

# Almont Township

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## **ALMONT TOWNSHIP PLANNING COMMISSION REGULAR MEETING**

**AUGUST 12, 2009**

The regular meeting of the Almont Township Planning Commission was called to order at 7:03 P.M. by Vice- Chairperson Streeter, at the Almont Township Hall, 819 N. Main Street, Almont, Michigan. Pledge of Allegiance was recited. Roll was taken.

**MEMBERS PRESENT:** Jean Gross, Fred Hunter, Bonnie Krauss, Kim Streeter, Dennis Sweers, and Bryan Zender. Also present: Brian Wilson of Community Planning & Management, P.C., and Cory Mabery, P.E. of Davis Land Surveying and Engineering, P.C.

**MEMBERS ABSENT:** Steve Francis

**ALSO PRESENT:** 11 guests

**CORRESPONDENCE:** Correspondence was presented.

**MINUTES:** MOVED BY KRAUSS AND SUPPORTED BY ZENDER TO ACCEPT THE JULY 8, 2009 MINUTES AS AMENDED. MOTION CARRIED.

**PUBLIC COMMENTS:** Mr. Mike Bohm of Southeastern Heatmor, LLC., was present along with Robert Pallaschke, owner of 3641 Van Dyke. Mr. Bohm stated that he was looking for direction from the Planning Commission as he wished to relocate his current business from 7280 Burgett Drive, Almont to 3641 Van Dyke, Almont. Mr. Bohm explained that Mr. Pallaschke has closed his business and is currently leasing 1/3 of the building to a machine shop while he would like to conduct his business in the remaining 2/3's of the building. Mr. Bohm stated that he sells wood burning boilers and in order to continue his business growth, he needs additional square footage for display and storage.

Mr. Wilson noted that as Mr. Bohm's business is more commercial and less industrial it would require special land use approval from the Planning Commission.

Mr. Bohm inquired if two separate uses could jointly occupy the same building. Mr. Wilson noted that it could with the proper approvals.

Mr. Bohm also noted that he would like to display one or two of the units out front by M-53. Mr. Wilson noted that any outdoor display could be considered under a special land use.

Public Comments: Continued

A brief discussion followed on signage. The Planning Commission directed Mr. Bohm to contact the Zoning Administrator and secure all the proper forms and once he had a plan formed to setup a pre-meeting with Mr. Wilson and Mr. Mabery.

Mr. Mike Jocopelli, founder of Hawkeye & Friends Dog Rescue and Sanctuary was present to explain that the lease at his present facility is about to expire and he was looking to relocate his rescue operation to 5433 Van Dyke. Mr. Jocopelli noted that the site is just north of Hough Road and is surrounded by trees and a cyclone fence. There are two buildings on the site one is a 40' x 60' barn that already has a bathroom, utility room and office area. The remaining area within the barn would be used to house the dogs. The floor is concrete with floor drains. The site is 1.99 acres in size.

Mr. Jocopellie noted that he does not run a kennel, but a rescue sanctuary for dogs. Most of the dogs are older dogs that have been given to him because the families can no longer afford to keep them or have moved out of Michigan and cannot take their dogs with them. The dogs are always supervised and well cared for.

Mr. Wilson noted that the ordinance only has reference to dog kennels, which Mr. Jocopelli's occupation would fall under. The ordinance also states that one of the requirements is that the site must be within in the Ag/Res district and must be a minimum of 10 acres.

Comments were heard from the Planning Commissioners. Consensus was that they liked what Mr. Jocopelli was doing, but the location (ag/res) and the fact that the site was less than ten acres, concerned them. The site would require a variance and special land use approval.

Mr. Jocopelli noted that he had also noticed another building behind Nova Metal that also might work for his rescue operation. The site is zoned Industrial and also would require special land use approval, but would not require 10 acres. The Commissioners asked Mr. Jocopelli to contact the Zoning Administrator and secure the needed information and/or forms.

LATE AGENDA ITEMS: None

INTRODUCTIONS: None

PUBLIC HEARING: #1. #09-002 Novak Supply & Equipment – Processing Materials

Vice-Chairperson Streeter asked Mr. Wilson to begin by going over his review. Mr. Wilson noted that clarification should be provided regarding the months that the material processing will occur, and that the required revised site plans still needed to be provided.

#1. #09-002 Novak Supply & Equipment – Processing Materials: Continued

Mr. Mabery noted he had the same concerns as the Planner as well as the addition of mulch recycling. Mr. Mabery noted that he was not as concerned about the processing of the concrete and asphalt but more on the mulch recycling due to the smell. Mr. Mabery noted that pursuant to the motion that was made at the July meeting, Mr. Novak was to supply the Township with 4 revised copies of his site plan noting all the corrections that were to be made to the site including the location of the crusher. Mr. Mabery also noted that the only setback measurements that could be found came from the Soil Removal Ordinance, which is 250 feet.

Vice-Chair Streeter opened the public hearing at 7:40 P.M.

Mr. Tim Denney was once again present representing Mr. Novak. Mr. Denney noted that the supplemental request was for the processing of material, especially that of concrete and asphalt. Mr. Denney noted that Mr. Novak has agreed to withdraw his petition to recycle mulch. The hours of the crushing operation are to be 7:00 A.M. to 5:30 P.M. with no weekend hours for crushing of materials.

Vice-Chair Streeter noted that as previously requested the revised plans had not been submitted. Mr. Denney apologized noting that it was a misunderstanding on his part and certainly was not meant to be disrespectful towards the Planning Commission.

Commissioner Krauss noted that the Soil Removal Ordinance setbacks pertained to properties that are located in Ag/Res zoned districts and not Industrial zoned districts and therefore the 250 foot setback should not be a factor.

Mr. Gary Gariglio of Inter-Power, which is located next to Novak Supply on the north side, stated that he was in favor of Mr. Novak's business as he has never experienced any excessive dust or noise coming from Novak Supply while the crushing operation was in process.

Concern was noted over the crushing of the asphalt. Mr. Mabery noted that so long as Mr. Novak only crushed the asphalt and did not melt it, he felt it was not much different than crushing concrete. Commissioners agreed on the omitting of the recycling of mulch.

Commissioner Krauss asked for Novak Supply to call the township office and notify them the weeks they plan to crush in order to prepare the office in case of any complaints. Mr. Novak agreed to support that request. The commissioners agreed on the 12 week duration along with the 7:00 AM – 5:30 PM operating pattern.

Vice-chair Streeter noting that as no further comments were offered closed the public hearing at 8:08 P.M.

#1. #09-002 Novak Supply & Equipment – Processing Materials: Continued

MOVED BY KRAUSS AND SUPPORTED BY ZENDER TO GRANT APPROVAL OF SPECIAL LAND USE APPLICATION #09-002, NOVAK SUPPLY AND EQUIPMENT, TO PERMIT ON SITE CONCRETE AND ASPHALT CRUSHING AND SCREENING DURING 12 WEEKS IN A CALENDAR YEAR DURING THE HOURS OF 7:00 A.M TO 5:30 P.M., MONDAY THROUGH FRIDAY. THE APPLICANT MUST ADVISE THE TOWNSHIP IN WRITING BY FRIDAY PRIOR TO THE WEEK WHEN CRUSHING IS TO COMMENCE. THE CRUSHING WILL ONLY BE DONE ON THE WEST ONE-THIRD OF SITE AS NOTED ON THE SITE PLAN. SPECIAL LAND USE APPROVAL IS BASED ON THE FACT THAT THE PROPOSED USE COMPLIES WITH THE EIGHT STANDARDS FOR A SPECIAL USE PERMIT AS SPECIFIED IN SECTION 5.02 OF THE ZONING ORDINANCE. ROLL CALL VOTE: KRAUSS – YES, ZENDER – YES, STREETER – YES, SWEERS – YES, GROSS – YES, HUNTER – YES, FRANCIS – ABSENT. MOTION CARRIED.

Mr. Novak was again reminded that he must submit the required four revised site plans noting all agreed upon amendments pursuant to the July 8, 2009 motion and must also submit to the township payment of all outstanding fees in order to validate all the approvals.

#2. Proposed Amendments to Article 14, section 14.02 (Special Land Uses)

Vice-Chair Streeter opened the public hearing at 8:15 P.M.

Mr. Wilson explained the proposed amendment to C-1 (Local Commercial). As recommended by the Planning Commission, gas stations would no longer be permitted in a C-1 zoned district.

Discussion was held on the area that would be allowed for outdoor sales area. The draft language proposed ½ acres (21,180 square feet). Suggested was to reduce the area down to something between 10,000 square feet to 15,000 square feet. Final consensus was to allow ¼ acre (10,890 square feet) for outdoor display area and there would be no operating of the products on the property for test purposes.

As no further comments were offered from the public, Vice-Chair Streeter closed the public hearing at 8:33 P.M.

MOVED BY KRAUSS, AND SUPPORTED BY HUNTER TO RECOMMEND TO THE TOWNSHIP BOARD THAT APPROVAL BE GRANTED ON THE PROPOSED AMENDMENTS TO ARTICLE 14, SECTION 14.02 OF ZONING ORDINANCE NO.39.15. ROLL CALL VOTE: KRAUSS – YES, HUNTER – YES, SWEERS – YES, GROSS – YES, STREETER – YES, ZENDER – YES, FRANCIS – ABSENT. MOTION CARRIED.

**OLD BUSINESS: #1. Sign Ordinance 51.1 – Proposed Revisions**

Discussion was held on the proposed amendments especially the color that would be allowed on digital signs. Consensus was to look at and perhaps adopt MDOT standards. Commissioner Sweers stated that he felt that the Planning Commission needs to get organized and systematically review the sign ordinance in order to complete the review and amendments within a timely manner. The commissioners agreed to table further discussion until the September 9, 2009 meeting.

**#2. Wind Energy Conversion Systems**

Commissioner Krauss noted that the committee had not been able to meet and asked that further discussion on the wind energy be tabled until such time as the committee has something to bring to the Commissioners.

**#3. Fences – Proposed Revisions**

Discussion was held on the propose draft as prepared by the Planner, Mr. Wilson. Consensus on the Commissioners agreed to the proposed amendments.

**#4. Section 7.03 (Location & Screening of Trash Receptacles) – Proposed Revisions**

Discussion was held on the proposed amendments. Commissioner Sweers asked that the Planning Commission be granted the discretion to wave the requirements if conditions on the site allowed for it. Mr. Wilson noted the change. The Planning Commission noted that they would like to put the proposed amendment to Section 7.03 and Section 2.11 (Fences) on the September Agenda under Public Hearings.

**NEW BUSINESS: N/A**

**REPORTS:**

Planner: No report was offered.

Engineer: No report was offered.

Zoning Board of Appeals: No report was offered.

Zoning & Building: Zoning & Building Report for July was submitted.

General Comments: Vice-Chair Streeter thanked the Commissioners for their support during the meeting.

Commissioner Sweers updated the Commissioners on the approval by the Township Board on the two re-zoning applications (south end of town –Tobey/Bristol). The Township Board has requested the Planning Commission to review rezoning the remaining properties to the south so as to avoid" spot zoning" pursuant to the comments made by the Lapeer County Collaborative Planning Commission.

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Proposed Agenda for September 2009

Public Hearing: Amendments to Zoning Ord. 39, Section 2.11 & Section 7.03  
SLU Application #09-003 – Greenia Outdoor Motor Sports

Old Business: Sign Ordinance 51.1 – Review

**MOVED BY ZENDER AND SUPPORTED BY KRAUSS TO ADJOURN THE  
MEETING AT 9: 16 P.M. MOTION CARRIED.**

Respectfully submitted by,

A handwritten signature in cursive script that reads "Ida L. Lloyd".

Ida L. Lloyd, Recording Secretary