

10-Jan-11 meeting called to order 7:00 P.M. by Laurie Fromhart

II. Roll Call

Gary Baetens Chris Brown Laurie Fromhart Jeff Simkiss
~~Dave Horney~~ Mark Iwanicki Tom Wharam

III. Citizen Participation

- Tony Caprarese, High Scope real estate agent, Swisher Commercial
 - Handed out marketing brochures
 - Property has been listed since Sep-09
 - There are four different parcels
 - Property is intended for commercial use
 - Interest purchasers looked at the property for the following uses: wedding and special events center, Huron Valley Girl Scout camp, agrarian commune, Ann Arbor Public School youth programs, Pilaties Holistic camp, Veteran Administration Hospital, Muslim Alliance of Indiana, fat camp, Catholic church for monastery, Tall Oaks group (Michigan Department of corrections), outdoor skate camp, TIA Corp.
 - Price started at \$1.3M, now \$0.8M
- Larry Schweinhart of president of the High Scope Foundation, owner of the property
 - Gave a brief history of the property
 - Seasonal use for the entire time
 - There has been a Continuity of use over the past 70 years
- Dave Perry of 16000 Sheridan Road
 - Asked where people will come from
 - Per said that about 40% will be from Michigan
 - Sunday visitation from 12 to 5
 - Dave asked about traffic on Sheridan Road
 - Per said that people come to visit mostly in the beginning and the end of the program
 - Dave was informed that this was not the public hearing was in December and was given a copy of the minutes from December
- There was a question of the location of the public hearing announcement
 - Laurie Fromhart explained the statute and sending notices to people owning property within 300 feet of the property
 - Tom Wharam added that it was in the newspaper and posted on the front of the township hall
- A question of which newspaper was asked
 - Laurie Fromhart stated the Manchester Enterprise because that is the paper of record, The Clinton Local is being looked at as an addition posting paper
- Sheresa Perry 16000 Sheridan Road asked about what types of questions can be asked
 - Fred Lucas said that this is not a question and answer period, this is a comment period,
- Sherisa (in an email) commented about the safety concerns
- Tim Wilson of 16005 Sheridan Road; commented on safety and how property values may be affected
- Linda Thilo of 15950 Sheridan Road; commented on the property values being affected

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- Tim Wilson of 16005 Sheridan Road; on the edge of Washtenaw County; commented on the lack of police protection
- Gordan Rady of 14135 Allen Road; commented on the traffic issues and that the entrance is on a hill
- Cindy Embry of 15140 Sheridan Road; read a letter from her mother, described the use of High Scope; the use was low profile, asked not to re-zone, the letter was provided for the file
- Lionel Aris of 11201 Bemis Road; asked for a copy of the site plan for the St. Aidan's Church property, asked about proposed buildings, drive etc.; Laurie Fromhart showed Lionel where things are located on the site plan
- Ron Raab of 11655 Bemis Road; had United States Department of Agriculture reports; the soil at 11191 Bemis Road is mostly loam, may not be stable, provided reports for the record
- Linda Thile of 15950 Sheridan Road; believes that fire trucks cannot turn into the drive of the High Scope property
- Tony Rady of 1120 Rady Drive; commented that most townships do not do spot zoning
- Susan McGarry of 2565 Carmel; asked if could ask a question
 - Laurie Fromhart stated that it would be best to address her concerns during VII D on the agenda
- Dale Embry of 15140 Sheridan Road; voiced concern with 911 response time due to location, one of his calls had a response time of about 2.5 hours; cannot hold a person against their will, the house to the north is about 50 yards from drive, this is not a just a nuisance but a safety issue

III. Approval of Agenda

- Motion to accept agenda as amended – Tom Wharam
- Second to motion – Gary Baetens
- Vote - unanimous

IV. Approval of Minutes

- Motion to approve minutes from 13-Dec-10 as amended – Jeff Simkiss
- Second to motion – Gary Baetens
- Vote – unanimous

V. Public Hearings

None

VI. Old Business

A. Election of Officers - Chair, Vice-Chair, & Secretary

- Motion to re-elect the current officers, Dave Horney-chair, Laurie Fromhart as vice chair, Tom Wharam as secretary– Gary Baetens
- Second to motion – Mark Iwanicki
- Vote – unanimous

B. TIA Corp's SLU Application – Opinion from Township Attorney Fred Lucas

- Laurie Fromhart explained that High Scope was a legal non-conforming land use
- Fred Lucas explained that must reference Zoning Ordinance and his determination of the land use
 - Legal non-conforming use can continue as long as use does not change

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- High Scope was a summer camp for youth and can be used as such
- Application from TIA is for drug rehab
- A permitted use, used by right, ex. Single family home
- Listed permitted uses (his letter is on file)
- Drug rehab and medical are not listed
- Special Land Use (SLU) required must be listed in zoning ordinance
- Planning Commission (PC) is an administrative body
- Section 502 of the zoning ordinance (special land uses in an agricultural district) lists 22 different uses, Fred Lucas listed them
- Education, drug rehab and medical facilities are not listed, they are portions of the zoning ordinance so must not be intended as SLU
- Fred concluded that PC does not have legal authority to grant a SLU
- TIA can seek to rezone (a legislative act with action by township board)
- TIA can seek to change the zoning ordinance to include this in the zoning ordinance (which is a legislative act and requires the approval of the township board); the ZBA would have to approve this change
- PC does not have authority to grant SLU for this type of use
- Motion to deny of TIA Corp. SLU application because the proposed use is neither a permitted or special land use in the agriculture district – Mark Iwanicki
- Second to motion – Tom Wharam
- Role call vote:

Gary Baetens - yes

Chris Brown - yes

Laurie Fromhart - yes

Jeff Simkiss - yes

Dave Horney - absent

Mark Iwanicki – yes

Tom Wharam - yes

C. Revisit By-Laws Conflict of Interest Policy - Opinion from Township Attorney Fred Lucas & MTA

- Laurie Fromhart explained the current situation
- Fred Lucas suggested that the members section be removed
- Membership is controlled by statute
- Fred Lucas proposed an alternative to section 6, item C; can design own rules on conflict of interest
- MTA said it is up to PC
- Mark Iwanicki said that members should not have financial interest that could sway the planning commission
- Gary Baetens asked about non-financial interest
- Chris Brown said should be able to speak but not vote
- Bill DeGroot talked about size of financial gain and notification distance
- Most communities use option 2 (immediate adjacent to (a shared property line))
- Can remove or use neighboring property
- Tom suggested striking section 6, item C entirely
- Gary Baetens asked about concerns
- Laurie Fromhart said we can always recuse ourselves
- Motion to amend the PC bylaw to remove Section 6, Subsection C and Section 2 – Laurie Fromhart
- Second to motion – Chris Brown
- Vote – unanimous

- Tom will make the changes and send them to Laurie Fromhart

D. St. Aidan's Episcopal Church Places of Worship SLU – update

- Laurie Fromhart read an email that she received from Susan McGarry
- The letter stated:
 - Legacy Land Conservancy (LLC) will finish by February
 - Parking area should be in the final site plan, since there is no final site plan she will add it to preliminary site plan; there will be only five parking spaces
 - Probably will not be a building, depending on perk
 - Perk was not tested for this application since no intention of building soon
 - All of the 10 acres would be protected by LLC
- Would not need a turn around
- Susan will provide a site plan with the parking area
- Karen Reynolds of 11211 Bemis described the soil and asked about how the cars would drive and park
 - Susan McGarry said that parking lot would end before the wet areas
- Ronald Raab ~~foof~~ 11655 Bemis Road; stated that St. Aidan's did not submit a site plan, Tom Wharam corrected him
- Bill DeGroot said that applicant was asked to provide the percentage of usable land vs. wetland designation
- Susan McGarry thanked people for their comments
- Susan McGarry said that LLC may not be able to finish by the February PC meeting
- Motion to table the St. Aidan's SLU application until the February planning commission meeting when the applicant will provide the location of porta potty, description of parking lot, designation of wet land, approval from Washtenaw County Road Commission (for line of site) and LLC agreement – Laurie Fromhart
- Second to motion – Chris Brown
- Vote – unanimous
- Susan McGarry said that property is not designated as a wetland
 - Bill DeGroot said the MDNRE, WC land maps and drain commission would determine designation
- Ronald Raab asked about the stakes by the driveway
 - Susan McGarry said that the Road Commission required that this be done

E. WCPARC Rezoning Application – update

- Bill DeGroot that WCPARC is ready to submit drawings
- Talked about fences and trees (landscaping)
- Need to remove 30' black walnut to put in drive
- WCPARC would like to choose a public hearing date at the February planning commission meeting if the application is complete
- Only item in ordinance about replacing trees is concerning screening
- Bill asked if there is a stand alone ordinance about replacement of trees
- Looking at putting parking lot 100 foot from sale sign; in the southern most portion of property
- What do they have to replace, does it have to be at parking lot or anywhere on property?

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- Don Pennington of Pennington, DeGroot & Nanney, stated the we could be successful by talking about tree replacement
- Motion to extend meeting time past 9:00 PM – Chris Brown
- Second to motion – Laurie Fromhart
- Vote – unanimous
- Bill said they may ask for a permit to fence through the wet lands

F. Ordinance update – Review of section 1

- Motion to table the ordinance review until February planning commission meeting – Laurie Fromhart
- Second to motion – Chris Brown
- Vote – unanimous

III.VII. New Business

A. Set 2011 Meeting Dates

- Laurie Fromhart presented meeting dates which are on file
- Motion approve the meeting dates for 2011 for the 2nd Monday of month at 7:00 PM – Mark Iwanicki
- Second to motion – Chris Brown
- Vote – unanimous

B. Discuss Annual Report to the Board of Trustees

- Tom will prepare the annual report for the Planning Commission for the February board meeting
- PC needs to prepare a budget for the 2011
- Training, lawyer fees, etc.
- Tom will prepare a budget for the Planning Commission for the February board meeting

C. SP/SLU/RZ packets for Zoning Administrator (update from L. Fromhart)

- Laurie Fromhart showed where the new packets are located (they are also on the web)
- Tom asked if these are originals or ready to hand out; Carl is first contact, packets are ready to hand out

III.VIII. Communications

A. Report on 6-Jan-11 Board of Trustees meeting – Laurie Fromhart

- Laurie reported on the highlights of the board of Trustees meeting
- The minutes are on record
- Chris Brown volunteered to be the PC rep for SWWCOG
- Gary Baetens will also attend
- The meeting is in basement of Manchester library on Wednesday at 7:30 PM

B. Report on 10-Nov-10 & 8-Dec-~~11~~10 SWWCOG Meeting – Laurie Fromhart

- Laurie reported on the highlights of the SWWCOG meetings
- The minutes are on record

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C. Report on 16-Nov-10 & 11-Dec-10 MCJPC Meeting – Laurie Fromhart

- Laurie reported on the highlights of the MCJPC meetings
- The minutes are on record

D. Report from Zoning Administrator – Laurie Fromhart

- Laurie reported on the report from Carl Macomber

~~III.~~ IX. Informational Items

- Stansley Mineral Resources SLU Application for Processing Recycled Concrete – Application and fees received 1/5/2011
- Chip Tokar geologist
 - Spoke on SLU to allow processing of broken concrete
 - No new buildings
 - Will modify the existing site plan
- Laurie Fromhart clarified the consent judgment
- Chris Brown asked if the material is hazardous
 - Chip explained that the material was hauled as a round trip
- Laurie Fromhart said that ~~Stansley's started hauling in July~~ SMR, announced ~~in at the~~ Aug. board that ~~it was done~~ they were hauling in concrete
- Gordan Rady asked about noise
 - Chip said not really

~~III.~~ X. Public Comment

- None

~~III.~~ XI. Adjournment

- Next meeting: 14-Feb-11 at 7:00 P.M.
- Motion to adjourn – Tom Wharam
- Second to motion – Jeff Simkiss
- Vote – unanimous

Meeting adjourned at 9:31 P.M.