

SHERMAN TOWNSHIP ZONING/PLANNING COMMISSION MEETING
August 14, 2018

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

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

Members Absent: Roger Krontz

Visitors: Rod Borgert, LaVonne Borgert, Tim Carls, Steve Wolf, Ben Rouch, Jamey Rouch, David Setterblad

Minutes: Motion by Sahli, support by Pueschel, to approve the July 10, 2018 minutes with revisions. Motion passed 6-0.

Old Business:

Chairman Ford opened the discussion on rezoning Rouch parcel 014-012-010-30 from Neighborhood Commercial (NC) to Rural Preservation (RP). (This parcel was rezoned from Rural Preservation (RP) to Neighborhood Commercial (NC) at the December 8, 2015 Planning Commission meeting to accommodate the then riding arena and event center.) The rezoning is necessary so this parcel may be included in the Rouch Planned Unit Development project. He opened the public hearing portion of the meeting at 7:05 PM. Rod Borgert (62831 Borgert Rd.) asked the parcel number, size and location. The parcel includes the indoor event center, part of the pond, the grass area North and East of the indoor event center, the main drive and is listed at 7.52 acres. Chairman Ford asked if there were any other questions pertaining to the rezoning issue and hearing none, closed the public hearing at 7:10 PM. Vice-Chairman Thornton asked if there was an application or any other documentation regarding rezoning of this parcel? There was none. He suggested that we have the Township attorney draft the proper documentation for the zoning change. A motion was made by Mifsud, support by Pueschel, to recommend to the Sherman Township Board to rezone parcel 014-012-010-30 from Neighborhood Commercial (NC) to Rural Preservation (RP). Motion passed 5-1 (Ayes: Ford, Sahli, Pueschel, Mifsud, Kalasky. Nay: Thornton.)

Secretary Kalasky to forward a copy of these minutes to the St. Joseph County Planning Commission for advisory review and recommendation.

Chairman Ford opened the discussion on the Planned Unit Development (PUD) application submitted by the Rouches including a site plan dated 07-17-2018 and general description of proposed uses dated 07-13-2018. Mr. Kalasky and Mr. Pueschel stated that they have visited the property and have no issues with the site plan.

Chairman Ford opened the public hearing portion of the meeting at 7:25 PM. Ben Rouch made a presentation (utilizing a large site plan) of the proposed uses for each section of the properties. Tim Carls (63044 Klinger Lake Rd.) asked about adequate parking. There is sufficient parking in the gravel lot south of the indoor event center plus overflow parking between the event center and M-66.

Parking for the ORV park is at M-66 and at the obstacle course. 2/3 of the vehicles participating in the ORV park are driven in, the remainder and trailered in.

Chairman Ford asked if there were any other questions regarding the PUD application and hearing none, the public hearing portion of the PUD application was closed at 7:35 PM.

The issue of number of participants at the two event centers was discussed by the PC members. The general description of the proposed uses states that there is seating for two hundred and fifty (250) people at each location but the total number of people in attendance is not mentioned. Various methods to control the number of participants in each area were discussed.

All regulations listed in the ORV park SLUP will be included in the PUD proposed uses.

Rod Borgert (62831 Borgert Rd.) asked about control of campground participants trespassing on adjacent properties. Various fencing options were discussed by the PC.

A review of each planned activity in the PUD was conducted.

1) North Camping Area (Area 1 on the site plan). Camping limited to ORV park users. No fencing between the camping area and the ORV park, can drive up to camp site. Fencing shall be erected along the north side of the camping area commencing at the M-66 right of way and continuing to the west of the campground then south until it intersects with the ORV park fence. The campground fence shall be a minimum of four (4) feet tall and a maximum of six (6) feet tall and shall be constructed of chain link or woven wire material with a maximum of four (4) inch openings.

2) Wood Shop Building (Area 2 on the site plan). No noise concerns as all equipment will originally be located inside the building. Occupancy load based upon the use. Will meet commercial building code when retail operation is opened. Building designed to block view of outside dust collector if needed.

3) Indoor Event Center (Area 3 on the site plan). Parking per current ordinance. Personal insurance required for events including alcohol. A maximum occupancy of five hundred (500) participants. An event planned for greater than five hundred (500) participants will require special approval by the Sherman Township Board.

4) North Outdoor Event Center (Area 4 on the site plan). To be used in conjunction with Indoor Event Center. Outdoor ceremonial music. Reception inside. Personal insurance required for events including alcohol. A maximum occupancy of five hundred (500) participants. An event planned for greater than five hundred (500) participants will require special approval by the Sherman Township Board.

5) South Outdoor Event Center (Area 5 on the site plan). Outdoor music for ceremony and reception. No large outdoor music festivals. Separate restroom/water and sewer systems. Parking lots C/D per current ordinance. Meets current outdoor lighting ordinance. Hours of operation would be 10:00 AM until 11:00 PM weekdays and Sunday, 10:00 AM until 1:00 AM Friday and Saturday. Personal insurance required for events including alcohol. A maximum occupancy of five hundred (500) participants. An event planned for greater than five hundred (500) participants will require special approval by the Sherman Township Board.

6) Resort Cabin Area (Area 6 on the site plan). Cabins likely used in conjunction with weddings on site. A disposition plan for the resort cabins if the PUD was dissolved was discussed.

7) ORV park (Area 7 on the site plan). All regulations listed in the ORV park Special Land Use Permit dated December 13, 2016 will be included in the Planned Unit Development.

A review of the general standards and approval standards listed in Section 14.05 the PUD Ordinance.

A. Conformance with the Planned Unit Development Concept. Yes. Various land uses on large property.

B. Compatibility with Adjacent Uses. Yes. Isolated from neighbors, consideration for neighbors with limited operating hours, commercial property (Lang's) north on M-66.

C. Public Services. Tri-Township Fire Department has no issues (per Supervisor Wolf), St. Joseph County Health Department has been on site and has no issues, letter from St. Joseph County Drain Commissioner dated 08/14/18 stating no issues with the proposed plan.

D. Impact of Traffic. Entrance/exit access to main thoroughfare (M-66), no pedestrian traffic, all parking to be off the main highway.

E. Protection of Natural Environment. MDEQ has reviewed the preliminary campground site plan.

F. Compatibility with the Master Plan. Yes. Complies with Goals and Objectives (C) of current Master Plan regarding orderly development of commercial and service activities.

G. Compliance with Applicable Regulations. Yes. State and local officials have been included in all phases of the PUD application process.

Vice-Chairman Thornton expressed apprehension regarding review and processing of this PUD application without a written agreement (reference e-mail dated 08/14/18 from Catherine Kaufman Bauckman, Sparks, Thall, Seeber & Kaufman PC).

A motion was made by Ford, support by Pueschel, for Phase 1 approval of the Rouch Planned Unit Development based upon a site plan dated 07-17-2018 and general description of proposed uses dated 07-13-2018 with the conditions listed above. The Township attorney to draft a PUD agreement for review at the September 11, 2018 PC meeting. Motion passed 5-1 (Ayes: Ford, Sahli, Pueschel, Mifsud, Kalasky. Nay: Thornton.)

New Business:

David Setterblad (66468 M-66) addressed the PC regarding a secure transportation business he is considering for his property. The proposed company would deal with business transactions (product and cash) in the marijuana industry. This property is located in a Rural Residential (RR) zoning area in which Home Occupations may be operated with a Special Land Use Permit. The Sherman Township Board has opted to prohibit marijuana based businesses in the Township. It was the PC opinion that a transportation company would be considered part of the marijuana industry and would be prohibited in the Township. Supervisor Wolf is to contact the Township attorney to clarify this matter.

Adjourn: Motion by Sahli, support by Mifsud, to adjourn. Motion passed 6-0 at 9:05 PM.

Next scheduled meeting Tuesday September 11, 2018, 7:00 PM at the Township Hall.

Respectfully submitted,

Frank J. Kalasky, P.E.
Secretary

