

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

Regular Meeting Minutes Unapproved
January 5, 2012

A. CALL TO ORDER

The meeting was called to order at 7:30 pm by Chair Kopka.

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

Absent: None

Others Present: Andrea Bibby (Carlisle/Wortman), Ron Mann (Township Supervisor), Michael and Terry Walter (20300 Kirk Road), Bruce and Lori Bush (19991 Boetger Road), Roy and Kay Weidmayer (13564 Tracy Road), Amie and Mark Sanford (13290 Tracy Road), Brian Boos (20111 Boetger Road), Dan and Carol Huntsbarger (326 S. Macomb), Terry Walter (20500 Kirk), Ryan and Nichole Ahrens (13101 Tracey Road), Randall S. and Sharon L. Haas (19821 Boetger Road), Tom and Rhonda Ash (19655 Boetger Road), Sue Schiel (13563 Tracey Road), and Sallie J. Schiel (13563 Tracey Road)

B. APPROVAL OF AGENDA

Motion made by Widmayer and seconded by Seefeld to approve the agenda as presented.
Voice vote: ayes all. Motion carried.

C. APPROVAL OF MINUTES – December 1, 2011

Motion made by Widmayer and seconded by Daubner to approve the 12/01/2011 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 hearings at 7:32 pm.

D. PUBLIC HEARINGS

1. Dan and Carol Huntsbarger – Conditional Use Permit Application

Kopka introduced himself and outlined how to present comments to the public members attending to comment on the public hearing item. Dan Huntsbarger (Applicant) introduced himself and his wife Carol (Applicant) and outlined the proposed special events project located at an existing farm at Kirk and Tracey Roads. Huntsbarger indicated that he has lived in Manchester for the last 25 years and owns and operates Dan's River Grill for special events and catering. Huntsbarger indicated that he would like to operate a special events facility at the farm located at 13291 Tracey Road. Huntsbarger indicated that he would like to build a home on the property in the future and use the existing home and buildings for his proposed business. Huntsbarger indicated that he would like to use the farm for seasonal weekend use and create a space to host events. Huntsbarger also indicated that he would like to establish an organic farm and allow the public to experience the old-time farm setting. Huntsbarger

indicated that he would keep the property looking as-is. Huntsbarger also indicated that he would put up tents for special events and then move into the barn for dancing for wedding-type events. Kopka invited the public to provide comments.

Tom Ash (19655 Boetger Road) – Ash indicated that he lives just around the corner from the property. Ash inquired how many people would be allowed at the facility. Ash inquired if it would be on a daily basis or only on weekend use. Kopka asked Huntsbarger to respond to questions. Huntsbarger indicated that the proposed use would be primarily on the weekends. Huntsbarger discussed that the traffic to the property would likely be directed from M-52 on Kirk to Tracy into the field for parking. Huntsbarger indicated that the barn would dictate the allowed capacity.

Ryan Ahrens (13101 Tracey Road) – Ahrens indicated that he is northeast of the property. Ahrens indicated that he has a concern for the noise and traffic that would be brought by the proposed use. Kopka asked Huntsbarger to respond to questions. Huntsbarger outlined the guidelines that would be used to buffer adjacent parcels. Huntsbarger indicated that he would be open to conditions on the noise levels and limiting the hours of operation. Huntsbarger indicated he would add trees to the property line to minimize the noise. Huntsbarger indicated that he would like to discuss an allowable decibel level for the activities at the proposed property (primarily for music played in the barn). Huntsbarger indicated that any music would be discontinued by 11 pm so that a special event could wrap up by midnight.

Terry Walter (20300 Kirk Road) – Walter indicated that they are located on Kirk Road. Walter indicated that she has traffic concerns as well as concern for the road maintenance. Walter indicated that the roads can be in bad condition and may need more maintenance if more cars are using the roads for the proposed use. Walter indicated that the proposed use would create too much stress on the roads and the neighbors.

Mark Sanford (13290 Tracy Road) – Sanford indicated that he has an organic farm that he has had to work on for a number of years. Sanford indicated that he is unclear how the Applicants will immediately establish an organic farm. Sanford expressed concern for the noise and traffic that would be created by the proposed use.

Amy Sanford (13290 Tracy Road) – Sanford expressed concern for privacy for the neighbors. Sanford indicated that she is very concerned with the noise and traffic that the use would bring to the neighborhood.

Terry Walter (20300 Kirk Road) – Walter indicated that he is located on Kirk Road. Walter indicated that he has concern for the roads around the property. Walter indicated that the road does not allow two lanes of traffic due to the road width. Walter expressed concern for public safety issues that could arise as a result of the proposed use. Walter indicated that it is very hard to get police response from the Michigan State troopers.

Brian Boos (20111 Boetger Road) – Boos indicated that he is gathering information at this time regarding the proposed use.

Bruce and Lori Bush (19991 Boetger Road) – The Bush's indicated that they moved into their home in 1994 due to the quality of life in the area and the rural nature of the area. The Bush's expressed

concern for the noise that would be created, the traffic that could come, and the parties that would continue late into the night.

Randall S. Haas (19821 Boetger Road) – Haas had concern about the late night parties and expressed concern for limiting the music as late as 11 pm and end of parties to as late as midnight.

Roy Weidmayer (13564 Tracy Road) – Weidmayer indicated that he lives at Kirk and Tracey Roads. Weidmayer indicated that he understands the Applicants' interest in the property because it is a good-looking spot. Weidmayer indicated that the property is zoned Agricultural. Weidmayer indicated that he has cows on his property that are stinky. Weidmayer indicated that there are already a number bottles along the road and he would not like to see additional garbage along the roadways due to the proposed use. Weidmayer indicated that he would like to see a non-alcoholic requirement for the special events. Weidmayer indicated that the adjacent neighbors are used to noise from a combine running. Weidmayer indicated that he has concern for more frequent noise of music from special events. Weidmayer indicated that he has concerns for the partying at the property. Weidmayer indicated that he would like to see the property used for kids to come out to the farm to experience the farm in a "back to the roots" experience. Kopka asked Huntsbarger to respond to questions. Huntsbarger indicated that the Misty Farms rental space in Scio Township has been kept pristine and historic. Huntsbarger indicated that he would like to see the Tracey farm also be kept pristine and historic for weddings and special events, tour groups, and corporate functions. Huntsbarger indicated that he is unclear if there is a need for a special events facility in the area. Huntsbarger indicated he needs to figure out what is possible for the property.

Kay Weidmayer (13564 Tracy Road) – Weidmayer expressed concern for the vagueness and not enough information presented by the Applicants.

Sue Schiel (13563 Tracey Road) – Schiel expressed concern for the road maintenance and roadway litter. Schiel expressed concern for the added traffic (especially at the later hours in the evening). Schiel indicated that the added traffic could be a concern for the adjacent farm animals. Schiel indicated that the proposed use may conflict with the current surrounding uses. Schiel questioned if the community really needs the proposed facility. Schiel also expressed concern for the vague information presented by the Applicants.

Rhonda Ash (19655 Boetger Road) – Rhonda indicated that she knows the Huntsbargers and the quality work that they do. Ash indicated that the topography is like a bowl in the area and that noise travels quite well. Ash expressed concern for the traffic and noise that the proposed use could bring. Ash expressed concern for additional traffic affecting the roads. Ash questioned if the proposed use would fit in a mostly residential area.

At this time, Kopka asked the Planning Commissioners if they had any questions for the Applicants. Stumpo indicated that traffic and noise seem to be the main issues. Stumpo indicated that he would like to see the Applicants address the issue. Stumpo indicated that he would like to see the decibel levels defined and testing done during music being played in the barn. Weidmayer indicated that the current application is for the first parcel of 23 acres. Planning Commissioners discussed that the application for a conditional use permit now has 40+ acres. Kopka advised that the Applicants need to revise the application to include all the property included in the permit application. Bibby confirmed that the public notice was for the 40+ acres. Huntsbarger indicated that he will still build a home on

the property and despite the result of the current permit application; they would like to be a good neighbor. Mann outlined the process of a conditional use permit application including the ability to add conditions to the permit that must be mutually-agreed upon by the Applicants and the Township and must be maintained in order for the use to continue.

Randall S. Haas (19821 Boetger Road) – Haas inquired how noise decibels are measured. Mann indicated that they are typically measured at the property lines.

After close of the public hearing, a member of the public presented a letter from Michael Cieslak (20284 Kirk Road) regarding the conditional use permit application. The letter was read into record during the final Public Comment of the agenda and is reproduced below:

January 5, 2012

*Manchester Township Clerk
2375 S. Macomb
Manchester, MI 48158*

To All Parties Involved:

*I am contacting you to voice my vehement opposition to the granting of a special use permit for the property located at 13291 Tracy Road. This property is adjacent to mine, where I have lived for the past 18+ years. I chose this location as my home specifically due to the peaceful agricultural surroundings and quiet community of neighbors that it offers. Granting a special use permit for the above-named property would greatly impact the quality of life and peace that I and my family have found here, **and is absolutely not acceptable to me.** I have no desire to have this beautiful location impacted by an influx of noise, traffic, parking, trespassers, potentially inebriated people, construction, and a host of other environmental, economical, aesthetic, and safety concerns. There are several available properties located in and near the village that are far better suited for hosting events than this property. It is my sincere hope that you would encourage the applicants for this permit to look elsewhere at such facilities while still keeping their business in the Manchester area. I would never choose to live in close proximity to a property hosting events. I dislike every aspect of having something like this so close to my home, family, and livestock. We love the tranquility that we have found here, and we asked that you refuse this request on the basis of the above concerns, as well as the intrusive and negative effect it would have on the residents surrounding it.*

In closing, I would like to add that the only reason I am not in attendance at this evening's meeting is that it conflicts with my work schedule. I would be more than happy to schedule a meeting with someone on the township or planning committee staff to discuss this in greater detail between the hours of 9:00 AM and 3:00 PM during the week. Be assured that if it were not for this scheduling conflict, I would be in attendance and voicing my concern and displeasure at the prospect of a special use permit being grant for this location to host events. I am strongly against it, I do not desire it, and it is my sincerest wish that you decline this request.

Sincerely,

Michael Cieslak
20284 Kirk Road, Manchester, MI 48158

Planning Commissioners confirmed that no additional written public comments were received. Kopka discussed the next steps in the process of the condition use permit application. Kopka advised that the next time the Planning Commission will discuss the agenda item would be the 02/02/2012 meeting.

Bibby discussed the aspects of the conditional use permit application. Bibby advised that the Applicant received copies of the applicable ordinance. Bibby outlined the Carlisle/Wortman Conditional Land Use Review prepared by John Enos (Carlisle/Wortman) and Bibby (dated 11/28/2011 – 6 pages). Bibby outlined the Recommendations included in the Carlisle/Wortman review. Bibby advised that Carlisle/Wortman recommends the approval of the conditional use permit based on conditions being met as outlined in the Recommendation included in the Carlisle/Wortman Conditional Land Use Review prepared by Enos and Bibby (dated 11/28/2011 – 6 pages).

Chair Kopka called to close the public hearing and re-open the regular meeting at 8:05 pm.

E. PUBLIC COMMENT

None.

F. REPORTS AND CORRESPONDENCE

1. Report of Chairperson:

None.

2. Report of Township Board Representative:

Widmayer advised that the last meeting was short. Widmayer indicated that the Planning Commissioners can review the minutes of the last meeting.

3. Report of Zoning Board of Appeals:

Kopka advised that an application for Russ and Sandy Smith's variance for a barn was denied.

4. Report of Planning Consultant:

Bibby advised that the Michigan Township Authority annual meeting is at the end of January in Detroit.

5. Reports of Committees:

a. SWWCOG

Daubner advised that there was no meeting in December.

6. Correspondence

Daubner advised that the following correspondence had been received:

- Planning and Zoning News
- email correspondence from Ron Mann (1)
- Planning Commission Annual Report prepared by Carlisle/Wortman

G. UNFINISHED BUSINESS

1. MCJPC

McIntosh advised that the MCJPC did not meet in December. McIntosh indicated that she hoped that the municipalities involved in the MCJPC would have re-joined by the next meeting on 01/17/2012.

2. Ordinance Setback Revisions Discussion / Front/Back of Lot language for Lake Property

Bibby advised that the draft ordinance language was forwarded to Jesse O'Jack (Township Attorney) last month and no response has been received.

3. Dangerous Building Ordinance

Kopka advised that he is waiting to hear back from Carl Macomber (Zoning Administrator) regarding the need for the draft language.

4. Animal Regulation Discussion

Bibby advised that the draft ordinance language was forwarded to Jesse O'Jack (Township Attorney) last month and no response has been received.

5. Section Review

Mann reviewed the aerial and road maps that Planning Commissioners could use for the Section Review. Planning Commissioners indicated that the zoning needs to be added to the maps. Mann outlined the proposed process to review the sections.

Mann expressed concern for the review of aerial photograph information for the conditional use permit application for 13291 Tracey Road. Mann indicated that there is a stream between the proposed special events/barn area and the proposed parking area. Mann questioned how guest would egress over the stream walking from the parking area to the special events/barn area. Mann questioned if handicapped guests would be shuttled from the parking area in golf carts and if the egress over the stream would be able to handle a golf cart passing over. Bibby indicated that the Michigan Department of Environmental Quality (MDEQ) may need to review the stream issue. Mann suggested that the Misty Farms business may have conditions set on their operation. Mann suggested that the Planning Commission contact Scio Township to ascertain if there are conditions for Misty Farms. Planning Commissioners discussed that there could be conditions for operation set by Sharon Township for the Sharon Mills park special events rental. Stumpo indicated he will talk to residents adjacent to the Sharon Mills facility regarding traffic and noise issues. Mann encouraged Planning Commissioners to use the County maps as part of the agenda item discussion.

Mann indicated that he would like to print out master copies of the sections of the Township for reference for Township business.

Stumpo indicated that most property owners can refer to noise issues around them. Stumpo advised that he had a noise issue at his place due to adjacent dirt bike riders. McIntosh indicated that she hears noise from the Nighthawks property during their riding days at her place. Mann indicated that an additional coat of brine paid for by the Applicant for the roads into 13291 Tracey Road could be a condition of the conditional use permit. Mann indicated that all Township roads currently get three coats of brine annually paid for by the Township. Mann discussed the past costs for grading and brine on the Township roads. Kopka inquired if the County could be hired to do an additional grading and brine of the roads to 13291 Tracey. Mann indicated he would check on the issue and bring a cost for

the service. Planning Commissioners discussed that Kirk Road does accommodate two-way traffic. Planning Commissioners discussed that the property is approximately one mile from M-52. Planning Commissioners discussed alternative access to the property to eliminate road traffic and gain access the proposed parking lot. Planning Commissioners discussed that the Applicants mentioned for the first time wanting to build a home on the property. McIntosh indicated that the Misty Farms facility seemed to be occupied most weekends during the nicer weather. Seefeld expressed concern for the need for special events not being defined. Planning Commissioners indicated that the Sharon Mills facility seems to be rented on two weekends out of the month during the summer months. Planning Commissioners discussed that the Sharon Mill facility does have a parking issue.

Planning Commissioners reviewed an aerial map of the area around 13291 Tracey Road. Stumpo indicated that some houses are so close to the property. Mann indicated that commercial use is allowed as part of Agricultural zoning as a conditional use. Mann expressed concern for the number of people the site can handle. Mann expressed concern for the use of portable bathrooms. Bibby indicated that the portable bathrooms must be handicap accessible. Stumpo expressed concern for changing the lives of the adjacent property owners. Planning Commissioners discussed concerns for commercial uses. Mann indicated that a condition could be to limit the amount of open days. Mann also inquired who will pay for noise/decibel levels measuring and monitoring. Kopka asked that the Planning Commissioners jot down their thoughts on conditions that could be considered for the conditional use permit. Kopka indicated that the data from the Sharon Mills facility and the Misty Farms facility should be procured. Kopka indicated that Mann will research the cost and availability of an extra grading and brine. Bibby indicated that how to deal with the creek crossing should be addressed by the Applicants. Stumpo indicated he will talk to the residents around Sharon Mills. Bibby indicated that the Applicants should revise their application for conditional use permit to the Township.

Planning Commissioners discussed that hay is currently being farmed on the property at 13291 Tracey. Kopka indicated that farm equipment can be just as loud as special events but the frequency for farm noise is more limited and seasonal.

6. Planning Commission Annual Report

Planning Commissioners discussed that the annual report should be reviewed. Bibby advised that she will attend a Township Board meeting to review the report. Bibby indicated that the Township Board and Planning Commission should plan an annual training. Bibby encouraged Planning Commissioners to send training ideas to her.

H. NEW BUSINESS

No agenda items were presented under New Business.

I. COMMENTS FROM COMMISSION

Stumpo indicated that some of the public had a positive attitude about the conditional use permit application for 13291 Tracey. Stumpo indicated that some comments he received were that they were glad that the Huntsbargers would be fixing up the property and that the Huntsbargers do a nice job with their catering business. Stumpo also advised that some comments focused on the encouragement of development of Manchester businesses.

Kopka encouraged the Planning Commissioners to consider requiring an annual review of any conditions for the conditional use permit at 13291 Tracey versus the current three-year review.

J. PUBLIC COMMENT

The following letter was read into record:

January 5, 2012

*Manchester Township Clerk
2375 S. Macomb
Manchester, MI 48158*

To All Parties Involved:

*I am contacting you to voice my vehement opposition to the granting of a special use permit for the property located at 13291 Tracy Road. This property is adjacent to mine, where I have lived for the past 18+ years. I chose this location as my home specifically due to the peaceful agricultural surroundings and quiet community of neighbors that it offers. Granting a special use permit for the above-named property would greatly impact the quality of life and peace that I and my family have found here, **and is absolutely not acceptable to me.** I have no desire to have this beautiful location impacted by an influx of noise, traffic, parking, trespassers, potentially inebriated people, construction, and a host of other environmental, economical, aesthetic, and safety concerns. There are several available properties located in and near the village that are far better suited for hosting events than this property. It is my sincere hope that you would encourage the applicants for this permit to look elsewhere at such facilities while still keeping their business in the Manchester area. I would never choose to live in close proximity to a property hosting events. I dislike every aspect of having something like this so close to my home, family, and livestock. We love the tranquility that we have found here, and we asked that you refuse this request on the basis of the above concerns, as well as the intrusive and negative effect it would have on the residents surrounding it.*

In closing, I would like to add that the only reason I am not in attendance at this evening's meeting is that it conflicts with my work schedule. I would be more than happy to schedule a meeting with someone on the township or planning committee staff to discuss this in greater detail between the hours of 9:00 AM and 3:00 PM during the week. Be assured that if it were not for this scheduling conflict, I would be in attendance and voicing my concern and displeasure at the prospect of a special use permit being grant for this location to host events. I am strongly against it, I do not desire it, and it is my sincerest wish that you decline this request.

Sincerely,

*Michael Cieslak
20284 Kirk Road, Manchester, MI 48158*

Planning Commissioners discussed that the Cieslak property is east of the property at 13291 Tracey.

Seefeld inquired if the portable bathrooms were discussed at the public hearing. Bibby indicated that the Applicants have indicated that portable restrooms would be used and that the portable restrooms would be barrier-free.

Mann suggested contacting Cobblestone Farms in Ann Arbor to see if they have operation conditions. Mann confirmed that 13291 Tracy is 4,870 feet from M-52.

Mann suggested inviting the Applicant back to the February meeting to discuss some of the issues brought up at the public hearing and discussed at the Planning Commission meeting. Mann also suggested setting up a committee to meet with the Applicant to hammer out details.

Widmayer indicated that the Applicants should be contacting the Western Washtenaw Construction Authority and the County.

Mann discussed the potential purchase of a portion of the Trolz farm by Michigan Department of Natural Resources. Planning Commissioners and Mann discussed other property sales. Planning Commissioners discussed oil wells in and around the community. Planning Commissioners and Mann discussed the leased property at the former airport and the trucks coming from Watkins Road in Jackson County. Mann indicated that the Township is not an island and is affected by outside influences.

Next regular meeting – Thursday, 02/02/2012 at 7:30 pm.

K. ADJOURNMENT

Motion by Seefeld and seconded by Widmayer to adjourn meeting at 9:20 pm.
Voice vote: ayes all. Motion carried.

Prepared by,

Approved by,

Jennifer Crumb, Recording Secretary

George Daubner, MTPC Secretary

Date