

DELHI CHARTER TOWNSHIP
PLANNING COMMISSION
SEPTEMBER 27, 2010

MEMBERS PRESENT: Craig, Goodall, Leaf, O'Hara, Todd, Warfield, Weaver, Zietlow
MEMBERS ABSENT: Hayhoe
STAFF PRESENT: Malone, Miller

Chairperson Warfield opened the meeting at 7:01PM

Pledge of Allegiance

Amendments to Agenda: None

Approval of September 13, 2010 Planning Commission Minutes

It was moved by Commissioner Goodall and seconded by Commissioner Zietlow to approve the September 13, 2010 meeting minutes as presented.

A Voice Poll was recorded as follows: All Ayes

MOTION CARRIED

Public Comment (Non-Agenda Items):

Jon Southworth, 1905 Walnut, wanted to reiterate his support for urban chickens. He feels there is a benefit to having chickens and encouraged the PC to permit them, but understands that there needs to be provisions to ensure that they are properly cared for. They don't have to be smelly. Also, he stated that once his were gone he felt his use of fertilizer, etc. increased. A couple of neighbors were present to support his feelings.

Commissioner Leaf stated that it is currently the opinion of the PC that people are currently and will continue to keep chickens in urban areas and that this is a new land use. It is the role of the PC to proposed Zoning Ordinance language that would protect the health and safety of the people of the township. The PC proposes to do this by establishing the conditions under which chickens can be safely and unobtrusively kept in the urban areas. To that end, the PC has requested that staff draft some possible ZO amendments that would achieve this goal.

Janice Wildermuth, 5621 McCue Road, asked for clarification on what is meant by "health & safety" and stated that she is supportive of urban chickens. The PC clarified that the proposed ZO amendments should include language that controls feed storage, waste management, housing, location from other structures, etc.

Commissioner Zietlow spoke regarding the information provided by Michigan State University that deals with issues to consider for urban chickens. She stated that the PC is continuing to conduct research on this matter.

SUP No. 264 – EDT Contracting Inc., 1381 N. Cedar Road (33-25-05-25-101-010)

Ms. Miller reviewed the staff report. The request is for a Special Use Permit (SUP) for 1381 N. Cedar Road that would permit the operation of a Contractor's Office at this address. Staff recommends approval with conditions as outlined in the staff report.

Mr. Michael Phelps, the applicant and property owner, 1381 N. Cedar was questioned by the PC board about the semi-trailer that is parked on the property. Mr. Phelps explained that it goes to jobsites and doesn't typically stay at the property for long periods of time.

Commissioner Craig moved, seconded by Commissioner Goodall to recommend to the Township Board approval of SUP 10-264 that would permit a Contactor's Office at 1381 N. Cedar Road (33-25-05-25-101-010) in the A-1: Agricultural zoning district with the listed conditions below pursuant to Section 5.21.4(19). The Planning Commission has reviewed the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Sections 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and the official meeting minutes and the document titled "Basis for Determination for SUP 10-264 Contractor's Office" dated September 21, 2010 and is hereby adopted.

- 1. Any future construction activities must comply with the requirements of Section 3.3 "Site Plan Review" of the ZO.**
- 2. No retail sales activity is permitted.**
- 3. All equipment and materials must be kept inside a fully enclosed building.**
- 4. Only passenger vehicles and standard utility trailers licensed for over the road use are permitted to be parked outside of a fully enclosed building. The parking of semi-trailers outdoors is not permitted unless it is licensed. All parking shall only occur only on hard-surfaced areas and comply with the requirements of Section 7.1.13 of the Zoning Ordinance.**
- 5. Evergreen trees meeting the requirements of Section 6.10.2.3 (4) of the Zoning Ordinance shall be planted along the chain link fence to the rear of the property. The trees shall be spaced no more than 6' apart and shall create an effective visual screen, in the opinion of the Director of Community Development, between the subject property and the residential property to the west.**

Discussion: None

Roll Call Vote:

Ayes: Zietlow, Weaver, Warfield, Todd, O'Hara, Leaf, Goodall, Craig

Nays: None

Absent: Hayhoe

Abstain: None

MOTION PASSED

Case #10-865 – 3818 Holt Road, (33-25-05-13-376-002) Re-zoning from "A-1" to "C-1"

Ms. Miller described the request for rezoning of property located at 3818 Holt Road and reviewed the staff report. There was discussion regarding the existing house located on the property and its future use.

Public Hearing Opened @ 7:40PM

Public Hearing Closed @ 7:40PM

Commissioner Weaver moved, seconded by Commissioner O'Hara to recommend to the Township Board approval of Case 10-865 to rezone .85 acres at 3818 Holt Road (33-25-05-13-376-002) from, A-1: Agricultural to C-1: Low-Impact Commercial based on being consistent with purpose and intent of the Zoning Ordinance, being compatible with the existing and anticipated development in the area, pursuant to the Master Plan, and the other conditions presented in the staff report dated September 22, 2010.

Discussion: None

Roll Call Vote:

Ayes: Craig, Goodall, Leaf, O'Hara, Todd, Warfield, Weaver, Zietlow
Nays: None
Absent: Hayhoe
Abstain: None

MOTION PASSED

Michigan Medical Marihuana Act

At the September 7th Township Board meeting a 180 day moratorium on commercial Medical Marihuana land uses was established. The PC has been asked to consider land use issues and possible ZO amendments to address the new land use issues surrounding this topic.

There was general discussion among the PC members on various issues related to the topic.

The process will include a recommendation back to the Township Board within 90 days. This opportunity will be used to communicate to the Board the PC's intent relative to this matter prior to drafting possible ordinance language.

Discussion:

There was general discussion regarding activities going on in the township. .

Meeting adjourned at 8:11 PM.

Respectfully Submitted,

James Weaver
Secretary