



Meeting called by: Vice-Chair Sevey @ 7:31 PM

Members Present: Vice-Chair Sevey requested Member Roll Call

Al Myers X

Hal Babcock X

Keith Sawade X

Ellen Moore AB

Rick Sevey X

Jon Tilburt X

Mark Hoskins X

Others present: Attorney – Leisman, Supervisor – Ellick

Pledge of Allegiance:

Approval of Minutes:

Sevey: Called for motion to accept September minutes. Motion by Tilburt, second by Myers; all Ayes, Motion Carried.

Approval of Agenda:

Sevey: Called for motion to accept Agenda as written. Motion by Hoskins, second by Babcock; all Ayes, Motion Carried.

Public Comment - Matters not the Subject of Public Hearing/Agenda Items:

Sevey: With no public comment, public comment closed

Agenda Items to be reviewed by the Planning Commission:

Agenda Item #1: Scheduled Public Hearing – Rezone/SPU for DexKo – 810 17 Mile

Sevey: Called for DexKo presentation and recognized Kyle Visker, engineer, and Jason Dexter, Owner. (Visker) Distributed/presented revised site plan – have consulted with MDOT and eliminated 17 Mile drive - created shared access on Olin Lakes; expanded buildings to 150' X 22'.

Sevey: Called for public comment with explanation of procedures/proposal. *1:(Sprouse) - Steel bldg.; landscaping – aesthetics? *2:(Babcock) Planned tree line for screening. *3:(Roark) Vehicles parked outside? Could encourage crime. *4:(Sedine) – currently parcel not part of master plan for HC – is a deviation; encourages more traffic at dangerous intersection; will create approx. 60 more vehicles. *5:(Welch) – traffic, hill dangerous...unsafe w/o (signal) light. *6:(Wheaton) (Development's) master deed called for left turn lane that never happened; traffic issue – hill issue.

Applicant Response: (Dexter) Buildings are steel; security fences to be installed.

Sevey: No further comment – public hearing closed.

PC Discussion: (Leisman) Units are permitted in HC; some requirements necessary. (Tilburt) Buildings need to be compatible – no specifics. (Sevey) Nothing on site plan for security fencing.

Agenda Item #2: Scheduled Public Hearing – Rezone/SPU for DexKo – 862 17 Mile

Sevey: Called for public comment with explanation of procedures/proposal. *4:(Sedine) Same comments; has PC considered NC instead of HC? *1:(Sprouse) Building use for hauling metal? Painting? *3:(Roark) Bldg. size? Distance from street? *7:(Dines) Disapproves – wants privacy. *1:(Sprouse) Ref: Ch. 16 (Ordinances) - retail sales applicable if bldg. over 15,000 sq. ft.; mechanical room setbacks? 300' frontage on arterial street? *3:(Roark) Your vehicles seen? What if violations? *7:(Dines) Truck parking? *8:(Welch) Against – devalues property. *9:(Kent) Against – wants wildlife & peace. *10:(Lonsway) Against – devalues property. 1:(Sprouse) Against; devalues property; environmental impact. *3:(Roark) Against any developing. *4: PC approval contributes to increased traffic; shouldn't be resident's responsibility to go to MDOT.

Applicant Response: (Dexter) Buildings include office space, storage, cabinet making, small retail space, shelving mat'l's brought in; painting – nothing major, no hazardous waste; truck parking maybe 2 wks.; overnight in loading area – our drivers.

Sevey: No further comment – public hearing closed.

PC Discussion: (Leisman) Application was for, "...construction office and whse space," – is permitted. (Sevey) Violations handled by code enforcement. (Leisman) Issues to address: 1. Requirement – buffer zone not less than 25'; sufficient landscaping; 2. Exterior materials not provided; 3. Re: 862 – application asked for construction office and whse...now some assembly and retail - suggests narrative with more detail; 4. What's primary use...display area? 5. Master Plan and traffic study – can ask for center lane, cannot require; need more information; plans contingent on rezoning. (Tilburt) Need 2X trees for buffer; require bldg. elevations; need schematics – both building's uses & parking spaces; Master Plan is not specific...no intent for HC there; NC is neighborhood oriented – could be accomplished under NC;

traffic study a good idea. (Hoskins) 25' setback buffer for loading dock? 300' arterial frontage on Olin Lakes also? Need more trees – year-round coverage; nothing in common area - need more specifics. (Leisman) Re: Ch. 16 – application isn't for retail; don't see a large amount of traffic added; could be issue at intersection. (Sevey) Agreed but needs traffic study. (Sawade) Should consider berm; Vehicles your own? (Dexter) No customer vehicles. (Myers) Public traffic complaints must go thru MDOT – is not within PC's or township's power; agree with turn lane but not in our power. (Ellick) A turn lane was never designed when Harmony Farms went in for 17 Mile at Olin Lakes. Sevey: Called for motion to table matter until applicant addresses all 5 before-mentioned concerns and are not back on the Planning Commission's agenda until then. Motion by Tilburt, second by Myers; all Ayes, Motion Carried. Conclusion: Attorney Leisman will prepare an opinion on HC or NC.

Agenda Item #1: Scheduled Public Hearing – SPU H.W. Horsesports – 855 17 Mile

Sevey: Called for presentation and recognized Hanna Walter, owner. (Walter) Ref: Updated Proposal: No change to Property - repurposing; riding lessons and events – 2-3/yr.; portable restrooms provided; safety measures for riders and animals; Hours 9 AM–9 PM, shows 8 AM–9 PM, 1x/yr. 3 AM–9 PM; events will have 30 - 40 total horses & persons; traffic directed from Solon to Olin Lakes avoiding 17 Mi.; no more than 9 horses boarded - adequate shelter; composting manure hauled away and/or available to the public; event parking in pasture – no overnight.

Sevey: Called for public comment with explanation of procedures/proposal. *9: (Kent) PA system at events? *4: (Sedine) Owns surrounding property and offers overflow parking there if township concurs – no street parking, please; has been a boarding operation for a long time – agrees with this request. *3: (Roark) Traffic at corner is awful – 40 cars at shows? *11: (Jangda) Number of shows? *6: (Wheaton) Supports – plan is better addressed.

Applicant Response: (Walter) PA system sound kept low; 2 – 3 events/yr. – less than 20 cars.

Sevey: No further comment – public hearing closed.

PC Discussion: (Leisman) Ref: Draft#2: Recommends granting in accordance with signed site plan and compliance with ordinances, KCHD, & GAAMP; will clarify number of horses and hours for events; will add amplification/noise and 1 week-day event to resolution. (Tilburt) Lesson hours? Occasional weekday? (Walter) Lessons between 9 AM & 9 PM; event hours changed to 8 AM to allow time to bring in horses; Week-day event 1X/yr. from 3 – 9 PM. (Leisman) Spectators only evening/weekends.

Sevey: Called for motion to grant SPU request with approved amendments by Attorney Leisman. Motion by Tilburt, second by Hoskins; all Ayes, Motion Carried.

Conclusion: Attorney Leisman will make amendments and supply updated, approved resolution.

Agenda Item #1: SPU Application – Pinnacle Construction for Cedar Animal Hospital

Sevey: Called for presentation and recognized Jeff Brinks, Venture Engineering. (Brinks) Per last month's decision, met with township supervisor, zoning administrator, attorney, and engineer; resolved issues: parking within side yard setbacks – solved by eliminating private road; private road never recorded – doing title search to confirm; KCRC to remove Gentle Way address and move to Edgerton; amended site plan complies with engineer issues; request for public hearing on November 17th to move forward.

PC Discussion: (Leisman) Concurs; setback indications on plan coming? (Brinks) Will do.

Sevey: Called for motion to set public hearing for next PC Meeting November 17, 2021. Motion by Tilburt, second by Babcock; all Ayes, Motion Carried.

Conclusion: Public Hearing at next meeting, November 17th.

Unfinished Business:

1. Kennels Ordinance Definitions: (Leisman) Provided red line copy – Draft #3 indicating changes: "lot or premises," and adjacent buildings location from 100' to 200'.

Conclusion: No further changes now – hold public hearing, date to be decided in December.

2. Assessor Building Definitions: (Leisman) Provided ordinance draft indicating definition of "Building" to include prefabs, carports, etc., and requiring a permit.; Addition of Sec. 3.07, N. - Temp. structures, O. – explanation on unclosed structures, and P. – limits on semi-trucks, containers, etc.;

PC Discussion: (Tilburt/Sawade) Ref: 3.07-G: "bona fide definition - farmers could have their buildings? What if 20 acres zoned AG? (Leisman) "Farm" needs to be determined. (Sevey) Will be on independent basis – this answers a lot of problems; (Hoskins/Tilburt) Square feet exemption? Don't want to exempt 199' carports; Zoning required for sheds in trailer parks? (Ellick) Under 200' – no building permit required, zoning, yes; zoning not needed for trailer parks. (Sevey) Isn't saying they can't have – just need zoning. (Tilburt) Enclosures? (Leisman) Can require under 200' enclosed, over 200' not needed? (PC) Agreed.

Conclusion: Attorney to clarify language; Zoning Administrator will be consulted for input; matter tabled until after the first of 2022; will decide on public hearing date next month.

Open Discussion for Issues not on the Agenda:

1. *Correspondence distributed:* Calendar date change for December 15th meeting? (PC) Stet.
2. *Planning Commission Members:* (Sawade) News on Premier Towing? (Ellick) They've cleaned up a lot but haven't come back; put a "Stop Work" on unpermitted new building being constructed at their residence on 18 Mile. Need to hire new Enforcement Officer again after current one resigned today; need someone to handle incoming complaints.

Report of Township Board Representative: (Hoskins) RE: Marijuana request. The township board discussion resulted in a look at medical marijuana; consulted attorney to put on the ballot for 2024 Presidential Election. Supervisor Ellick contacted Mrs. Stout.

Report of Board of Appeals Representative: (Tilburt) N/A

Report of Zoning Administrator: (Gross) N/A

Additional Public Comment:

- *2: (Babcock) Appreciates PC's work; requests more review on Kennel Definitions' wording on number of animals; only allowing 3 pets needs to change. (Sevey) This Kennel amendment isn't applicable to pets – will review wording.
- *1: (Sprouse) Re: *Harmony Farms*: 2 years ago, came to PC for help with amending their master deed; issues include septic pumping requirements and sidewalk size requirements. PC chair turned over to township zoning and supervisor; we heard nothing. Can we amend our mstr. deed? Need answer in writing. (Sevey) Will have township attorney look into matter; supervisor will communicate findings.
- *4: (Sedine) Has met with multiple businesses and with growth, is confused why nothing happening for traffic on 17 Mile. i.e. JStar –left turn lane should've been addressed up front; letting sprawl happen is bad. (Hoskins) Can group of residents go to MDOT? Community won't stop growing; that's the area for development – not residential. (Tilburt/Sawade) Perhaps the board and residents group together; we're trying to help. (Myers) Need to get evidence to present to MDOT, i.e., traffic count; is not easy. (Ellick) We've tried to deal with MDOT – is exasperating; need to keep business on 17 and get traffic counts; trees/berm on 17 Mile a good idea; 17 Mile needs to be HC. (Ellick) Re: noise ordinance: is complicated - check into county ordinance; (Sevey) How do we enforce a noise ordinance? (Leisman) Can do but is difficult. (Ellick) Recently talked with noise complainant; KC Sheriff wouldn't enforce w/o township ordinance; question is how do we make a noise ordinance work? (Sevey) With nothing further, public comment closed:

Sevey: Called for motion to adjourn: Motion by Sawade, second by Myers, all Ayes, Motion Carried. Adjourned: 9:53 PM.

Next Scheduled Meeting: Wednesday, November 17, 2021

- *1: Jim Sprouse – 879 E. Harmony, Sparta, MI
- *2: Vicky Babcock – 2711 18 MI, Cedar springs, MI
- *3: Homer/Cheryl Roark – 13739 E. Harmony, Sparta, MI
- *4: Aaron Sedine – 14155 Olin Lakes, Cedar Springs, MI
- *5: Pam Welch – 13784 E Harmony Ct., Sparta, MI
- *6: Brian Wheaton – 656 W. Harmony, Sparta, MI
- *7: Dines – 13827 E. Harmony Ct., Sparta, MI
- *8: Steve Welch – 13784 E. Harmony Ct., Sparta, MI
- *9: Karl Kent – 13801 E. Harmony Ct., Sparta, MI
- *10: Carl Lonsway – 13832 E. Harmony Ct., Sparta, MI
- *11: Valerie Jangda – 700 Harmony Place, Sparta, MI

by brian Wheaton

Secretary

11-17-21

Date