

**CHARTER TOWNSHIP OF YORK
PLANNING COMMISSION
REGULAR MEETING
YORK TOWNSHIP HALL
February 25, 2008**

CALL TO ORDER

The meeting was called to order at 7:30 P.M.
Vice-Chair Visioni chaired the meeting.

ROLL CALL

Present: Joan Alexander, Keith Fineberg, John Hargrove, Jane Kartje, Aimee Kay, Paolo Visioni

Absent: Sandy Shearer

Others Present: Don Pennington and Rodney Nanney of Land Use Planning and Consulting, Carl Girbach, Zoning Administrator. List on file.

DETERMINATION OF A QUORUM

A quorum was present.

ADOPTION OF AGENDA

Moved by Member Fineberg, seconded by Member Kartje:

VOICE VOTE ON AGENDA ADOPTION MOTION MADE BY MEMBER FINEBERG AND SECONDED BY MEMBER KARTJE:

**Motion to adopt the agenda of February 25, 2008.
Motion carried: 6-0-1**

APPROVAL OF MINUTES

Moved by Member Alexander, seconded by Member Fineberg:

VOICE VOTE ON FEBRUARY 11, 2008 MINUTES APPROVAL MOTION MADE BY MEMBER ALEXANDER AND SECONDED BY MEMBER FINEBERG:

**Motion to approve the minutes of the February 11, 2008 Planning Commission minutes as presented.
Motion carried: 6-0-1**

CALL TO PUBLIC

Mr. David Kempfer, 14279 Logan Road, Manchester, MI, 48158 stated that he owns fifty acres of land off of Jewel road known as the east side of the proposed Hamptons development. He stated that his sales agreement with the Hampton development has fallen through. He wanted to know the status of the project. He stated that ~~Cabion~~ **Gabrion** construction was supposed to close on the property but did not. He was told that the project was tabled and wanted to know what the status is. Vice Chair Visioni stated that there are specific timelines that must be met for any proposed development and that the public record will need to be looked at in order to answer his questions. He stated that the Planning Commission will review the public record and get back to him regarding the status. Mr. Kempfer also wanted to know if the zoning on the property had changed. Commissioner Alexander stated that any zoning change on his property would have required his permission. She also stated that he could obtain the records from the Township through the freedom of information process.

Mr. Kempfer had questions about whether or not the property is considered unimproved. He also stated that a lien has been put on his property and that he is attempting to have it removed. He said that whether or not the property is considered unimproved can also affect the lien.

Commissioner Kartje said that the Planning Commission will need to check the public records in order to correctly address these questions.

CORRESPONDENCE

Motion by Alexander, seconded by Fineberg to accept the correspondence and place it on file.
Motion carried: 6-0-1

REPORTS

Report of Chairperson

Not present

Report of Township Board Representative

The Board met on February 12, 2008 and Commissioner Kartje reported the following:

1. A presentation honoring an eagle scout who just completed a bat house building project in both of our public parks was done.
2. Approval for expenditures for Earth Day activities not to exceed \$1000.00 was given to come from the environmental fund.
3. Had an introduction and first reading for property maintenance changes to the ordinance.
4. Reviewed and signed employment agreements for 2008-2009 for the township assessor, building official and zoning official.
5. ~~Passed a public safety millage ballot proposal for ½ a mill and set a public hearing date for it.~~ ADOPTED A RESOLUTION TO PLACE A PROPOSITION ON THE MAY 6th, 2008 BALLOT FOR A PUBLIC SAFETY MILLAGE OF ONE HALF MILL.
6. Had a township open house on February 20, 2008.
7. Discussed the three ordinance amendments to coordinate the public hearing date.
8. Three Planning Commissioners attended a Risk Management Planner session. Also she indicated that there are other training sessions with other topics that are available to the Commissioners. Upcoming session information was distributed to Commissioners in the event they want to sign up for future training.
9. Commissioner Kartje and Commissioner Fineberg attended a Saline Sustainability Circle meeting and reported that a guest speaker from Washtenaw Area Transportation Study presented an overview of a draft transportation plan. Member Kartje reported that the draft plan recommends routes to central locations in outlying areas. They also have a long range plan to increase rail service with the possibility of a new train station.

Report of Zoning Board of Appeals

None, has not met since our last meeting.

Report of Planning Consultant

Given under old business

Report of Engineering Consultant

Not present

Report of Parks Committee Representative

None, has not met since our last meeting.

Report of Citizens Environmental Advisory Committee

None, has not met since our last meeting.

Report of Zoning Official

Mr. Carl Girbach gave a brief overview of his "Multiple Special Uses on a Single Property" report dated February 5, 2008 that outlined the current Special Use Permit (SUP) process.

Motion by Fineberg seconded by Visioni to change the order of the agenda items to begin with SUP discussion.

Motion carried: 6-0-1

NEW BUSINESS

1. SUP Discussion

Commissioner Kartje asked the zoning administrator to explain how the current SUP process is administered and how he envisions changes to the process as outlined in his report.

Mr. Carl Girbach explained that the Special Use Permit, SUP process should hold the property owner responsible. Some of the current SUP's have multiple special uses on a single property. He stated that a Special Use Permit for a single parcel should include all uses to be made of the parcel and may include additional permitted special and accessory uses as the Planning Commission determines appropriate under the terms of the Ordinance.

Commissioner Alexander stated that some of the existing SUP's should be reviewed to assess their status. She recollected that there are some instances where SUP's were amended to include other uses on the same property.

Commissioner Kartje asked Mr. Girbach if he thought the language was clear enough in the SUP ordinance currently.

Mr. Girbach stated that he would like to see an amendment to the ordinance that would state that there will be only one special use per property. He explained that this would enable any potential enforcement action to go directly to the property owner and then the property owner could deal directly with their tenants.

Mr. Rodney Nanney stated that some language could be added that ensures that the applicant is the property owner and that any other entity with additional uses could be labeled as an associate to the original permit holder.

Commissioner Hargrove arrived at 8.07 PM.

Mr. Girbach also recommended that the Planning Commission provide information to the City of Milan regarding SUP's that are associated with any 425 agreements.

Commissioner Alexander said that any SUP's that have expired should be reviewed, inspected and properly discontinued if the SUP activities have ceased.

The Commissioners agreed that a few modifications will be presented for adoption at a future meeting.

2. Adoption of Meeting Dates

Commissioner Alexander provided the Commission with the proposed meeting date list.

Moved by Member Fineberg and seconded by Member Alexander:

VOICE VOTE ON APPROVAL OF PLANNING COMMISSION MEETING DATES FOR FISCAL YEAR 2008/2009 AND TO REMOVE THE DECEMBER 22, 2008 MEETING DATE AND KEEP THE OTHER REMAINING DATES AS SUBMITTED MADE BY MEMBER FINEBERG AND SECONDED BY MEMBER ALEXANDER:

Motion carried: 6-0-1

3. Annual Report Discussion

Commissioner Hargrove gave an overview of his draft annual report. He stated that approximately four (4) public hearings were held. He described the various site plans that were reviewed.

Commissioners discussed the various site plans and approval of extensions for specific projects. Workshops and training need to be added as well. Member Hargrove asked Commissioners to provide him with information on any training that was completed. Commissioner Hargrove will provide a copy of the proposed annual report for consideration before it is put on the next agenda. The Commissioners agreed that additional information will be added and presented for discussion at a future meeting.

4. Set a Public Notice-Hearing for March 24, 2008 for Zoning Ordinance Changes

Commissioner Kartje asked that this item be added to the agenda for consideration.

Moved by Member Alexander, seconded by Member Fineberg:

Motion to set a Public Hearing for March 24, 2008 to Amend Section 56.02 (Membership and Terms) to provided for appointment of alternate members to the Zoning Board of Appeals., Delete and replace Section 50.28 (Commercial Communication Structures) with a new Section 50.28 (Wireless Communication Facilities) regulating the development and use of cell towers and other wireless communication facilities in the Township, and providing for administrative approval of certain antenna collocations on existing towers and structures., Insert a new Section 50.33 (Wind Energy Conversion Systems) to regulate the development and use of individual wind turbines and commercial wind farms in the Township.

DISCUSSION

Commissioners discussed the time requirements to allow this item to be included on the next regular meeting.

ROLL CALL VOTE ON ZONING ORDINANCE CHANGES MOTION MADE BY MEMBER ALEXANDER AND SECONDED BY MEMBER FINEBERG:

Motion to set a Public Hearing for March 24, 2008 to Amend Section 56.02 (Membership and Terms) to provided for appointment of alternate members to the Zoning Board of Appeals., Delete and replace Section 50.28 (Commercial Communication Structures) with a new Section 50.28 (Wireless Communication Facilities) regulating the development and use of cell towers and other wireless communication facilities in the Township, and providing for administrative approval of certain antenna collocations on existing towers and structures., Insert a new Section 50.33 (Wind Energy Conversion Systems) to regulate the development and use of individual wind turbines and commercial wind farms in the Township. Motion carried: 6-0-1.

Vice -Chair Visioni called a short recess at 8:45 pm. Reconvened at 8:50 pm.

OLD BUSINESS

1. Zoning Discussion

Mr. Nanney handed out additional copies of the changes that are being considered in the Zoning Ordinance.

Commissioner Kay led the discussion regarding the Commercial section of Article 20.0 (Land Use Table). Corresponding Uses were discussed and several items were amended.

Commissioner Hargrove led the discussion regarding the Industrial, Research, and Laboratory Uses section of Article 20.0 (Land Use Table). Corresponding Uses were discussed and several items were amended. Discussion ended to allow for other items on the agenda. Commissioners agreed to place this item on the next meeting agenda for discussion.

COMMENTS FROM THE COMMISSION

Commissioner Fineberg stated that another workshop to continue to work on the Zoning Amendments would be helpful.

Moved by Member Alexander, seconded by Member Fineberg:

VOICE VOTE ON HOLDING A ONE HOUR WORKSHOP MOVED BY MEMBER ALEXANDER AND SECONDED BY MEMBER FINEBERG:

Motion by Alexander, seconded by Fineberg to to hold a one hour workshop at the next regular Planning Commission meeting to be held on March 10, 2008 beginning at 6.30 p.m. continuing to 7.30 p.m. to review materials regarding potential zoning ordinance amendments.

Motion carried: 6-0-1

Commissioner Kartje stated that information obtained at the recently held Risk Management Class should be discussed at the next Planning Commission Meeting. She requested that materials be reviewed with regard to our agenda as well as a review of our Bylaws, Section 8.9.

Commissioner Fineberg stated that there is space in the Planning Commission office at the Township to recycle or dispose of old files.

Commissioner Kay stated that there are copies of the Risk Management Class materials for each Commissioner for future discussion.

FINAL CALL TO PUBLIC

None

NEXT REGULAR MEETING

March 10, 2008 at 7:30 p.m.

ADJOURNMENT

Moved by Member Hargrove, seconded by Alexander:

Motion to adjourn. Motion carried 6-0-1

The meeting adjourned at 10:04 p.m.

Aimee Kay
Planning Commission Secretary

Transcribed by Aimee Kay, March 5, 2008
Date approved: March 10, 2008

For additional York Township information visit our website at www.twp-york.org