

MEETING OF THE RIVES TOWNSHIP PLANNING COMMISSION (PC)

REGULAR MEETING

HELD- TOWNSHIP HALL

February 4, 2019

Meeting called to order at 6:30 pm.

Members present: Chairman Roger DeCamp, Dwight Carmer, Jim Lindstrom, and Cliff Herl. These being all the members present by roll call. (1 seat open).

Mr. Herl made motion to approve agenda as written, seconded by Mr. Carmer. All ayes.

Mr., Carmer made motion to approve minutes of 1-7-19 regular PC meeting as amended, seconded by Mr. Herl. All ayes.

Chairman DeCamp asked for reports. Mr. Carmer reported that no ZBA meeting had been necessary. Mr. Herl reported from the Township Board (TB) that the Master Plan (MP) review by the TB resulted in 3 topics for further consideration and they are sent back to the PC. This is on the agenda for tonight. No comments by PC members.

Public comment was invited at 6:35 pm.

1. Vercilla Hart observed that the previous members of the PC are present and is grateful for this. She hopes that the 3 topics from the TB can be approved.
2. Meagan Short expressed positive reaction that the PC is intact.
3. Alex Silvestre hopes that the 3 topics from the TB can be approved.
4. Staci Stoner asked where Dave Klein is. It was commented that he won't be serving on the PC for personal reasons.

Public comment closed at 6:47 pm.

Chairman DeCamp asked Mr. Herl if he plans to continue to serve on the PC during his term as township trustee. He said he will as long as health allows. Chairman commented that going forward the PC will try to be sensitive to the length of the meetings for all concerned.

Business:

Consider the TB objections to the draft MP. The secretary referred to the Rives Township resolution R2018-05 dated March 8, 2018 which states that the "Township Board hereby reserves the right to adopt the Master Plan at the completion of the approval process mandated by the Michigan Planning Enabling Act." The secretary read from the TB unapproved minutes of 1-7-19 which listed motions addressing 3 objections to the MP the TB sends back to the PC for consideration.

1. Consider the complete removal of Industrial on Broughwell Road known as Hacker Machine location on the Future Land Use map (FLU). Discussion ensued among the PC members. Mr. DeCamp made the following motion supported by Mr. Carmer – "This request is not supported by any factual Planning or Zoning criteria stating why the Board finds reason to

consider removing this property's real zoning from the 2019 FLU Map. Comparing properties or PC action taken on other properties is not a valid reason supported under the MZEA or MPEA. This property's Zoning and Use, followed the 1977 Master Plan and is a Permitted Use in Industrial District. The PC finds no valid reason stated to have it removed." By roll call vote all ayes.

2. Consider the removal of commercial from Berry Rd and State Road on the FLU Map, as it has been commercial since 1977, yet never developed. Discussion ensued among the PC members. Mr. Carmer made the following motion supported by Mr. Herl. – " This request is supported by factual planning and zoning criteria stating why the Board finds reason to consider removing this property's Land Use from the FLU Map. The PC did spend time reviewing the US 127 intersection area as a whole, and how it has developed since the 1977 Master Plan. There was much discussion. The PC agrees with the Board to remove from the 2019 FLU Map the proposed Commercial Land Use from the Berry Rd. and State Rd. Reason stated: has been agriculture since 1977, yet never developed." By roll call vote all ayes.
3. Consider changes to language on Light Industrial per the document provide by an attorney. There are 6 inserts or word changes considered to the MP draft page 3-4. Goal 1a) Motion by Mr. Carmer seconded by Mr. Herl to insert "Light" at beginning of goal sentence. By roll call vote all ayes. Goal 1b) Motion by Mr. Carmer, seconded by Mr. DeCamp to not replace "should" with "must" as the 5th word in the goal sentence. Reason is that all other zone districts use the word "should" and to remain consistent and to give flexibility PC leaves language unchanged. By roll call vote all ayes. Goal 1c) Motion by Mr. Herl, seconded by Mr. Lindstrom to insert "rural" between words "overall" and "character" in 1st line of goals. Reason is that this follows the theme throughout the MP. By roll call vote all ayes. Objectives 2d) Motion by Mr. DeCamp seconded by Mr. Carmer to not insert ", properly zoned for the use and" after the word "areas" in goal 2. Reason is that proposed added language is surplusage and redundant. By roll call vote all ayes. Objectives 2e) Motion by Mr. Herl seconded by Mr. Carmer to insert words ", to support such use" at the end of objective 2. By roll call vote all ayes. Objective 3 f) Motion by Mr. Herl, seconded by Mr. DeCamp to add words ", or result in adverse environmental impacts or conditions." to the end of objective 3. This reinforces the language used on pages 3-2 and 3-7. By roll call vote all ayes.

These edits will be printed in the updated published MP in a color other than black or red so these changes can be identified.

Discussion continued as to next action needed to move MP approval forward.

Secretary Lindstrom read from the MPEA Act 33 of 2008 pages 9-10 to describe how if the legislative body (TB) rejects the MP and sends back to PC with objections to MP, then when the PC addresses the objections a public hearing is necessary regarding those objections only before submitting again the MP to the TB for approval. A public hearing will be held for the purpose of receiving public comments regarding these 3 topics addressed above and the PC conclusion regarding them. This public hearing will be held Monday March 4, 2019 at 6:30 pm at the Rives Banquet Hall, 335 N. Railroad St., Rives Junction, Michigan.

Continued on with Business item #2 – Review 2019 PC Goals and discuss steps to accomplish. To the goals listed in the 1-7-19 meeting minutes the goal of considering, language for Renewable Energy to be added to the Code of Ordinances. Mr. Carmer also suggested we consider definition for “accessory buildings”. Chairman DeCamp stated that the goal of addressing the Industrial District in the Code of Ordinances is a priority. Mr. Herl mentioned that the TB has offered several dates in early March for a joint meeting with the PC to foster communication. March 6 was preferred by the majority of the PC.

Public comment was invited at 8:19 pm.

1. Linda DeBruler a) thanked the PC for its work, b) commented that Leslie Township had passed a renewable energy ordinance.
2. Linda Waller commented on the 2 FLU Map issues.
3. Alex Silvestri stated he thought the FLU Map decisions were inconsistent and said Mr. Carmer had contacted owner of Hacker Machine. Mr. Carmer had stated he contacted owners of Berry Lake industrial district land not Hacker.
4. Vickie VanderVelt challenged the Broughwell Rd industrial site labeling it spot zone and that PC logic flip flopped between Hacker and Wolverine Boiler. Chairman DeCamp explained that each of these zonings had been requested by existing or previous owners and had been reviewed by previous PC and been approved by previous TB and previous public. One was allowed as permitted use and other as conditional use.
5. Vercilla Hart a) asked if industrial FLU Map for boundary would be verified and corrected if inaccurate. Yes it will be, b) she discussed more regarding wordage of “should” vs “must” in page 3-4 goal in draft MP and how that was at odds with Oct. PC meeting.
6. Mr. Carmer pointed out that the Code of Ordinances limits temporary signs to 90 day in any 365 day period at page 61-62 in Article 2 Section 17.10 – Definitions. Many people thought they could be in compliance by taking them down for several days.
7. Kim Hundley asked when the Township property at Territorial and Johnson Rds. would have the blighted double wide trailer disposed of. That is issue for TB and/or zoning administrator.
8. Lisa Manwell asked about future Industrial district work that PC will work on wording. Chairman DeCamp stated that language cannot target or eliminate this land use.

Public comment closed at 8:55 pm

Motion by Mr. Carmer, seconded by Mr. Herl to adjourn meeting. By roll call all ayes. Meeting adjourned at 8:57 pm.

A Public Hearing will be held Monday 3-4-19 at 6:30 pm at the Rives Banquet Hall, 335 Railroad St., Rives Junction, Michigan to consider the review and response by the Planning Commission of 3 objections by the Township Board to the draft 2019 Master Plan for Rives Township.

The next Regular PC Meeting will be held Monday 3-4-19 following the Public Hearing at 6:30 pm at the Rives Banquet Hall.