

ISABELLA COUNTY
PLANNING COMMISSION

June 12, 2008

A Regular Meeting of the Isabella County Planning Commission was held on June 12, 2008 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: John Benaske, Richard Recker (7:05), Roger Trudell, Vance Johnson, Gale Willoughby, Bob Thompson, Craig Schripsema, Christine Alwood.

MEMBERS ABSENT: Marilyn Fosburg, Jerry Neyer.

SUPPORT STAFF PRESENT: Michael Zalewski, Planner/Zoning Administrator
Brandy Freed, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

The Chair requested if there were any additions or deletions to the agenda.

A motion was made by Mr. Willoughby, supported by Mr. Schripsema, to approve the agenda.

Mr. Zalewski stated that review of a Nottawa Township Farmland Agreement and a Letter from Mike Hackett need to be added to the agenda before subcommittee updates.

Yes: Benaske, Trudell, Johnson, Willoughby, Thompson, Schripsema, Alwood.
No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the May 8, 2008 regular meeting were circulated to the Commission prior to the meeting for their review.

Mr. Thompson stated that the meeting should have been called to order by the Vice-Chairperson as the Chair was not at the meeting.

A motion was made by Mr. Johnson, supported by Mr. Trudell, to approve the minutes of the May 8, 2008 meeting as amended.

Yes: Benaske, Trudell, Johnson, Willoughby.

Abstain: Thompson, Schripsema, Alwood
No: None.

Motion carried.

LIASON REPORTS

ZBA – Mr. Schripsema reported that in the last two months there have been 5 variance requests. The ZBA reviewed the language for Article 14 of the Isabella County Zoning Ordinance. Mr. Terry Masse variance request for a 0' fence was approved. The ZBA talked about requiring a survey to be completed before approving a variance, especially with a setback variance.

Mr. Recker arrived at 7:05 p.m.

Parks & Recreation Commission – Mr. Willoughby reported that there was a ribbon cutting ceremony held at the rails to trails. He also reported that the property owner who owns the property surrounding Herrick Park would like to use the property as home development sites. The driveway/road that is used to access the property is believed to be partially on County property.

Board of Commissioners – Ms. Alwood reported that the Board of Commissioners voted to form a human resources committee. The current disabilities committees' scope was broadened to make the Human Rights Committee, which will be made up of 11 members, 6 of which are at large appointments. This committee stems from an issue that came through the city and academic senate at Central Michigan University; they felt they needed a clearing house to deal with diversity in the community.

Mr. Trudell reported that the Commission on Aging facility is on time and budget. The facility should be opening in mid July.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

Jackie Curtis, Denver Township, no concerns at this time.
John Graham, Gilmore Township, no concerns at this time.

PUBLIC COMMENT

Ms. Jackie Curtis asked why they have to expand the disabilities committee.

Mr. Trudell stated that this is not the proper forum for discussing that issue and she should direct her question to County Commissioner David Ling.

ZONING AMENDMENT #08-07

Mr. Thompson stated that the Planning Commission will conduct a public hearing on the proposed amendment of the Isabella County Zoning Ordinance. This proposes to amend the variance and appeal requests and procedures outlined in Article 14 of the Isabella County Zoning Ordinance.

Mr. Zalewski stated that this amendment will change the variance and appeals requests and procedures. The language was reviewed by the Zoning Board of Appeals and they are in favor of this amendment. The ZBA and staff agree that the proposed language is easier to understand and therefore will help make the process easier to understand for the applicants. Staff has no concerns with the language.

Mr. Nieporte explained that the text for this amendment was taken from the 2005 proposed Zoning Ordinance; the ZBA has reviewed the language and forwarded it to the Planning Commission.

The public hearing was opened at 7:17 p.m.

None heard.

The public hearing was closed at 7:17 p.m.

Ms. Alwood stated that this language is clearer and easier to understand. Labeling section 14.05 'decisions' seems vague.

Mr. Nieporte explained that the article is in the ZBA section of the ordinance so it would therefore be ZBA decisions.

Mr. Schripsema further stated that there is more than one type of decision that the ZBA makes.

A motion was made by Mr. Schripsema, supported by Ms. Alwood, to recommend approval of Zoning Amendment #08-07 to the Board of Commissioners.

Yes: Benaske, Recker, Trudell, Johnson, Willoughby, Thompson, Schripsema, Alwood
No: None.

Motion carried.

REVIEW OF UNION TOWNSHIP REZONING REQUESTS

Mr. Zalewski explained that the first request is one that the Planning Commission reviewed at the April 10, 2008 meeting. The request was to rezone property located at 3324 and 3355 S. Isabella Road to a depth of 400'. The Township Planning Commission held the original public hearing on a request to rezone to a depth of 652'. During their board deliberation, the Planning Commission recommended approval of the rezoning to a depth of 400'. When the request was forwarded to the Township Board for their decision, the board sent the request back to the

Planning Commission to conduct a public hearing on the 400' depth. After the public hearing, the Planning Commission reconsidered their decision and has now recommended denial to the board. As the original request was sent back to the Planning Commission on a procedural question, staff and Union Township agree that we should err on the side of caution and send it through the County Planning Commission for their review again. When the application came through previously, staff and the Commission agreed that the plan does not specifically state how far back the office service extends and it is only a general guide. The purpose of the office service district according to their plan is to be used as a buffer between commercial and residential districts. Staff and the Commission had no concerns with the Township approving the rezoning request. With that being said, staff does not necessarily have concerns with the denial of the request either as the Commission has the right to interpret and follow their Master Plan accordingly. The minutes of the Township meeting does not state what their reasons for denial were, but it would appear after public comment, the commission now believes that 400' depth for an office service district is too far back in this particular area. If there is indeed confusion or discrepancies in the Plan, then Staff would recommend that the Township consider amending and/or updating their Master Plan.

Mr. Nieporte explained that the township had called to see what staff thought of this coming back before the County Planning Commission again; he agreed that it was proper procedure. The grounds for their denial this time were not spelled out in the minutes of the meeting.

Ms. Alwood stated that there was discussion in the planning process when they dealt with the request originally, when the request went from 652' to the 400', and it was not unanimously approved.

It was the consensus of the board to forward the comments back to Union Township.

The next request was to rezone 8 acres on the south side of Airport Road from R-2A to B-4. The Planning Commission recommended denial as the Master Plan calls for this area to be Industrial; as well they thought the location would bring undue traffic down Belmont Road. Staff has no concerns with the denial of the request but would note that if the Township Planning Commission has concerns with traffic on Belmont Road, then they may want to reconsider designating this area as Industrial.

Mr. Zalewski also explained that there may be an issue with the volume of traffic with a B-4 District than an Industrial District. However, an Industrial District could still create a different kind of traffic concern.

Mr. Nieporte explained that their decision was made based on their Master Plan.

It was the consensus of the board to forward the comments back to Union Township.

REVIEW OF NOTTAWA TOWNSHIP FARMLAND AGREEMENT

Mr. Zalewski stated that this application is for 40 acres in section 26 of Nottawa Township. The application was first approved by the township, and then it was sent to the State, which is the wrong process. The State then sent that application back to the County Planning Commission

and the Conservation District for their review. This application is for a 40 acre parcel that is zoned Ag-1, it is designated Ag Conservation in the Master Plan, and consists of mostly prime soils. There are also a number of PA116's around the area of this property. Staff has no concerns with the application.

Ms. Alwood stated that this has happened in other townships. She also stated that a letter should be sent to the townships outlining the procedure.

A motion was made by Mr. Trudell, supported by Mr. Recker, to recommend approval of the Nottawa Township Farmland Agreement to the County Board of Commissioners.

Mr. Benaske asked if the applicant is looking to put the land into the farmland preservation program.

Mr. Nieporte stated that the applicant wants to put the land into PA116.

Yes: Recker, Trudell, Johnson, Willoughby, Thompson, Schripsema, Alwood
No: Benaske.

Motion carried.

LETTER

Mr. Nieporte stated that Mr. Hackett had spoke to him after the ZBA meeting about cleaning up the issue of auto auction and getting it into the proper district, whether through text amendments or rezoning the property. Currently auto auction falls under a Special Use in the Salvage Yard category.

Mr. Hackett explained that in 2003 when this issue came about, if the applicant had time he should have come before the board and asked for a rezoning. Because there was no category for an auto auction, it was placed under salvage yard. The current applicant would now like to have the property zoned for an auto auction, in its current location then the applicant would not have to have the special use designation. There are several options which include rezoning the property or changing language in the ordinance to allow for an auto auction, Ag-2 would be appropriate.

Mr. Nieporte stated that in 2003 staff had wanted to rezone the property, but at that time the applicant was in a hurry and decided that the business would be similar to a salvage yard. Staff will be putting together several zoning options to get this issue cleared up.

Mr. Willoughby stated that the fence that has been put up around the auction site is ugly. There should have been screening put up there instead of fencing.

Mr. Thompson stated that if this was a salvage yard an 8' fence would be desirable.

SUBCOMMITTEE UPDATES

Agricultural Issues subcommittee – The subcommittee updated the Commission on what was discussed at their meeting on May 28, 2008. The subcommittee agreed that they need to identify the areas in the county that have the most active and productive farmland as well the areas with large amount of animal numbers. The subcommittee requested staff prepare maps of the lands in the PA 116 program for all of the Townships. As well, prepare maps of the Major Agricultural soils, as defined in the Zoning Ordinance, for all of the Townships.

Discussion was held about the Summer Fest Celebration which will be held at Island Park

PUBLIC COMMENT

Mr. Graham stated the fence at the auto auction looks terrible. There are salvage yards that are grandfathered in Gilmore Township, these salvage yards have no fence at all.

STAFF COMMENTS

None heard.

PLANNING COMMISSIONER'S COMMENTS

Mr. Schripsema stated that he and Mr. Johnson were invited to the Farm Bureau meeting where they gave a presentation on Civil Infractions.

Mr. Trudell and Ms. Alwood left the meeting at 8:00 p.m.

Discussion was held on soil samples and soil map updates.

ADJOURNMENT

A motion was made by Mr. Willoughby, supported by Mr. Recker to adjourn at 8:07 p.m.

Yes: Benaske, Recker, Johnson, Willoughby, Thompson, Schripsema.

No: None.

Motion carried.

Jerry Neyer, Secretary

Brandy Freed, Recording Secretary