

WALES TOWNSHIP PLANNING COMMISSION

Regular Meeting/ Public Hearing

April 17th 2023

Minutes

****Corrections in Bold****

Opening

- A. Call to Order- Time 7:00pm
- B. Pledge of Allegiance
- C. Roll Call- Perry, Jewell, Downey, Glass, Kimmen- Present
Watkins- Absent unexcused, Affelt Absent unexcused

Public Comments on **Agenda Items**: (3 Minute Time Limit) All will be given a chance to speak during the Public hearing on the Special Use Permit

-Maynard asked how the Ordinances are coming along for solar and wind. Kimmen responded they are not complete and informed that there will be a public hearing with any zoning ordinance changes. Maynard asked who to email correspondence to, Kimmen responded any of the official emails and it will be distributed.

-Jon Moore, wanted to introduce himself and spoke of his upcoming special use permit for the Dog Kennel/ grooming on Wales Center Rd.

Approval of Consent Agenda

Motion by- Perry Second by-**Downey**

Vote: All Ayes

Approval of Minutes of the Regular Meeting/ Public Hearing on February 27th, 2023

Motion by - Kimmen Second by-Glass

Vote: All Ayes

Correspondence and Announcements

- A. MTA Class- All Present would like to attend Virtual

Reports

- A. Zoning Administrator- Not Present, no report
- B. Planning Consultant or Representative- Letter on Special Use Permit
- C. Township Board Representative- Carly Kimmen- Board of Trustee, Minutes 3-7-2023, 3-28-2023, 3-31-2023 and 4-4-2023 draft
 - 1. Road orders have gone in
 - 2. Hall committee is moving along and should be putting it out for bid soon
 - 3. Master Plan/ Parks and Rec plan idea- could use ARAP funds to pay a professional to help us update the Master Plan.
- D. Zoning Board of Appeals Representative- Kevin Glass
 - 1. Bruce and Kevin Glass attended a Training in Frankenmuth. He explained the things he learned and thanked the board for covering the cost.
- E. Committees
- F. Other

Scheduled Public hearing on Application for Special Use:

-Chair opens public hearing 7:20pm

-Chair summary of issues.

i. Statement of General Case- Application for Special Use Permit

ii. Explanation of Order of Business.

iii. Statement of Rules for Public Hearing

a. All comments be made through the Chairperson, Chairperson may respond or have another commission member respond.

- b. *Time limit on comments will be 3 Minutes. If you have a spokesperson for your group, please raise your hand or stand when that spokesperson speaks so that we may tally the time allotted.*

-Correspondence received- Planner Recommendation

-Persons speaking in support of Application

Larry Black- would like to build a haunted house (runs 2nd or 3rd week of Sept. through end of October) , (kids rec area, putt-putt course, camping area will run May to November), pumpkin patch for people to come and have fun and enjoy the area, eventually plans to build his home on that parcel. Nothing will be open from November through May. All noise will be near the freeway. Does not have exact measurements for parking lot but roughly 200x150ft. Do not know exact amount of parking spaces. Larry Black stated Jim Waddy informed him that he would have to abide by all current zoning regulations for the parcel in question as it pertains to the current zoning of that property.

**Minor asked if there has been a hearing set for this application. Jewell stated that this was the public hearing.*

-Persons speaking in opposition of Application

Many residents spoke in opposition of allowing a commercial use in a res/ag zoned parcel. Many were also concerned about the increased traffic this would bring on a secondary road also in relation to coming over the bridge and the driveway being at the beginning of the overpass. Others spoke of the business bringing people that will consume alcohol that will want to walk to the party store. Concerns that the proposed project does not reflect the Master Plan.

-Chair Closes public hearing-7:53pm

Considerations of Application of Special Use Permit:

Motion by Glass, Second by Jewell to Deny the Special Use Application presented with the

Finding of Facts:

1. The parcel in question is currently zoned as Residential/ Agriculture. None of the proposed uses are a permitted uses or special approval uses in those zoning districts.
2. Residential District Section 8.01 of the Zoning Ordinance states: The Residential district seeks to protect an environment conducive to the enjoyment of a home and family living by discouraging excessive traffic on local residential roads; by not allowing new commercial, industrial and other uses which would interfere with the residential character of these districts; and by phasing out already existing non-conforming uses.
3. Agriculture district Section 4.01 of the Zoning Ordinance states: The Agricultural District encourages farms on land resources needed for agricultural production, fosters rural life styles, and prevents encroachment from untimely suburban and urban development. Land uses commonly found within the Agricultural District include farming, woodland, farmsteads, large lot rural non-farm dwellings, open space, outdoor recreation and similar extensive land uses. In the future, based upon the Township's Comprehensive Development Plan, Agricultural Districts may be converted to other zoning districts to accommodate expansion of suburban and more urban areas.
4. The proposed uses listed in the application would be permitted as a special approval use in the in the B-2, General Business District subject to the following special standards listed in Section 18.33 of the Zoning Ordinance.
 - a. Site shall not abut directly or across a street, any Residential District.

- b. Children's amusement parks shall be fenced on all sides with a wall or fence not less than four feet six inches (4' -6") in height.
- c. No loud speaker of public address system shall be used except by express written consent of the Township Planning Commission wherein it is deemed that no public nuisance or disturbance will be established.

Outdoor recreational space for miniature golf courses and golf driving ranges may be permitted in the ROS, Recreation & Open Space District subject to the special standards 2. A., B., and C. above.

5. Section 18.06 of the Zoning Ordinance- Required Standards and Findings states:

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall find and record adequate data, information, and evidence showing that such a use on the proposed site, lot, or parcel meets the following requirements:

- 1. Will be in accordance with the general objectives, intent, and purposes of this Ordinance.
 - A. Will be consistent with maintenance of the public health, safety, and welfare.
 - B. Will be of such location, size and character that it will be in harmony with all applicable regulations of the zoning district in which it is to be located.
- 2. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, or that persons or agencies responsible for establishment of the proposed use shall be able to provide adequately any such service.
- 3. Will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.
- 4. Will be compatible with adjacent uses of land and the natural environment.
 - A. Will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.
 - B. Will be designed such that the location, size, intensity, site layout and periods of operation of any such proposed use shall eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke, or lights.
 - C. Will be designed such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings.
 - D. Will not cause substantial injury to the value of other property in the neighborhood in which it is located.
- 5. Will promote the use of land in a socially and economically desirable manner.

6. Will relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.

The Planning Commission has found that the facts in the case and that the findings and standards set forth in Wales Township Ordinance do not apply to the proposed use and that the standards have not been met, therefore the Planning Commission has denied the special approval.

Roll call- Perry- yes, Jewell- yes, Downey- yes, Glass- yes, Kimmen- yes. All Ayes- Motion Passed

New Business

- A. By- Laws Update- Kimmen has a list of purposed updates
1. Section 1, letter E- no. 3 Attendance- strike annually to the commission to the township board. Change to record to clerk.
 2. #5. Strike recording secretary
 3. Agenda page, #2 add word "consent" agenda, also change to chairman/ secretary prepares agenda
 4. Page 6, section 3 letter C, prepare annual "Budget" not annual report.
 5. Letter D, strike
 6. Letter I- strike annual capital improvement
 7. Update Members list
 8. Add Amendment date
- Motion by Kimmen, Second by Jewell. To update the bylaws as presented- Roll call- All Ayes
- B. Schedule hearing for Pine River Kennels Application for Special Use Permit
Meeting date set for either May 22nd or May 25th based on availability of the County Park.
Motion by Kimmen, Second by Jewell. To schedule the hearing either May 22nd or May 25th depending on the availability of the County Park Building. Roll Call- All Ayes
- C. Location of meetings- to remain at the County Park until further notice
- D. Members that would like to attend MTA Training./ online training- All present would like to attend.

Adjourn- Motion by-Kimmen

Second by-Downey

Time:8:24pm

Next Meeting date: May 22nd 2023, 7pm

**Submitted by:
Cary Kimmen-Demil
Recording Secretary**

