

**ROSE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
February 4, 2016**

The following residents and guests signed in as present:

Dior Rushton	Kevin Rushton	Marilee Carstens	Mark Bolan
Maura Jung	Tom Wirth	Tom Willwerth	Linda Dagenhardt
John Mulvihill	Paul Gambka		

Other(s) present: Susan Weaver (recording secretary), Clerk/Debbie Miller, Michelle Foster (LSL Planning), David Plewes, John Mulvihill, Esq., Supervisor/Paul Gambka

The regular meeting of the Rose Township Planning Commission was called to order at 7:30 p.m. at the Rose Township Hall, 9080 Mason Street, Rose Township, Michigan.

Board Members Present: Stanczyk, Claus, Brooks, Fuller, Noble, Scheib-Snider, Lynn
Board Members Not Present: None

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for February 4, 2016.

Moved by Lynn, seconded by Claus, motion carried to approve the Agenda as submitted.

**Voting Yes: Scheib-Snider, Stanczyk, Noble, Claus, Lynn, Fuller, Brooks
Voting No: None**

APPROVAL OF MINUTES:

A. Approval of Regular Meeting Minutes of December 3, 2015.

Moved by Noble, seconded by Fuller, motion carried to approve the December 3, 2015 meeting minutes as submitted.

**Voting Yes: Stanczyk, Fuller, Lynn, Noble, Claus, Scheib-Snider, Brooks
Voting No: None**

PUBLIC COMMENTS ON AGENDA ITEMS (EXCLUDING PUBLIC HEARINGS):

None.

COMMUNICATIONS:

Addition to Communications, correspondence from G.E. Noble - extract of current special land use.

COMMITTEE REPORTS:

None.

PUBLIC HEARINGS (Notification as Required by State Law):

None.

NEW BUSINESS:

A. Election of Officers

Moved by Noble, seconded by Stanczyk, motion carried to continue Mr. Brooks appointment as the Chairman of the Rose Township Planning Commission.

Voting Yes: Noble, Fuller, Lynn, Scheib-Snider, Stanczyk, Claus, Brooks

Voting No: None

Moved by Lynn, seconded by Fuller, motion carried to appoint Mr. Noble as the Vice Chairman of the Rose Township Planning Commission.

Voting Yes: Lynn, Scheib-Snider, Fuller, Claus, Stanczyk, Noble, Brooks

Voting No: None

OLD BUSINESS:

A. Zoning Ordinance Amendment (Wedding Barn)

Chairman states an outline of the proposed ordinance was requested. Asks if any ordinance/draft be superseded if House Bill (“HB”) 5000 passed.

Attorney Mulvihill (regarding HB 5000) states this is essentially an amended building code, which already has a provision stating building permits are not required for building incidental to the use for agricultural purposes of the land for which the building is already located, if the building is not being used for retail/trade. If you have a building used for agricultural purposes (animals, hay, etc.) a building permit is not required. HB 5000 would be tweaking this language, same language.

Noble states Rose Township should carry over the term “seasonal private events.”

Michelle Foster (LSL) offers to take questions regarding the ordinance memo. Ms. Foster states the following: minimum twenty (20) acres; parking accommodations should not disrupt normal roadways, etc.; parking set-backs; fire code compliance/approval; county permits/approvals obtained; sanitary facilities maintained/screened from public view; all waste products maintained; hours of operation 10:00 a.m. - 11:00 p.m.; maximum of two (2) events per week and fifteen (15) per year; capacity established by fire chief; no open flames/cooking.

Claus confirms seasonal is April through September. Claus asks as to winter events. Foster suggests adding language stating “Applicant must secure all necessary permits”. Ms. Foster would also add heating language, which is why this use should be seasonable (i.e. difficulty with heating during winter/port-a-john facilities).

Fuller concurs with Claus/above.

Noble states definition of 38.6 – clarify “Seasonal private event” language. Noble states should classify as “seasonal event” not just “event”. Attorney Mulvihill states event(s) language should be specific and narrowed. Ms. Foster suggests adding “private” and “seasonal”. Attorney Mulvihill states language indicates it can be used for a wedding or “many” other uses, do we want to narrow this scope?

Lynn states our intent should be maintaining the primary agricultural use of the property while allowing an event.

Michelle Foster (LSL) reads the (38.6) definition, "Accessory use of an existing agricultural barn or structure that is used for assembly including weddings and receptions." Scheduled uses need to be amended as decided uses.

Lynn states she believes "existing barns" language should be added/repeated. Ms. Foster states it could be included in the Standards.

Noble clarifies definition (38.6) as "Accessory use of an existing agricultural barn or structure that is used for assembly including weddings and receptions." Ms. Foster states if someone asks for a Special Land Use ("SLU"), adequate space for parking would be necessary. Add (paragraph C) - building and fire code compliance. Add specific/relevant "agency requirement" language. Delete "other relevant agencies" and be specific. Sanitary facilities should states "rear yard" not "side yard". Ms. Foster states keeping side or rear yard will give the Township control of sanitation placement, because in some instances a side yard placement may be less noticeable and more screened. Discussion necessary as to fifteen (15) events per year. Ms. Foster states each SLU will come before the Board and a decision(s) will be made. Music will be covered under the noise ordinance.

Scheib-Snyder states all existing barns would have to have a "change of use". Suggests adding assembly use, otherwise existing barns are agricultural use. Scheib-Snyder asks if yearly permits (SLU) will be required. Plewes states, not in the past, Township Board will address. Scheib-Snyder would like to add liability insurance requirement language. Attorney Mulvihill does not believe it to be necessary. H. should state maximum of fifteen (15) events per year. Scheib-Snyder asks about ingress/egress traffic. Plewes responds depending on the size of event, directional staff may be required.

Lynn states these are agricultural properties, focus primarily on agricultural activities, these events are supplemental to agricultural.

Lynn states there has been much discussion, suggests re-drafting and re-reviewing the ordinance before finalizing.

TABLED ITEMS:

None.

DISCUSSION ITEMS:

None.

ANNOUNCEMENTS:

- A. Rose Township Board report – Scheib-Snyder states the office of the Constable is being kept on the ballot.**
- B. Comments by Township Planner – Michelle Foster states recent changes at her firm will be a smooth transition.**
- C. Next Regular Planning Commission Meeting – March 3, 2016 - 7:30 p.m. (tentative)**
- D. NOCFA Board Meeting – February 18, 2016 – 6:30 p.m. – Rose Township**
- E. Next Township Board Meeting – February 10, 2016 at 7:30 p.m.**
- F. 24/7 Rose Township Recycling – 9080 Mason Street, Holly, MI**

G. Zoning Board of Appeals – March 1, 2016, 7:30 p.m., Rose Township (tentative)

BRIEF PUBLIC COMMENT – General Items NOT on Agenda (limit comments to 3 minutes each item):

Tom Wirth, Resident has concerns about people buying existing buildings and using them commercially, creating traffic and noise problem.

Linda Dagenhardt, Resident is concerned about special use/agricultural business, the proposed uses are not agricultural uses (i.e., weddings, etc.). Allowing such will open other businesses to proceed in same manner. When use of building changes, use change occurs and they are required to meet certain codes, etc. Use change will require building and electrical inspectors/inspections.

Marilee Carstens, Resident commends the Board for granting this use but asks that they preserve and conserve the Township.

ADJOURNMENT:

Meeting adjourned at 8:55 p.m.

Approved/Corrected



Debbie Miller, CMC, CMMC
Rose Township Clerk