

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

Regular Meeting Minutes Approved
September 7, 2006

A. CALL TO ORDER

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

Members Present: Les Kopka, George Daubner, Lyle Widmayer, Pete Stumpo, Jim Samonek,
and Mark Neigebauer

Absent: Mike Lowery

Others Present: Paul Siersma (Carlisle/Wortman), Nick Aiuto, Representatives for a Proposed
Business at the Aiuto Building, Representative for Chris Roberts-Antieau,
and Sybil Kolon

B. APPROVAL OF AGENDA

Planning Commissioners discussed adding a discussion of the Community Survey as agenda item F2 under Unfinished Business and Replacement of the Planning Commission Secretary as agenda item G4 under New Business. Motion made by Samonek and seconded by Neigebauer to approve the agenda as amended.

Voice vote: ayes all. Motion carried.

C. APPROVAL OF MINUTES – August 3, 2006

Motion made by Daubner and seconded by Widmayer to approve the 08/03/06 minutes as presented.

Voice vote: ayes all. Motion carried.

D. PUBLIC COMMENT

The representative for Chris Roberts-Antieau introduced himself as Chris' father and indicated that Chris could not be here because she was out of town on business. He advised that Chris is looking at a piece of property off of Ann Arbor Road just west of the former Case dealership on M-52. He indicated that a new building would go in that would house her art studio. He distributed a map of the proposed location. He advised that the building would be between 2,000 to 4,000 square feet and would be built in a green construction manner. He indicated that Chris has mentioned once her art studio leaves the building that the building could be used for professional offices. Planning Commissioners discussed the options for a new building. Planning Commissioners indicated that there is a program for revitalization of old barns for use as an art studio. Planning Commissioners confirmed that the property Chris is interested in does not have any buildings onsite.

Planning Commissioners discussed that Ron Mann is not in favor of rezoning the 2-acre parcel from the current Agriculture zoning to Commercial zoning. Planning Commissioners discussed that the Future Land Use Map calls for the parcel as Residential zoning. Planning Commissioners expressed concern for the use of the parcel for a professional building in the future since the parcel is located off of M-52. Planning discussed a conditional use permit but confirmed that an art studio is not an allowed or permitted use in the Agricultural zoning. Siersma noted that conditional rezoning could be used through the State language but that the Township has not adopted conditional rezoning language. Samonek indicated that it appears that Chris needs commercially-zoned property for her use as an art studio and for the future use as a professional building. Kopka indicated that if a conditional rezoning was requested for the art studio then once the building goes to a professional office, the conditional rezoning request would need to be done again for the professional building before it could be used.

Planning Commissioners discussed the adjacent property zoning on the Future Land Use Map. Siersma indicated that straight rezoning of the property would not be consistent with the Master Plan. Samonek inquired if a request for rezoning for the subject parcel would be spot zoning. Siersma indicated that since commercial property is across the corner technically it would not be spot zoning. Samonek indicated a request for rezoning would be opening commercial uses for agriculture and residential property. Samonek and Kopka indicated that the proposed professional office use would not be the ideal place due to the location off of M-52. Samonek indicated that because the Future Land Use Map indicates the property as residential that he suggests keeping the property residential.

Chris' father indicated that the business employees 28 people (four or five in the studio and the remainder of employees work in their homes sewing) that Chris is hoping to keep the business in the area. He indicated that he would like the Planning Commission to consider an exception. He discussed the nature and size of the art business. Daubner indicated that he is in agreement with Samonek's opinion of the proposed project. Widmayer indicated he needs more information from Chris including a site plan and how the property will be used). Planning Commissioners discussed that proper zoning would be needed for the building to be used as a professional building. Siersma indicated he would like to see more information from Chris. Kopka, Samonek, and Widmayer indicated that they would love to see the art studio stay in the community. Planning Commissioners discussed the issue of access off of M-52. Kopka suggested that alternative properties be considered or more information on the plans be presented to the Township.

Chris' father indicated that the property was being considered because it is off of M-52. Planning Commissioners discussed adjacent parcels that could be used for the art studio. Planning Commissioners discussed that M-52 in that area is not limited access. Siersma indicated that rezoning of a parcel to commercial zoning would allow any uses allowed under commercial zoning on the parcel. Samonek indicated that a rezoning needs to occur in 20 acre amounts. Siersma indicated that conditional rezoning is the only possibility. Planning Commissioners discussed

home-based business options. Chris' father indicated that the parcel is not suitable for residential and that the art studio could be a good buffer for the adjacent residential.

E. REPORTS AND CORRESPONDENCE

Reports

1. Report of Chairperson:

Kopka indicated that the seeding at Hungry Wolf has been done but that trees and shrubs have not been planted yet.

2. Report of Township Board Representative:

Widmayer indicated that Karl Racenis presented information on the Township website at the last meeting. Widmayer indicated that Racenis has done a great job on the website.

3. Report of Zoning Board of Appeals:

Kopka advised that no meeting had been held.

4. Report of Planning Consultant:

Siersma distributed a memorandum from Carlisle/Wortman Associates, Inc. dated 09/01/06 regarding Teri Aiuto Property at 11100 M-52 (three pages – prepared by John Enos and Siersma). The memorandum discusses the proposed uses for the property. Siersma indicated that the outdoor furnace sales have been categorized by Carl Macomber as manufactured hardware which is considered a permitted use. Siersma indicated a new use of used auto sales and new mini-quad sales is proposed for the property. Siersma indicated that he had a conversation with Teri Aiuto and that Teri thought the proposed use would be grandfathered in through the previous use of the site as the Case dealership. Planning Commissioners indicated that Carl Macomber would need to review the information to see if grandfathering would be allowed. Planning Commissioners referred to Article 9.03L for language on the proposed use.

Samonek indicated he believed the use would be grandfathered in since the previous use was a farm implement/engine and pulled implement business and that used cars are similar. Widmayer indicated that the licensing is different. Siersma indicated that he can see different points of view on this proposed use based on interpretation of the ordinance language. Siersma indicated that once the ordinance was adopted in 1998 that the Case dealership was still a legal use but it became a non-conforming use. Siersma indicated that a business has 365 days to resume a similar non-conforming use on the property. Siersma indicated that Ash Auto is a continuance of a non-conforming use which is permitted.

Planning Commissioners referred to Article 9.03M for additional language on the proposed use. The representatives for the used auto sales and new mini-quad sales discussed the plans for the proposed business including the amount of used cars (minimum of 10 used cars), the location of the used cars outside the building, and sales of quads inside the building. The representatives indicated

that they would be using Ash Auto for their repairs and the building would allow for an area for preparation of the used vehicles. Widmayer inquired what Aiuto envisions for the building. Aiuto discussed that he would like to see uses allowed under the current zoning. Planning Commissioners discussed that the proposed uses have fit under the current zoning except for the proposed barbeque stand. Planning Commissioners read Article 9.03M and interpreted the language. Samonek and Stumpo indicated they think the proposed use fits. The representatives indicated that they will put in a garage door where the picture window is located so that vehicles can be driven into the building. The representatives also indicated that new mini-quads will be on display in the building. The representatives indicated that they like the building because of the access to M-52 and the proximity to Ash Auto services. Siersma indicated he will draft a memorandum to Carl Macomber indicating Planning Commission support of the proposed use of used auto sales and new mini-quad sales as a permitted use. Siersma indicated that if the proposed business does not meet the requirements for zoning that Carl Macomber would not allow it. The representatives discussed the 20-foot pole for a sign onsite. The representatives indicated they would like to make it operational. Siersma indicated it could be renovated for use. The representative inquired what their next step would be and Siersma indicated he would send the memorandum to Carl Macomber and they should meet with Carl Macomber.

Siersma indicated that Michigan Association of Planners conference is scheduled for 10/11/06 through 10/14/06 in Detroit. Siersma indicated that a number of classes including the Citizen Planners program are available and that Planning Commissioners should check the website for additional information.

5. Reports of Committees:

a. SWWCOG:

Daubner updated the group on the following information presented at the 08/09/06 SWWCOG meeting:

- ☞ WATS made a presentation on their non-motorized plan.
- ☞ 09/13/06 is the next SWWCOG meeting where the LIAA grant will be kicked off which will be at the Freedom Township Hall at 7:00 pm.
- ☞ Sheriff Committee made a presentation on the response times.
- ☞ Regional police force will be discussed at the 09/13/06 SWWCOG meeting.
- ☞ Wireless Washtenaw will install an antenna on the Village water tower.
- ☞ Schools are nearly finished with the new bus garage and principals have been hired for the high school and middle school.
- ☞ Bridgewater Township passed their portion of the LIAA grant funding, sewer is up and running, new Zoning Administrator – Carl Macomber was hired, and a Planning Commission position is open.
- ☞ Sharon Township passed their portion of the LIAA grant funding, working on hall hours, and working on 425 agreements with the Village.
- ☞ Freedom Township is working on their extraction ordinance.

☞ Village is working on historic district, Mitchell property has been recommended for approval to Council for 68 units on Hogan Road, Byrne/Lozelle rezoning has been recommended for denial to Council, Downtown Development Authority is working on cleanup to parking lots and river, DURA building has been sold, and Martinrea plans to move into the Uniloy building.

b. Traffic:

None.

c. Township/Village Liaison

Daubner advised that no meeting had been held.

6. Correspondence

Kopka advised that the following items had been received:

- Land Division Application copy
- Planning and Zoning News
- Smart Growth Tactics newsletter
- Rouge 2006 meeting on 10/06/06
- Resolution form Washtenaw County Land Use regarding the Michigan Agricultural Preservation Fund

F. UNFINISHED BUSINESS

1. Review of Fee Schedule – Pre-Conceptual Meetings

Planning Commissioners and Siersma discussed the options for pre-conceptual meetings. Siersma indicated that meetings are likely held with a developer where the Supervisor, a representative from the Board, a representative from Planning Commission, and the Planning Consultant would attend where a project is discussed prior to an application so that the developer can receive some input and interpretation of Township ordinance. Siersma indicated that no talk of approval of a proposed project would be done. Siersma also noted that the developer would also likely use the time to discuss the process of review for a project. Siersma indicated that the meeting would likely be scheduled as a formal meeting and not as part of a Township Board or Planning Commission meeting. Samonek inquired if the proposed \$100.00 per hour would cover the costs to the Township for bringing in representatives from the Planning Consultant, the Planning Commission, the Township Board, and the Township office. Stumpo indicated that he is uncomfortable with one member of Planning Commission meeting with a developer since the other members of Planning Commission would not hear the conversation. Planning Commissioners discussed past cases of meeting with a developer before an application is submitted. Siersma indicated that the developer needs to get familiar with Township policies and that the pre-conceptual meeting could save time and money for the Township. Stumpo indicated that he is totally against any Board member meeting with any developer. Stumpo suggested that the whole body of the Board or the Planning Commission meet with a developer. Planning Commissioners discussed that the Chris Roberts-

Antieau discussion could have been handled under a pre-conceptual meeting. Stumpo indicated he was in favor of building an art studio on the site proposed by Chris' father.

Samonek inquired again if the costs would be covered with \$100.00 per hour charge. Kopka commented that the rate was based on what other communities are charging. Widmayer indicated that the Township Supervisor goes out and gives opinions regularly. Siersma indicated that the pre-conceptual meeting is not in the ordinance. Siersma inquired if the pre-conceptual meetings should be required unless waived by Planning Commission or should pre-conceptual meetings be established as an administrative option. Planning Commissioners discussed adding as an administrative option but that the Board would make the decision. Samonek indicated that the application for a site condo review is \$600 so the application process for a larger project could justify the initial cost of a pre-conceptual meeting. Siersma indicated he would draft a memorandum to the Township Board explaining the concept of a pre-conceptual meeting and recommending the cost for a meeting be changed to \$200.00 per hour to cover costs.

2. Community Survey

Sybil Kolon indicated that she is just there as a courtesy for review of the proposed revisions she has to the community survey. Kolon inquired on the intended recipients of the community survey. Planning Commissioners indicated that they had thought the tax role of Township and Village residents would likely be used for the mailing. Planning Commissioners discussed that the Village residents will get a different color than the Township residents so that the answers to the survey can be segregated when necessary. Kolon discussed adding a few more options for answers to some questions, bumping up the font size, and adding a question on recycling. Planning Commissioners discussed that the additions do not conflict with their original intentions but that the survey had been recommended to the Board so they would make the final decision. Widmayer indicated that the Board has made decisions on the dates for submittal and mailing of the newsletter and that the survey would be included with the newsletter.

G. NEW BUSINESS

1. Temporary Signs

Siersma indicated that the Township does have language on temporary signs related to real estate signs and community event signs. Siersma referred to Articles 14.03B, 14.09B, and 14.09E if further information is needed. Samonek inquired if the location of the temporary signs is regulated (signs seen from the road, signs in the 66-foot right-of-way). Siersma indicated if there was an issue on hand to address. Widmayer indicated that Ron Mann was inquiring on the temporary sign language. Siersma indicated that the language is very minimal and could be beefed up. Planning Commissioners indicated that the ordinance language could be stronger but it is pointless if the language is not enforced. Siersma indicated he would like some direction from the Board if a change needs to be made.

2. Wireless Washtenaw Antennas

Planning Commissioners discussed the setup of the Wireless Washtenaw antennas including the transmitters planned throughout the community and the receivers to be located on homes. Siersma indicated that regulations for the antennas are in place under Article 16.20 titled Commercial Communication Towers. Siersma advised that the ordinance is very comprehensive and requires the use of existing structures. Planning Commissioners discussed the options for the Wireless Washtenaw transmitter antennas.

3. Condominium Ordinance

Siersma indicated he has reviewed the ordinance and found it very comprehensive. Samonek inquired if the ordinance requires a paved road. Samonek also inquired if a landowner on either side of a gravel road can use the public road as a part of the site condo (so that each unit receives a curb cut for a driveway versus an internal road that services all the units and only has one or two curb cuts from the public road). Planning Commissioners discussed the site condo options. Siersma reviewed the ordinance and did not locate any language on paved road requirements. Kopka indicated that the driveway issue should be researched so that one or two curb cuts are on a public road. Siersma indicated that he will look at amending the ordinance and that Planning Commissioners should review the ordinance for any additional issues.

4. Secretary Replacement

Planning Commissioners discussed the options for a Secretary as Mike Lowery has had to resign from the Planning Commission due to his work schedule. Stumpo and Widmayer nominated Daubner for the position. Daubner indicated he would take the position if someone would take the SWWCOG representative position. No one was interested in taking up the SWWCOG representative position. Daubner indicated he would do the Secretary and SWWCOG duties until the SWWCOG position was filled by another member. Kopka indicated that Ron Mann will be working on an appointment to the Planning Commission and that the new member may be interested in filling the SWWCOG position.

H. COMMENTS FROM COMMISSION

Samonek indicated there is a Spaghetti Dinner for Chris and Allan Carson due to their recent kidney transplant procedure. Samonek advised that the dinner will be held 09/30/06 at the American Legion from 5:00 pm to 8:00 pm.

Stumpo indicated that he would like to see the art studio go in on the proposed property. Stumpo also indicated the art studio is good for the community. Daubner indicated that the proposed use of the art studio and later professional building is not compatible with zoning. Samonek referred to the requirement that 20 acres must be rezoned at one time. Planning Commissioners discussed that conditional rezoning would be an option that would limit the use. Planning Commissioners continued discussion that once the art studio closes the use would move to a professional building.

I. PUBLIC COMMENT

None.

J. NEXT MEETING

Next regular meeting – Thursday, 10/05/06 at 8:00 pm

K. ADJOURNMENT

Motion by Widmayer and seconded by Neigebauer to adjourn meeting at 10:13 pm.
Voice vote: ayes all. Motion carried.

Prepared by, Approved by,

Jennifer Crumb, MTPC Recording Secretary George Daubner, MTPC Secretary

Date