.

Section 11.12 f.6. added "informational" signs not exceeding thirty-two square feet in area "and not impeding the right of way;" however "for sale" signs....

Section 11.12.f.10 Entire section removed. Replaced with "Temporary decorative displays or signs used for holidays, social celebrations and civic or charitable purposes shall be removed after the termination of their usefulness and shall not constitute a traffic hazard or a nuisance to surrounding properties."

Section 11.12.h. added "event signs"

Section 11.12 i. Sign Setbacks: discussed changes. Zoning Administrator will bring in examples of sign setbacks for the commission to study.

Section 11.15. Section removed.

Section 11.19 Swimming Pool Fence. Section removed. (Swimming Pool Ordinance contains this information now).

Review of the Valley Township Zoning Ordinance will continue at the next scheduled meeting.

New Business

A. Noise Ordinance No. 219

The purpose of revising Ordinance No. 219 was to remove unwanted language and simplify references to decibel requirements. No further revisions were suggested. Craig vanMelle made a motion supported by Tammy Taylor to approve as revised. Motion Passed.

B. Dangerous Buildings Ordinance No. 228

The purpose of revising Ordinance No. 228 was to combine wording from the amendment (Ordinance 238) into the original, remove outdated wording and make fines consistent with other ordinances. After discussion, Craig vanMelle made a motion supported by Harry Smith to approve as revised. Motion Passed.

C. Noxious Weed Control Ordinance No. 237

The purpose of revising Ordinance 237 was to define "noxious weeds" in a standard manner, remove reference to a "Commissioner of noxious weeds," remove outdated language and make fines consistent with other ordinances. After a brief discussion, Harry Smith made a motion supported by Tammy Taylor to approve the ordinance as revised. Motion passed.

Zoning Board of Appeals/Zoning Administrator Reports

None

Open Discussion on Non-Agenda Items/Public Comment

Chair vanMelle read a resignation letter from Carol S. Browne effective October 1, 2016. She and her husband, Bill are leaving Michigan. Two new members will need to be appointed to the planning commission.

Adjournment:

Adjournment by acclamation at 9:08 pm

Respectfully submitted

Carol S Browne, Secretary