

April 27, 2000

WALES TOWNSHIP ZONING BOARD OF APPEALS HEARING

Hearing was called to order at 7:30 P.M. by Chairman John Minor.

Present: John Minor, Terry Maki, Larry Zalut, Dave Shannon, Ron Lepak.

Also present: Twp. Planner Ken Montgomery, Twp. Treasurer Carolyn Dunsmore, and 7 persons.

Request for Temporary Variance by the St. Clair County Agr. Society, to allow Motorcross races to take place one day during the 4-H fair with one change from last year, and that is to extend it for 4 years, making it possible to conduct the motorcross race without having to come to the ZBA board each year, therefore, saving the cost of the hearing.

Chairman John Minor gave a brief outline of procedures that would be followed.

John Minor asked if there was anyone who would be the spokesman for the St. Clair County Agr. Society and present the request.

Joe Whitenight, vice president of the St. Clair County Agr. Fair Board stood and stated that they did have the fair last year, they did have the motorcross race, and the best guy to tell about it is Larry Kunath, who runs it and manages it. Larry Kunath stated that he works directly with the company that is the promoter of the event for them. He stated that they are asking to have the race again this year and would like to ask that the fee be waived. He stated that everything is exactly the same as last year, same location, same workers, same track, same intensity of activity, put up the night before, taken down immediately after, safety procedures are the same. John Minor asked Mr. Kunath what he meant by waive the fee. Mr. Kunath stated the fee for the zoning board hearing to the Agricultural Society. Mr. Minor stated that to waive the fee could not be done by this board. The Township Board is the only body that could waive any fees. Mr. Kunath asked if anyone knew what was done at that last meeting, wasn't that discussed? Mr. Whitenight stated to Mr. Kunath that he thought that tonight this board was going to only approve or deny this year's request. John Minor stated that noting what Ken Montgomery, Township Planner, is presenting in his report, he is talking about a period of four years rather than one year. If that would be the decision of the Zoning Board, than there would be no reason for coming before this board each year and, therefore, no fee each year.

John Minor asked if there were any questions from the public. Nick Dietlin, 2749 Castor Road, asked if the track was already made. Mr. Kunath stated no. The construction starts the evening of the race and is dismantled the same day. Mrs. Dietlin asked if this was done yearly and Mr. Kunath stated that this is what they are trying to do. They had it last year and what is going on here is that they're trying to get the O.K. to have the race on a yearly basis. He asked if he could explain to everyone present why they are there. Given the O.K., he stated that there is an ordinance against motorcycle racing in Wales Township and unless granted a variance to permit it, they could not have the race, which they did last year. He stated "we are here again this year to see if we can obtain a variance and since we are a non profit organization and for the kids, it

looks like the Township is going to work with us and not make us bring all these people together for a period of 4 years for this one night event . Everything will be exactly the same as last year.”

John Minor stated that he had two letters concerning this event. First one was from James & Barbara Stitchick, land owners on Castor Road, stating that they were unable to attend this meeting, but would like to make their concerns known. The letter stated that they did not see a problem with motocross racing during the 4-H fair, but would be totally against additional motocross or auto racing throughout the year. Second one was from Judy Duncan , Wales Township Zoning Administrator, stating that one of the conditions imposed by the ZBA Board was that any changes made to the property by the promoters for the races be immediately removed after the races. She stated that she could personally verify that the changes which they made immediately before the races were removed immediately after the races. The berms, lighting, etc., which were mentioned as having been previously installed were not a part of the conditions placed on the Fair Board at the meeting. She feels that they should not be a part of the discussion when considering the decision for this present request.

Ken Montgomery, Township Planner, then gave his report containing his recommendation on this proposed continuance of Temporary Use Permit requested by the St. Clair County Agricultural Society, Goodells Park Motorcross Motorcycle and All Terrian Vehicle Racing. His recommendation is that the Zoning Board of Appeals should amend the previous action approving this exception, subject to the following:

- A. The proposed temporary use, “motorcross motorcycle and all terrian vehicle racing” may only be continued as the same basic event and activity.
- B: The same original conditions shall still apply.
 - 1) The permit shall be for one (1) day only each year.
 - 2) A copy of the required insurance policy must be provided to the township at the time of permit issuance.
 - 3) No parking is to be permitted on public roads or road shoulders.
 - 4) An ambulance with qualified emergency medical technicians is to be stationed at the site during the event as described in the applicant’s original proposal.
 - 5) Adequate temporary toilets of an approved type are to be provided within 300 ft. of all spectator seating areas and in accordance with SCC Health Dept. requirements.
 - 6) Earth and straw used to construct the track shall be removed from the site, hauled away, and property disposed of within seven (7) days of the conclusion of the event.
 - 7) Loudspeaker and public address system volumes shall be maintained in a manner sufficient to provide necessary information and interlude music to spectators and participants without undue noise and disturbance to nearby residences.
- C. The exception for this temporary use (1day/year) shall only be continued for an additional four (4) years after which time the ZBA shall again review the exception.

Mr. Montgomery stated that he thought the concerns of the Township was that while a temporary event may be permissible, they wanted to keep a close rein on things, so it didn’t turn into a permanent race track, without following proper procedures.