

**WEST TRAVERSE TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
MARCH 21, 2018**

Chairperson Mooradian called the meeting to order at 7:00 p.m.

Roll Call: Baiardi, Gorman, Kennard, Wallin, Repasky, Mooradian, Opfermann.

Visitors: Marty MacGregor, Becky MacGregor, Suzie Jacob, Hugh Jacob, Joe Lavender,
Bob Sandford, Sue Matsko.

The Pledge of Allegiance was recited by all.

Approve Agenda: The agenda was approved by consensus. The order of the agenda was re-arranged by moving a. and b. under Old Business until after New Business and moving the New Business after c. under Old Business.

Public Comments: Hugh Jacob said that he would like to understand a little bit more about the zoning process and land use regarding gardens, sheds, bee keeping in the R-1 and R-1A districts. Suzie Jacobs said that she would like to be able to keep honey bees at her house which is in the R-1 district.

Approve Minutes: **Baiardi made a motion to approve the meeting minutes of February 8, 2018 as presented. Gorman seconded the motion.**

Vote: All yes.

OLD BUSINESS:

MTA Guide: Printouts from the Michigan Township Association guidelines were reviewed from Chapter 7 and one titled Preparation. The Preparation section dealt with how Planning Commissioners should prepare for meetings and applications that come to them. Chapter 7 dealt with the functions and responsibilities of the Planning Commission. Mooradian said that he feels a site visit by the Planning Commissioners is always important. Once the applicant signs the application, the Planning Commissioners have the right to enter the applicant's property. The wording giving this permission is as follows:

“As owner and/or applicant representing the owner, **I authorize** West Traverse Township (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site walks shall be conducted at reasonable hours and times. I certify that all the above information is accurate to my fullest knowledge. I hereby agree to comply with the provisions of the West Traverse Township Zoning Ordinance.”

Kennard felt that it was a good review for the Planning Commissioners on how to behave when looking at a site.

Proposed: March 21, 2018

Approved: April 11, 2018 with corrections on Page 1 and 4 in italics.

NEW BUSINESS:

MacGregor Site Plan Review: Joe Lavender, Township Zoning Administrator, said that he had asked Bob Sandford, interim Zoning Administrator, to cover some of this Site Plan Review since he had just begun this job and was coming into it after it had started. Lavender stated that there was some interpretations from the Township Planner after the initial packet had been sent to the Planning Commissioners. This information was forwarded on to the Commissioners. A memo of the history of this property was prepared by Sandford and included with all the other information. Marty MacGregor submitted an application (Case # ZP 18-01) for a Site Plan Review. The address is 7580 S. State Rd. (Parcel #24-16-15-12-350-005). There have been three prior site plans that have been approved and these were all reviewed. At this time, MacGregor is asking to delete four of the previously five approved buildings on the north side of the property and replace those with one building measuring 72' x 165' and a smaller building measuring 51' x 100'. The proposed use is for storage. These buildings would have a proposed side yard setback to the north of 10.5' with firewalls on the north side of both buildings. Sandford's memo outlining the background of this property and the current request was reviewed.

Kennard asked MacGregor where the entrance would be on the large building because it was not noted on the Site Plan. MacGregor said that it would be a 30' door on the south side of the building. There will also be a service door installed. Gorman pointed out that the Site Plan check list asks for elevations, so had those been included, it would show where the doors are, dimensions and how they would work. That is part of the process that was not included, but should have been. There was a question regarding the difference between building regulations and what the Township Zoning Ordinance requires. Mooradian clarified the question about requiring a firewall in the Zoning Ordinance. The Township cannot override the building code. The Township is referring to a zoning setback area, not a building code. The side yard setback is 20 feet. If the Planning Commission wants to relax the side yard setback to less than 20 feet, it requires a firewall per the Zoning Ordinance. Wallin said that he had the same questions that Gorman brought up regarding the elevations and what would the north wall look like with the firewall. Repasky asked if the neighbors would have input on this project since it was a change from a smaller structured building with an opening to a larger building. He said that one of the first things that had been discussed in the past was how were the neighbors being protected to the west. Mooradian agreed that that is a concern with a different zoning district on the west boundary. Kennard noted that there have been complaints regarding current activity on this property from the neighbors. Repasky stated that in the future it would be nice to have a check list that all of the requirements have been made, such as parking, etc. The Township Planner submitted her opinion that all standards had been met. Opfermann asked what the existing side yard setbacks were for the buildings located on the south side of the property. Those setbacks were previously approved for 5 feet. There was a question regarding the total square footage of the new buildings because there was a discrepancy of the numbers between the application, the checklist and the impact statement. It was agreed that the correct number is 16,980 square feet total for the proposed 2 new buildings. The difference between the 5 buildings there were initially approved and

the 2 buildings that are being proposed now will be an addition of 2,292 square feet. The figures will need to be corrected on the application check list. Mooradian said that it is possible that the impervious surface has increased by more than 2,292, also. MacGregor stated that more asphalt will be added. Kennard has an issue with storm water and drainage and whether they are accurate. He pointed out that the Site Plan states “place a catch basin if necessary for drainage, capture and connect to existing catch basin”. Kennard did not think that that is a very good engineering comment because a large building is being added. As a commercial plan, a storm water plan is necessary as to what is being done. He said that the retention ponds in the front of this property flooded last spring. MacGregor felt that they were doing their job. Mooradian stated that the property was not built out to what it was supposed to be built for, so it was not doing its job. They were overflowing and the project was only 2/3 of the way built. The overflow crested the driveway. Kennard said that it was beyond its capacity and if more is going to be added, it is definitely going to be over in the event of a rain storm like the one that we had last spring. It was pointed out that new runoff could possibly be directed elsewhere on the property, but there needs to be a plan. Gorman stated that the Planning Commission has required definitive affirmation from an engineer that the water drainage will be adequate. MacGregor asked if he could put a retention pond in the back of the property behind the proposed large building. It was agreed that he could do that. Kennard pointed out that the Site Plan shows water going to Building E, but it does not show anything for a septic system. MacGregor said that it is all in the same existing system. Kennard said that the prior design showed 2 septic systems and he questions the validity of the size of the septic system that is going to service 3 buildings where before there were 2 systems that would service 5 buildings. It was agreed that MacGregor will need to get a letter from the Health Department as to whether the current system will be sufficient for the new buildings. Mooradian pointed out that the Site Plan shows 25 existing trees, but there are actually only 20 trees on the property. Kennard brought up that the memo stated that the number of parking spots is incorrect as far as how many were calculated. There should be 2 more parking spots included on the plan. There was discussion regarding the number of parking spots, where they are located on the Site Plan and if some of the spots are even functional. There also needs to be trees planted due to the number of parking spots. It was agreed by consensus that the side yard setback of 10.5 feet with firewalls on the north side would be appropriate. Baiardi brought up the fact that there have been violations at 45 North which should be addressed. All of the work being done at 45 North is supposed to be done inside of the building, cars, etc. are being left outside that shouldn't be there, work is supposed to be staged in another building.

Wallin made a motion to table application #ZP 18-01 with the request to come back with a revised Site Plan with further information: building elevations, door locations, north side setbacks, storm water retention and whether it is adequate, letter from the Health Department regarding the septic field and if it is sufficient with the proposed additions, parking, trees. Kennard seconded the motion.

Roll Call Vote: Mooradian – yes, Wallin – yes, Kennard – yes, Baiardi – yes, Gorman – yes, Repasky – yes, Opfermann – yes.

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CONTINUE OLD BUSINESS:

Discussion of By-Laws: A revised copy of the Planning Commission By-Laws was presented with changes that had been suggested at the last meeting.

Repasky made a motion to approve the Planning Commission By-Laws as written with the minor corrections. Wallin seconded the motion.

Vote: All yes.

Discussion of Removal of Agricultural in Residential Districts: Lavender explained the information that he had received from the State regarding the Graham property and their chickens. They had received a Category 3 Site through the Michigan Department of Agriculture for the right to farm. There was discussion as to whether the Planning Commission would want to allow some animals in Residential through a Special Use Permit. Mooradian asked Lavender if he could find some examples of other communities, similar to West Traverse Township, who have special use permits for agricultural uses in residential districts. Mr. *Jacob* had questions about building an accessory building on a parcel without a principal residence. The Zoning Ordinance allows a major accessory building without a principal residence on properties of greater than four acres with Planning Commission approval.

Zoning Administrator's Report: Interim Zoning Administrator Sandford had presented his report. Lavender stated that he is dealing with the ordinance that is at hand, he does not have any opinions on what should or should not be done. Mooradian discussed the comments about setbacks being measured from the road right-of-way. He pointed out that the physical pavement and lines are not always *center within* the road right-of-way. *He said that setbacks should only be measured from the surveyed edge of the road right of way.*

Township Board Representative Report: None.

Planning Commissioner Comments: The Township board is responsible for the future of the Barns, so if there are any questions, they need to be addressed to the Board.

Public Comments: None.

Adjourn: **Wallin made a motion to adjourn the meeting. Baiardi seconded the motion.**

Vote: All yes.

The meeting was adjourned at 9:18 p.m.

The next regularly scheduled meeting will be April 11, 2018 at 7:00 p.m.

Proposed: March 21, 2018

Approved: April 11, 2018 with corrections on Page 1 and 4 in italics.

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Submitted by:

Paul Opfermann, Secretary

Transcribed by:
Susan Matsko
Township Secretary

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