

Woodhull Township Planning Commission
Minutes of Regular Meeting August 17, 2016

Approved on _____

1. **Call to order.** Chairman Scovill called the meeting to order at 7:28 pm
2. **Roll call** was taken and the following members were present:
Charles Scovill, Chair; Beverly Lang, Secretary; Jim Brehm, Township Board Liaison;
Greg Daenzer, Shaun Thronson, Dan Carncross.
Absent and excused was Mark Coscarelli, Vice Chair.
3. **Recognition of Visitors/Voluntary Sign-In.**
4. **Approval of Agenda** for August 17. Lang requested moving Old Business to follow New Business. Motion by Daenzer to approve agenda as revised; seconded by Thronson.
6 yes/ 0 no. Motion passed.
5. **Approval of Minutes** of July 20, 2016. Motion by Lang to approve minutes as presented; seconded by Carncross. 6 yes/ 0 no. Motion passed.

Call to the Public on non-agenda issues: Public comment opened at 7:31 pm. Resident Marilyn Hammond requested that the commissioners introduce themselves. Introductions followed. Public comment closed at 7:33 pm.

New Business

6. **Variance Application PZBA 16-011 Myrle Gorsline** to allow construction of a 24x36 prefab garage located more than 75 feet from the principal structure at 7750 Lovejoy Road, Perry. Secretary Lang reported that neighbors identified by the county community development department had been notified by mail of the planning commission meeting. One response received by email expressed no objection to the application.

Chairman Scovill briefly explained the role of the township planning commission as advisory to the county. He summarized the application forwarded by Shiawassee County Community Development (*on file and incorporated by reference*), and recognized the applicant to further explain his request.

Mr. Gorsline stated the proposed location was the best place to install the structure due to the unusual topography of the property, the forestation, and the current location of existing structures. He outlined his communications with the county community development department beginning May 31, 2016, and directed commissioners' attention to the maps and photos attached to the application.

Chairman Scovill thanked Mr. Gorsline and asked if any commissioners had questions. Comments included concern with the timeline. Chairman Scovill asked if any members of the public wished to comment. Hearing none, he closed the comment period and re-opened to comments from the commissioners. Discussion centered on which of the "condition sets" in the ordinance 5.3.1.B.1. would apply and the confusion resulting therefrom. Secretary Lang reported she asked the community development department for a copy of the relevant ordinance, which does not appear on the county website, and

that Mr. Preston indicated they would consider the application under condition set one instead of condition set two (as originally recommended to the applicant) as stated on the staff report dated August 16 (*on file and incorporated by reference*),

Chairman Scovill, not hearing any objections to the application, stated he would accept a motion of support. Daenzer moved to recommend approval of the variance in all respects to the ordinance whether under condition set one or condition set two, including all aspects of distances as presented in the application. Seconded by Thronson. 6 yes/0 no. Motion passed.

Secretary Lang expressed disagreement with the statement in the staff report, item 8 of Findings of Fact, stating it was not readily apparent that there were any errors in judgment or procedure in the administration of the relevant zoning provisions. Lang moved that the secretary draft a letter to the community development department requesting that they make all amendments to the zoning ordinance available on the website as soon as possible. Seconded by Carncross. 6 yes/0 no. Motion passed.

Chairman Scovill instructed the secretary to forward the recommendation to the township board for consideration at its meeting September 7, 2016, with subsequent forwarding by the supervisor to the county board of appeals.

7. Special Use Permit/Site Plan Review Application PSUP 16-05 by Michael

McDonald for an indoor entertainment establishment to use the existing fellowship hall (previously Graham Church) as a banquet hall at 8920 W. Britton Road, Laingsburg. Secretary Lang reported that neighbors identified by the county community development department had been notified by mail of the planning commission meeting.

Chairman Scovill briefly explained that the commission had reviewed the variance application previously and requested that the county consider it as a special use permit, which was now before the commission and would allow the addition of stipulations regarding hours of operations, noise, and parking capacity. He summarized the SUP/site plan application and the staff report (*on file and incorporated by reference*), and reviewed the standards in the ordinance for indoor entertainment establishments, ordinance 4.3.38, noting the maximum hours of operations could be as much as 10am to 2am.

Chairman Scovill invited the applicant to make any additional comments. Mr. and Mrs. McDonald stated that based on the square footage and 122 parking spaces, the occupancy limit would be 244. All vendors would be off-premises by 12:30 or 1:00. DJ would stop the music at 11:30. They researched other similar venues in the area and found the general standard is midnight. They conducted decibel tests at the property, and found they fall under the permissible limits in the ordinance.

Chairman Scovill invited questions from commissioners. Asked about closing time, the applicants would prefer midnight, with music to stop at 11:30. Asked about days of operations, applicants stated they would not be operating during the work week, the majority of the events being on Saturdays, some Fridays, and some Sunday afternoons.

Chairman Scovill invited public comment. Hearing none, public comment was closed.

Secretary Lang noted that with approval of the chairman, the letter to the county authorized at the July meeting was not sent due to the township having received notice that the matter would be brought up again as a special use permit.

Further discussion ensued regarding the standards under the ordinance for noise levels and parking requirements, and the previous recommendation of the planning commission that music stop at 11:00 p.m. A compromise on the time for ending the music at 11:30 was also discussed.

Daenzer moved to recommend that the special use permit be approved with the stipulations currently listed in the application and with the addition of requiring that the music end by 11:30 pm. Supported by Lang. Daenzer accepted a friendly amendment to include "site plan review" in the approval. The motion as amended: to recommend that the special use permit and site plan review be approved with the stipulations currently listed in the application and with the addition of requiring that the music end by 11:30 p.m. 6 yes/ 0 no. Motion passed.

Secretary Lang noted that the county has scheduled the hearing for August 24, 2016, which is before the next meeting of the township board. She was instructed to forward the recommendation to the county planning commission, with a copy to the township board.

- 8. Shiawassee County Hazard Mitigation Plan Update.** Secretary Lang read an email received this date from the county community development department sending a survey and asking township commissioners to rank 13 mitigation actions in order of priority. Chairman Scovill recommended two options. Daenzer moved that each commissioner complete the survey on his/her own, send the form to the secretary, who will compile the results and report to the county. Seconded by Carncross. 6 yes/0 no. Deadline is Sunday night.

Information/Updates

- 9. Township Board actions.** Commissioner Brehm reviewed actions taken at the August 3 regular meeting including the lease for the well for the fire department; starting the September and October meetings at 6:30 pm on account of the ambulance assessment hearings; and authorizing township attorneys to pursue legal action against the former supervisor. Discussion ensued on the amount of legal expenses being incurred.
- 10. Planning Commission Expenditure Report.** Secretary Lang reported the expenditure report received was for the wrong month. She will obtain the correct one for review next month.
- 11. Status of Bucceri SUP.** Chairman Scovill and Commissioner Daenzer attended the county hearing. The county planning commission tabled the matter.

Old Business

12. Shiawassee County Master Plan. Secretary Lang reviewed action taken last month. She reported that due to receiving answers from Zoning Administrator Preston to questions raised by township commissioners, and with the concurrence of Chairman Scovill, she delayed sending last month's recommendation to the county. Trustee Brehm reported the recommendation to the township board at its August meeting, with no action taken. Secretary Lang read emailed answers from Mr. Preston (*on file and incorporated by reference*). He replied it was not intended to be a complete rewrite, just to update the demographics and add new items such as wind energy. There being no new comments from commissioners, the secretary was instructed to forward the initial recommendation to the county planning commission.

Information/Updates

13. Other: Trustee Brehm stated he was not re-elected and therefore there would be a new member of the board in his place after November. Commissioners thanked him for his 16 years of service to the township and the planning commission. The tie vote between Dodge and Jelenek for trustee was won by Bill Dodge. Secretary Lang incurred \$9.40 for postage to send the letters on the Gorsline and McDonald matters and will submit that for reimbursement.

Adjournment: It was moved by Lang, supported by Carncross, to adjourn the meeting. 6 yes/0 no. Motion passed. Meeting adjourned at 8:25 pm.

Respectfully submitted,
Beverly Lang, Secretary
8/23/16