Minutes of a meeting held on February 20, 2012

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, February 20, 2012, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan.

1. CALL TO ORDER / ROLL CALL

Chairman Warner called the meeting to order at 7:00 p.m. with a quorum present.

Members Present: K. Cavanaugh, M. Kelly, D. Koopmans, R. Parent, and A. Warner

Members Absent: D. Gunnink, T. Morris

Staff Present: Lynee Wells, AICP, Williams & Works, Township Planner

Others Present: Dick Robertson, Township Treasurer

2. CONSIDERATION OF THE MEETING AGENDA

Agenda accepted as presented.

3. PUBLIC COMMENTS (BRIEF – UP TO 2 MINUTES)

A. Warner opened the floor to public comment at 7:01.

Dick Robertson, Township Treasurer, came forward to update the commissioners about the progress on the draft sign ordinance. He and D. Koopmans and Dale Hermenet, Township Board Trustee, have been appointed as a sub-committee by the Township Board to continue working on the draft. D. Robertson has spoken with Planner Wells and Township Attorney Jim Brown, and recently attended a sign workshop in Kalamazoo (which Commissioner K. Cavanaugh also attended). One specific idea the sub-committee has been wrestling with is brightness, which D. Robertson spoke with Planner Wells about, and they have come up with some numbers they are more comfortable with for the draft.

Also, D. Robertson has spoken with Commissioner Cavanaugh about their ordinance in Georgetown Township, and has gotten a few ideas from them about sign height, where to measure the height from, and taking into account the elevation of the road the sign is viewed from. The draft would try to set a uniform standard using this idea.

The workshop also discussed set-back requirements; the sub-committee found our ordinance uses the road right-of-way for set-backs. But road right-of-way varies quite a bit, so it’s not the best choice to base set-backs off of. Georgetown and other jurisdictions have based their set-backs off the center line of the road, and the advantage would be a consistent standard for the set-back requirement.
Planner Wells is working on a clean draft of the ordinance; D. Robertson feels that some of the issues, like how frequently a digital sign message should be allowed to change, height of signs, etc., are yet to be agreed on by the board.

A. Warner inquired what the plan would be with the next draft; would it be sent back to the Planning Commission for review? D. Robertson replied he would be bringing it back to the Township Board; maybe depending on how many changes, a joint session, but he doesn’t know at this point. A. Warner appreciated the update and the work being done. D. Robertson explained they are trying to take their time, looking at legal issues as well, maybe some simplification of the ordinance. Ours is currently 20-some pages; over the years certain sections may have been written to address certain issues, so it has become very cumbersome. K. Cavanaugh commended D. Robertson for taking the time to put out a quality ordinance.

D. Robertson indicated they hoped to have a new draft in the next few weeks to go to J. Brown for legal review, and he would update the commission as soon as he had information about where the draft would go from there.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the December 19, 2011 meeting.

R. Parent asked that page 3, paragraph 6, be rephrased so as to not reflect negatively on Uccello’s Restaurant.

K. Cavanaugh made a motion to approve the minutes of December 19, 2011, as amended. Motion was supported by D. Koopmans.

VOICE VOTE: All ayes. Minutes of the December 19, 2011 meeting approved.

5. INQUIRY OF CONFLICT OF INTEREST

None declared.

6. NEW BUSINESS

A. 2011 Annual Report

Planner Wells provided an overview of the annual report. The report will be provided to the Township Board. Several priorities for 2012 are identified. Wells asked the Commissioners for input.

A. Warner asked what WECS was. Wells explained it was a wind generator. Wells stated that commercial wind is unlikely in the Township as it is not identified as a priority area in the State.

A. Warner asked if Cascade or Bowne Townships had any wind ordinances in place. Wells was uncertain.
A. Warner commented if surrounding jurisdictions aren’t involved, maybe we don’t have to worry about it right away. The downside would be if someone came in wanting to put up a 50 foot wind generator, we wouldn’t have a prompt response for their request.

R. Parent asked if this would be for commercial use; A. Warner commented he doesn’t foresee any commercial use requests. Both agree there could be individual, residential use requests. R. Parent commented it would be good to consider getting something down to address it; A. Warner agreed.

A. Warner inquired if the commission needed to discuss medical marijuana dispensaries. Planner Wells responded that provisions in the medical marijuana act are being challenged through the courts. Wells commented that it might be advisable to wait until the decisions come down from the courts and then determine if the Township needs to take action.

K. Cavanaugh asked if we are in a moratorium or if it hasn’t been discussed? Planner Wells replied no. R. Parent asked if there was an area designated for medical marijuana, near industrial uses, could it be combined with those uses? K. Cavanaugh responded that there are a lot of arguments against combining all those types of uses into a certain district, because people feel it may incite crime, etc. She would recommend either no action or enacting a moratorium, so that can be our response to prohibit them.

D. Koopmans commented that when he went to the MTA conference last year, it was suggested that townships not do anything regarding this, since the state law was so unclear. K. Cavanaugh suggested that we could add this to our Home Based Business ordinance, that licensed growers operating under this law be required to deliver the product to their patients, so there would be no added traffic for this use in residential areas.

A. Warner inquired about LeBarge Dam on the list; Planner Wells explained that there are neighborhood concerns about hours, parking, trash, and access.

D. Koopmans commented that he doesn’t see any way to plan for this; the surrounding properties aren’t for sale. K. Cavanaugh commented that the Parks committee has discussed looking into grants for that area; if they want to go ahead, the Planning Commission should be involved. D. Koopmans suggested Planner Wells could follow up with Supervisor Harrison about this issue.

A. Warner feels that many of our ordinances affect businesses; he feels the ordinances should be looked at considering the impact on business, for good or bad.

D. Koopmans addressed the parking issue at the dam, stated that signs have been put up to keep people from parking alongside the roads, and people are being ticketed for violations.

K. Cavanaugh inquired if our community participated in the National Flood Insurance Program? Planner Wells responded she didn’t believe so. M. Kelly commented that Gun Lake had participated in this program, and it created a lot of hassle for residents and backlash for the township. D. Koopmans found from K. Cavanaugh that each township would have to decide to participate in this program; then the township would have to
abide by the FEMA floodplain maps and regulations, and residents would have burden of proof if they weren’t in a floodplain, and could purchase flood insurance if they were. A. Warner asked Planner Wells to investigate the pros and cons of a floodplain ordinance such as K. Cavanaugh described. D. Koopmans expressed reservations about the program.

7. UNFINISHED BUSINESS

A. Discussion Item – Master Plan Update. Review Chapter 4, Future Land Use and discuss existing future land use map and future designations a new farmland preservation land use.

Planner Wells explained the Farmland Preservation amendment to the Master Plan will provide property owners more options for their property. The change will not alter property rights; instead, it provides more options in case a property owner decides to permanently preserve their land. It provides tax advantages.

M. Kelly inquired if we had to ask the residents if they were in favor of this? Planner Wells replied that it is possible, however since we are expanding opportunities for property owners, it may not be an issue.

A. Warner asked if we are excluding anyone who may want to come in at a later date to participate in the program? Planner Wells responded that our land use map would have to be amended.

M. Kelly asked about some of the large parcels along the river. Planner Wells explained that the boundaries initially follow the Grand Valley Metro Council’s Framework Plan, but that additional parcels could be added.

A. Warner suggested taking a minimum acreage, currently designated Agricultural, could be included in this district. Planner Wells responded in favor of this option.

D. Koopmans asked how they were assessed as residential if they were being farmed? Planner Wells explained that assessing is based on highest and best use.

A. Warner commented we want to be able to defend what we do; if we followed the preservation districts drawn up by the county, that’s a defense. Or if we took all of our Ag property of a certain acreage and designated that as part of the district, that would make sense.

A. Warner felt the verbiage used was adequate; R. Parent felt it should explain the reasons why we have Rural Preservation, not just because of the limited resources and public utilities available, but as a conscious decision to remain rural. He feels that way it is clear to future developers that we are choosing to preserve these large areas as rural. A. Warner and D. Koopmans agreed; this position is supported by the lack of public utilities.

K. Cavanaugh felt it could be expanded on in the verbiage; that the Planning Commission and Township Board are acting on the wishes of the community.

R. Parent wants it clarified in all districts; it isn’t that high density is prohibited until utilities become available, it is to remain that way. D. Koopmans explained that at the last
board meeting, it was discussed that our sanitary sewer is starting to hit limits; it would have to be expanded with the Village, since they own it. The board is starting to look at transferring some of the load.

A. Warner asked Planner Wells to look at the opening paragraph of the future land use, change the direction a little, state our intentions and objectives.

8. PUBLIC COMMENTS (EXTENDED – UP TO 5 MINUTES)

A. Warner opened public comment at 7:55 and closed it at the same time, finding no comment.

9. COMMISSIONER’S COMMENTS

K. Cavanaugh shared that her offer on a home in Caledonia Township was just accepted; the commissioners congratulated her.

A. Warner joked that he had approved calling the meeting so that the commissioners didn’t forget their jobs, since there have been no meetings since December.

10. ADJOURNMENT

D. Koopmans made a motion to adjourn. Motion was supported by R. Parent.

VOICE VOTE – all ayes – Meeting adjourned at 7:56 p.m.

CALEDONIA TOWNSHIP PLANNING COMMISSION

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Duane Gunnink, Secretary
Approved: 4/16/12

Sincerely,
Angela Burnside
Recorder

Caledonia Township
Planning Commission Minutes
February 20, 2012