

SHERMAN TOWNSHIP ZONING/PLANNING COMMISSION MEETING
October 8, 2019

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

Members Present: Alan Ford, Roger Krantz, Vince Mifsud, Bill Puschel, Frank Kalasky

Members Absent: None

Visitors: Karen Garcia, Jose Garcia, Jamey Rouch, Freeman Bontrager, Steve Wolf,

Minutes: Motion by Mifsud, support by Kalasky, to approve the September 10, 2019 minutes as presented. Motion carried 4-0, Puschel abstain.

Agenda: Approved by consensus

Public Comment: Jamey Rouch (63412 M-66) stated the Rouch World will be hosting a Police Officer Appreciation Day on Saturday October 19th. Approximately 900 people attended the event last year. There will be firearms events at the Rouch shooting range and Mr. Rouch invited any Planning Commission member to observe (they should contact Mr. Rouch for entrance instructions) and note the noise levels. Shooting activities will take place starting at 11:00 AM and conclude at 6:00 PM.

Old Business:

Karen Garcia, 65281 M66, reported back to the Planning Commission that the building she intends to utilize as a reception venue/event center has very little insulation or sound deadening materials on the walls and ceiling. This resulted in the high sound level from an event commented on by the neighbors at the public hearing at the September PC meeting. Ms. Garcia believes that when she completes her remodeling work on the building, the noise emitted during events will be greatly diminished. She agreed to limit the hours of operation to 10:00 PM Sunday through Thursday and 11:00 PM on Friday and Saturday. Activities would start at 1:00 PM every day. Supervisor Wolf asked Ms. Garcia about her plans to control her guests in the event activities get out of hand. She stated that the rental agreement would have specific clauses to address unruly behavior. Supervisor Wolf also reminded Ms. Garcia that the SLUP could be revoked if conditions of approval were not being met. She stated that she understood this condition.

The Planning Commission then discussed possible noise limits for activities at the event center. Secretary Kalasky reported that he conducted limited research into noise limits imposed upon residents of various Michigan communities (at the property line of residential areas).

	Day/evening (dBA)	Night (dBA)
Spring Lake, Michigan	60	53
Taylor, Michigan	65	50
Grand Haven, Michigan	65	55

The PC decided a reasonable noise limit for this location would be 70 dBA (average) at the property line.

Ms. Garcia stated that she would be the only permanent employee but she may utilize up to four (4) additional people at certain times during an event.

Outside lighting would be directional as to not intrude on the neighbors.

A motion was made by Krontz, support by Pueschel, to grant a Special Land Use Permit to Karen Garcia, 65281 M66 for a reception venue/event center with the following conditions:

Days of Operation: Seven (7) days per week

Hours of Operation: Sunday through Thursday 1:00 PM to 10:00 PM

Friday and Saturday 1:00 PM to 11:00 PM

Number of Employees: Owner plus up to four (4) others

Noise level to be an average of 70 dBA at the property line

Parking and signage to be in compliance with Chapter 11 of the current ordinances

Meet all requirement of current ordinance 9.05 (T) "Theaters or similar places of public assembly"

Motion passed 5-0. Secretary Kalasky to prepare the documents for signatures at the November PC meeting.

New Business:

Freeman Bontrager (25800 Zabel Rd.) addressed the Commission regarding a revision to his Special Land Use Permit. The original permit for a custom woodworking shop was issued in 1999. The property is located in a Rural Residential area and is considered a Home Based Business in Table 6.02. The business currently has a 3600 SF building per the SLUP. Mr. Bontrager would like to add 1800 SF of building area and add two employees for a total of four.

A public hearing will be conducted at the November 12 Planning Commission meeting regarding revisions to the original SLUP. The request by Mr. Bontrager exceeds the SF and number of employees permitted in Ordinance 9.05(G). A discussion was held to determine if the Planning Commission has the authority to issue a SLUP with restrictions greater than the current ordinance. Chairman Ford is to contact legal counsel regarding this issue. Secretary Kalasky to prepare the required notice for the Sturgis Journal and notifications to the adjacent property owners.

Supervisor Wolf addressed the Planning Commission on various topics. 1) A review of the quote from Southcentral Michigan Planning Council (SMPC) on either revising the Township Ordinance manual or rewriting it completely to comply with current laws and the revised Master Land Use Plan. It was the opinion of the PC that a complete rewrite was not necessary and that the Township should enter into an agreement with SMPC to revise the Ordinance manual with a cost not to exceed seven thousand dollars (\$7,000). Supervisor Wolf is to make the necessary arrangements with SMPC for this work.

2) Recommended that the Zoning Ordinance 3.03(E)(e) be modified so that private road right of way/easement width be reduced from sixty six (66) feet to forty (40) feet. The wider easement was put in place in the event the County would take over the private road but the County Road Commission has stated they will not take over any private roads.

3) Recommended that the size of an accessory building be determined as a percentage of lot size, not a percentage of the ground floor area of the main building. Table 6.03.

4) Informed the PC that the latest technology for 5G communication networks includes small cell networks and that consideration should be given for ordinances regulating small cell installations.

5) Legislation has been introduced in the Michigan Senate (SB 431) regarding mining rights which would largely strip the powers of local government to deny permits to land owners for gravel mining operations. The bill is currently being reviewed by the Natural Resources Committee.

A discussion was held regarding the Master Land Use Plan update. A motion was made by Ford, support by Kalasky, to approve the draft Master Land Use Plan (dated 10-06-19) and to submit it to the Township Board for their review. Motion passed 5-0.

Adjourn: Motion by Kalasky, support by Mifsud to adjourn. Motion passed 5-0 at 8:40 PM.

Next scheduled meeting: Tuesday, November 12, 2019, 7:00 PM at the Township Hall.

Respectfully submitted,

Frank J. Kalasky, P.E.
Secretary