

**MANCHESTER TOWNSHIP PLANNING COMMISSION**  
**Manchester Township Hall, 275 S. Macomb Street, Manchester, Michigan 48158**

**Regular Meeting Minutes Unapproved**  
**May 7, 2009**

**A. CALL TO ORDER**

The meeting was called to order at 8:00 pm by Chairman Kopka.

Members Present: Les Kopka, Lyle Widmayer, Deena McIntosh, Ron Crampton, John Seefeld, Pete Stumpo, and George Daubner

Absent: None

Others Present: Paul Siersma (Carlisle/Wortman) and Ron Mann (Township Supervisor – 18885 W. Austin)

**B. APPROVAL OF AGENDA**

Planning Commissioners discussed adding an agenda item under New Business to discuss the issue of the ninth member for the Manchester Community Joint Planning Commission (MCJPC). Motion made by Crampton and seconded by Widmayer to approve the agenda as amended.

Voice vote: ayes all. Motion carried.

**C. APPROVAL OF MINUTES – April 2, 2009**

Motion made by Daubner and seconded by Seefeld to approve the 04/02/09 minutes of the regular meeting as presented.

Voice vote: ayes all. Motion carried.

Chair Kopka called to close the regular meeting and open the public hearing at 8:04 pm.

**D. PUBLIC HEARING**

**1. Amendments to Sections 2.03 and 13.01 - Commercial Vehicle Parking**

Siersma introduced the proposed amendments to the commercial vehicle parking in the document - Proposed Amendments to the Manchester Township Zoning Ordinance (dated 03/25/09 – three pages – prepared by Carlisle/Wortman). Siersma reviewed the language that would amend Sections 2.03 and 13.01. Planning Commissioners discussed that the language would affect the Low Density and Urban Residential-zoned property. Kopka indicated that the Township currently does not have Urban Residential property. Stumpo clarified that the proposed amendment addresses vehicles such as backhoes and dump trucks based on the size of the vehicle. Daubner clarified that Section 2.03 addresses the definition of a commercial vehicle and Section 13.01 are the actual regulations. Planning Commissioners discussed that the exceptions allow for flexibility for service trucks. Daubner expressed concern for large agricultural equipment being exempted. Planning Commission discussed that large agricultural equipment would not likely be in use in Low Density residential. No public was present for comments.

**2. Amendments to Section 18.09 – Municipal Civil Infraction Ordinance Violation Bureau**

Siersma introduced the proposed amendments to the municipal civil infraction ordinance violation bureau in the document – AN ORDINANCE TO AMEND THE MANCHESTER TOWNSHIP ZONING ORDINANCE SECTION 18.09 “VIOLATIONS AND PENALTIES; NUISANCE PER SE; ABATEMENT” BY RE-TITLING THE SECTION “ENFORCEMENT; VIOLATIONS AND PENALTIES; NUISANCE PER SE; ABATEMENT”, TO MAKE PENALTIES MUNICIPAL INFRACTIONS, TO AUTHORIZE THE ISSUANCE OF VIOLATION NOTICES, AND TO SET FORTH OTHER REMEDIES (hand-dated 05/07/09 – four pages – prepared by Carlisle/Wortman). Siersma reviewed the language that would amend Section 18.09. Daubner questioned the language regarding fees. Planning Commissioners discussed the structure of fines and the parameters of court involvement. Siersma indicated that the Township Board would set the fees. No public was present to comment.

**3. Amendments to Section 3.19 – Temporary Dwelling Structures**

Siersma introduced the proposed amendments to the commercial vehicle parking in the document - Proposed Amendments to the Manchester Township Zoning Ordinance (dated 04/20/09 – five pages – prepared by Carlisle/Wortman). Siersma reviewed the language that would amend Section 3.19. Planning Commissioners discussed the addition of allowing motor homes and the deposit fees being set by the Township Board to the language that had been suggested at the April Township Board meeting. No public was present to comment.

Chair Kopka called to close the Public Hearing and re-open the regular meeting at 8:20 pm.

**E. PUBLIC COMMENT**

None

**F. REPORTS AND CORRESPONDENCE**

**1. Report of Chairperson:**

Kopka inquired on the status of the Spaulding item that had been before the Zoning Board of Appeals. Siersma indicated there was no new information.

**2. Report of Township Board Representative:**

Widmayer distributed the minutes from the April meeting. Widmayer updated the group on the recent Fire Department purchases and the work at the Township Hall. Widmayer indicated that discussion on the Planning Commission tasks being completed by Carlisle/Wortman or the Planning Commission Secretary will be discussed soon. Widmayer indicated that the Township Board received a report from the assessor and an update from the County Road Commission. Widmayer indicated that three coats of brine are planned for the Township Roads this year.

McIntosh entered the meeting at 8:24 pm.

**3. Report of Zoning Board of Appeals:**

Kopka advised that no meeting had been held.

**4. Report of Planning Consultant:**

Siersma distributed the ordinance updates from the Township Board. Siersma indicated that copies should be forwarded to the Township office. Siersma reviewed the 04/24/09 Carlisle/Wortman

memorandum regarding Wind Energy Conversion System (WECS) Ordinance Review (three pages). Siersma indicated that he will have the wind energy staff member from Carlisle/Wortman review the memorandum. Siersma indicated he will have the proposed draft ordinance for the June meeting. Daubner suggested that the guy wires for WECS be marked or covered with a plastic safety sheath (similar to power pole guy wires).

## **5. Reports of Committees:**

### **a. SWWCOG**

Daubner reported on the proceedings from the 04/08/09 meeting. Daubner advised that the May County Cleanup Day, WATS public hearing, and jail overcrowding were discussed. Daubner advised that Tamara Reel from the Arts Alliance made a presentation on the vision for the Arts Alliance. Daubner also advised that Jessica Ping presented information on the County budget. Daubner advised that the following items were presented during the Roundtable Discussion:

- Freedom Township – Hickory Sticks conditional use issue.
- Sharon Township – fire cost recovery issue.
- Manchester Township – Timber Hill Road special assessment and work on commercial vehicle parking issues.
- Village – exotic animal ordinance, planting trees, and work on budget.
- Schools – work on budget.

## **6. Correspondence**

Daubner advised that the following items had been received:

- Citizen Planning – training on effective meetings and minutes – 05/28/09
- Land Division Application – Braun property on Main Street in the Village
- Planning and Zoning News

## **G. UNFINISHED BUSINESS**

### **1. Amendments to Sections 2.03 and 13.01 - Commercial Vehicle Parking;**

### **2. Amendments to Section 18.09 – Municipal Civil Infraction Ordinance Violation Bureau; and**

### **3. Amendments to Section 3.19 – Temporary Dwelling Structures**

Motion made by Crampton and seconded by Seefeld to recommend approval to the Township Board for the following amendments:

- Proposed Amendments to the Manchester Township Zoning Ordinance (dated 03/25/09 – three pages – prepared by Carlisle/Wortman) for Sections 2.03 and 13.01 related to commercial vehicle parking.
- AN ORDINANCE TO AMEND THE MANCHESTER TOWNSHIP ZONING ORDINANCE SECTION 18.09 “VIOLATIONS AND PENALTIES; NUISANCE PER SE; ABATEMENT” BY RE-TITLING THE SECTION “ENFORCEMENT; VIOLATIONS AND PENALTIES; NUISANCE PER SE; ABATEMENT”, TO MAKE PENALTIES MUNICIPAL INFRACTIONS, TO AUTHORIZE THE ISSUANCE OF VIOLATION NOTICES, AND TO SET FORTH OTHER REMEDIES (hand-dated 05/07/09 – four pages – prepared by Carlisle/Wortman).
- Proposed Amendments to the Manchester Township Zoning Ordinance (dated 04/20/09 – five pages – prepared by Carlisle/Wortman) for Section 3.19 related to temporary dwelling structures.

Voice vote: ayes all. Motion carried

#### **4. 200 Foot Setback Amendments**

Siersma discussed the five-page proposed amendments related to the 200-foot setback for US-12 and M-52 outlined in the Proposed Amendments to the Manchester Township Zoning Ordinance (dated 04/20/09). Siersma indicated that the amendments would affect Sections 4.04, 5.03, 5.04, 6.04, and 9.05. Siersma indicated that the Township Board had turned down the earlier version of the amendments that had language allowing for a 200-foot setback from the centerline of the roadway. Siersma indicated that Daubner and Kopka had attending the last Township Board meeting and received input that a 100-foot setback from the right-of-way (ROW) would be more agreeable and be consistent with current ordinance language. Widmayer expressed concern that the 100-foot setback may be too much setback. Daubner indicated that the Township Board expressed concern that the area is rural and that build-out similar to Jackson Ave in Ann Arbor is not as likely. Planning Commission discussed the build-out on Jackson Avenue and expressed concern that future development along US-12 and M52 not has buildings as close to the roadway. Kopka indicated that the proposed amendments would save problems down the road. Planning Commissioners discussed that Carl Macomber suggested the change to have the setback measured from the ROW to be consistent with existing ordinance language. Planning Commissioners discussed the potential development along US-12. Planning Commissioners discussed the option of a property owner applying for a variance if the amendments were adopted. Planning Commissioners discussed the current and proposed language on setback and ROWs. Kopka indicated that the proposed amendment does not affect the existing structures. Siersma indicated that the setback applies only to front yard setback. Stumpo inquired why the roadways do not use an easement similar to I-94. Stumpo indicated it might be easier to allow for a certain amount of space for the roadway and let the property owners build up to the ROW or easement.

Siersma indicated that the County puts together a ROW map to accommodate future growth. Mann discussed M52 and the importance of a roadway to have the ability to properly drain. Planning Commissioners and Mann discussed the development requirements for roadways (de-acceleration and acceleration lanes). Siersma indicated that because the amendments were changed since the public hearing that another public hearing is needed. Kopka called for a public hearing on 06/04/09 at 8:00 pm for Sections 4.04, 5.03, 5.04, 6.04, and 9.05 for the setbacks on US-12 and M52 as outlined in the Proposed Amendments to the Manchester Township Zoning Ordinance (dated 04/20/09).

Planning Commissioners discussed the intent of the Planning Commission with the language amendments. Siersma discussed protecting the future development and the character of the corridors. Daubner inquired what section of US-12 is in the Township. Planning Commission discussed the comments from the April Township Board meeting. Planning Commission discussed the nuances of the variance process. Mann discussed the smaller properties along US-12 that may be candidates for a variance due to the more limited building space.

#### **5. MCJPC Report and Module Review – Future Land Use**

McIntosh advised that discussion at the MCJPC meeting on the Residential and Industrial modules had been tabled. McIntosh advised that the MCJPC group had begun review of the Plan Implementation module. Planning Commissioners reviewed the following items as part of the MCJPC Report and Module Review:

- One-page Carlisle/Wortman memorandum regarding Manchester Community Joint Master Plan (dated 03/23/09 – prepared by Siersma and Enos)

- Nine-page Future Land Use Plan from the MCJPC Joint Master Plan – 2009 (dated March 25, 2009)

Mann indicated that the discussion of overlay zones has not occurred at the MCJPC meeting. Planning Commission and Mann discussed that the use of an overlay zone as a policy versus a land use may be more workable. Planning Commissioners had no comments on the Future Land Use module.

## **H. NEW BUSINESS**

### **1. Article 5 Amendments**

Planning Commissioners reviewed the four-page Proposed Amendments to the Manchester Township Zoning Ordinance related to conditional uses (Section 5.03) (dated 04/20/09 – prepared by Carlisle/Wortman). Planning Commissioners discussed removing housing for agricultural workers and adding golf courses. Planning Commissioners discussed the intent of the conditional uses – using Township-defined conditions or case-by-case defined conditions as defined by the Township Board. Mann discussed setting up conditions for a conditional use. Crampton indicated that golf courses shows up earlier in the list of conditional uses. Siersma indicated then that the amendment would just be removing the housing for agricultural workers. Kopka called for a public hearing on 06/04/09 at 8:00 pm for Section 5.03 for the conditional use outlined in the Proposed Amendments to the Manchester Township Zoning Ordinance (dated 04/20/09).

### **2. Election of Officers**

Motion made by Stumpo and seconded by Widmayer to retain the same Planning Commission officers through April 2010 as:

Les Kopka - Chair

John Seefeld - Vice-Chair

George Daubner - Secretary.

Voice vote: ayes all. Motion carried.

### **3. MCJPC – Ninth Member Discussion**

Mann and McIntosh indicated that the issue of a ninth member to the MCJPC is still ongoing. Mann discussed the possible conflict with elected officials. Mann indicated there is a need for input on the makeup of the ninth member from the Planning Commission. Planning Commissioners suggested a rotating member with a one-year term and in alphabetical order by municipal name.

## **I. COMMENTS FROM COMMISSION**

McIntosh apologized for her late arrival.

Daubner inquired why the Township did a land split in the Village. Mann indicated that the Township does the land splits for the Village.

## **J. PUBLIC COMMENT**

Mann discussed that the taxable values in the Township that have gone down and that revenue sharing cuts will also be occurring. Mann indicated that the County projects the next three years the budget will be decreasing. Mann indicated that the Township will likely have some belt tightening. Mann discussed the possible renewals of millage and the cost of police services.

**K. NEXT MEETING**

Next regular meeting – Thursday, 06/04/09 at 8:00 pm.

**L. ADJOURNMENT**

Motion by McIntosh and seconded by Crampton to adjourn meeting at 9:52 pm.

Voice vote: ayes all. Motion carried.

Prepared by,

Approved by,

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Jennifer Crumb, MTPC Recording Secretary

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George Daubner, MTPC Secretary

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Date