

SHERMAN TOWNSHIP ZONING/PLANNING COMMISSION MEETING
October 10, 2017

Chairman Ford called the meeting to order at 7:00 PM.

Members Present: Alan Ford, Kathy Sahli, Lance Thornton, Vince Mifsud, Frank Kalasky

Members Absent: Bill Pueschel, Roger Krontz

Visitors: Steve Wolf, Jamey Rouch, Ben Rouch, Frank Iannarrelli, Roxanne Seeber, Randall Chupp, Don Leeth, Bill Kelley, Rod Borgert, LaVonne Borgert, Tim Carls, Jeff Ballard, Marcia Ballard, Chuck VanDeventer, Bruce Summey, David Bell, Mary Bell

Minutes: Motion by Thornton, support by Sahli, to approve the September 12, 2017 minutes as presented. Motion carried 5-0.

Minutes: Motion by Sahli, support by Mifsud, to approve the September 27, 2017 minutes as presented. Motion carried 5-0.

Old Business: Chairman Ford opened the public hearing to discuss the proposed Crossroads Mixed Use District (MUD) ordinance at 7:05 PM. He explained that the MUD ordinance is “intended to allow and encourage a complementary mix of small scale land uses that are compatible with the surrounding agricultural and open space environment, as well as being compatible with each other”. He also stated that the Crossroads MUD could be applied to any specific parcel in the Township identified in the Township Master Plan but was structured to address the development of the Rouch properties along M-66.

Bill Kelley (65320 N. Centreville Rd) questioned if the Crossroads MUD was for a specific property along M-66? Is there an acreage requirement for this MUD? (The current proposal does not include an acreage requirement but that could be added and it could apply to any property in the Township.) Could this proposal result in a strip mall with sublet businesses? (The current draft does not permit this type of development.)

LaVonne Borgert (62831 Borgert Rd) asked if the Crossroads MUD is only for the Rouch property? (This proposal was structured for the Rouch project but may be applied to other properties in the Township.)

Tim Carls (63044 Klinger Lake Rd) asked if the Crossroads MUD apply to specific commercial or industrial uses? (Yes.) Does it address primary and accessory uses of a parcel? (Yes.) There should be better definitions regarding commercial and industrial uses for properties. What is the definition of Neighborhood Commercial? (There is a definition of Neighborhood Commercial districts in current ordinance 8.01.) What is the difference between Neighborhood Commercial zones and a MUD? (The MUD can be applied to any parcel in the Township regardless if the parcel is zoned NC.)

Rod Borgert (62831 Borgert Rd) asked if there will be future public meetings on this proposal? (Yes.) What is open space development? (Open space is land that does not contain buildings or structures.) What is the definition of a lodge? (A definition of a lodge could be included in the ordinance and could contain a square footage requirement.) What is the schedule for implementation of this ordinance? (Spring of 2018.) Is commercial property taxed differently than other designations? (Zoning designation in itself does not determine tax liability.) How would the neighboring property values be affected if a parcel is designated a MUD? (Property values are determined by numerous factors including adjacent property uses.)

Don Leeth (63197 Borgert Rd) is this MUD restricted to certain areas? Is it limited to parcels or certain acreage? (The current proposal does not include an acreage requirement but that could be added and it could apply to any property in the Township.) The proposal appears to permit Rouches to do anything they want and does not respect the neighbors.

Frank Iannarelli (27282 Oak Drive) asked if MUDs are a new device or if this is a unique situation? (Roxanne Seeber (Bauckham, Sparks, Thall, Seeber & Kaufman PC) replied that approximately 25% of other municipal clients include some form of MUD in their ordinances. She said that the MUDs work well if crafted properly. She said it appears to her that the ORV track is the most intensive use in the Crossroads MUD and it is already in place.)

Chairman Ford distributed a written comment (not dated) from Rodney Chupp (26149 Perrin Rd) with questions and comments on the Crossroads MUD.

Chairman Ford asked if there were any other questions and hearing none, closed the public comment period at 8:00 PM and opened discussion for the Planning Commission members.

Questions from the Commission members included limits on usages per parcels, physical size of the parcels may limit usage, definition of lodges, parcel lines blurred by the MUD, how is cluster housing addressed, the campground, including cabins, is regulated by the MDEQ.

After listening to the public comments and questions from the Planning Commission, Ms. Seeber suggested that a Planned Unit Development (PUD) ordinance may be a better tool for the development of the Rouch property than a mixed use development ordinance. A PUD requires a defined plan and allows for mixed land uses in a single development with flexibility in design of the included parcels. The development could be constructed in phases. A PUD could address general topics such as agribusiness and commercial development and usually include special land use permits.

Chairman Ford then reopened the public comment portion of the meeting at 8:35 PM. Questions included if another public meeting would be held for a PUD ordinance? (Yes.) Should the Township Master Plan be updated first and then address the PUD? (Both issues could be addressed simultaneously.) Would this proposal have any effect on the wetlands? (Wetlands are protected by State regulations enforced by the MDEQ.) Are the utility requirements the responsibility of the Township? (Utilities are not the responsibility of the Township. The County Health Department enforces drinking water and sanitary requirements.) Chairman Ford asked if there were any additional comments/questions and hearing none, closed this public comment period at 8:50 PM.

A motion was made by Ford, support by Thornton, to table the Crossroads Mixed Use District proposal and to have Ms. Seeber prepare draft language for a PUD for the Rouch property to be presented at the November 14, 2017 Planning Commission meeting. The proposal should

include provisions to limit PUDs to Rural Residential, Rural Preservation, and Agricultural districts within the Township. Motion passed 5-0.

Township Supervisor Wolf forwarded to Chairman Ford a resolution dated April 20, 2009 authorizing the Planning Commission to update the Township Master Land Use Plan and forward the results to the Township Board for approval or rejection. Secretary Kalasky to solicit quotes for the Master Plan update.

Adjourn: Motion by Thornton, support by Mifsud, to adjourn. Motion passed 5-0 at 8:55 PM.

Next scheduled meeting Tuesday, November 14, 2017, 7:00 PM at the Township Hall.

Respectfully submitted,

Frank J. Kalasky, P.E.
Secretary