

Draft: Antwerp Township Planning Commission Meeting April 3, 2019

1. **Call to Order** Meeting called to order at 6:30 by Chair Morris

2. **Roll Call** All members present

3. **Approval of Minutes-** March 6, 2019.

Motion to approve March 6 minutes with two spelling corrections: Tim not Time in section 6, slats not slates in item 2 under section 7. Motion Tarchala, support Daly. Abstain: Schultz, all others voted in favor.

4. **Approval of Agenda**

Motion to approve agenda with the amendment that item 11 (Flag Lots) be switched with item 12 (Marihuana Establishments). Motion Cronenwett, support Paquin. All voted in favor.

5. **Public Comments on Agenda Items** none

6. **Public Hearing and Consideration of Special Land Use and Site Plan.** Cellco Partnership DBA Verizon Wireless, 60407 County Road 652 (Parcel #80-02-024-016-00).

Commissioner Denise Schultz recused herself stating a conflict of interest and left the table.

Summary of proposal by Verizon representative Bob Pryzbylo. Asks that 180 days be used if we set a time limit for tower being out of use.

Review of application by David Jirousek – Horizon Community Planning. PC needs to be aware that there is still a question that needs to be resolved regarding the nearby airstrip.

Public Hearing: No comments

Public Hearing Closed: Motion Cronenwett, support Daly all voted in favor.

Commission consideration: If airstrip is a private strip, it is the applicants position that no MDOT approval is needed. If that is not the case, approval will be obtained.

Pros and cons of bond vs. billing the land owner for removal of tower if needed was discussed. Applicant stated that their lease with owner covers the reimbursement to them of cost of tower removal.

Motion to recommend Special Land Use and Site Plan approval with the following stipulations:

1. Prior to Township Board approval applicant will demonstrate that MDOT approval is not needed for this use in proximity to the Mattawan Airpark or they will provide said approval/permit.
2. Install protective fencing prior to site disturbance. The limits of disturbance should be tightly bound around the area of construction. Protective fencing must be installed to delineate preserved areas prior to development.
3. If the cell tower is out of use for reasons other than routine maintenance and repairs for more than 180 days the Township is permitted to notify the owner that it shall be demolished. If the owner fails or refuses to do so, the Township is permitted to enter and remove the cell tower and shall be permitted to charge the costs of the same to the property owner as a lien and shall have a judgment for the costs of removal without the need for a court order.
4. Provide a geotechnical report to the Building Official along with the application for a building permit.
5. Provide a Knox box key on the gate.
6. Secure Van Buren County Drain Commission approval, if applicable.
7. Landscaping, screening, and building material requirements shall be waived for this site.

Motion Cronenwett, support Daly. All voted in favor (Shultz recused)

7. **Public Hearing and Consideration of Special Land Use and Site Plan.** Lynn Transportation, Inc., 62422 M-40 (Parcel #80-02-020-022-02).

Commissioner Schultz rejoined that table.

Overview of project provided by Lynn Transportation.

Review of application by David Jirousek – Horizon Community Planning. PC should evaluate level of screening from the neighboring duplex.

Public Hearing: no comments

Public Hearing closed: motion Cronenwett, support Schultz. All voted in favor.

Commission consideration: discussion of screening options for SW property line along the warehouse.

Motion to recommend Special Land Use and Site Plan approval with the following stipulations:

1. Increase evergreen screening along the southwest property line between the truck docks and the lot line with the addition of at least 6 evergreens. Shrubbery requirements along this line are waived.
2. Provide a compliant lighting plan and light fixture specifications.
3. Install protective fencing prior to site disturbance. The limits of disturbance should be tightly bound around the area of construction. Protective fencing must be installed to delineate preserved areas prior to development.
4. Secure outside agency approvals:
 - a. Fire Department.
 - b. Van Buren County Drain Commission.

Motion Tarchala, support Daly. All voted in favor.

8. Public Hearing and Consideration of Special Land Use and Site Plan. Ken Paul, Camzies Pizza, 26360 Red Arrow Highway (Parcel #80-02-003-012-20).

Overview of proposal from Ken Paul.

Review of application by David Jirousek – Horizon Community Planning. Size of the warehouse (attached accessory building) exceeds what is allowed by ordinance and so must be addressed.

Public Hearing: no comments

Public Hearing closed: motion Cronenwett, support Schultz. All voted in favor.

Commission consideration: after lengthy discussion of this property, what the applicant is trying to do and the ordinance options it was decided to postpone action to allow Horizon to do a checklist of the requirements for this proposal under the Corridor Overlay. This will allow the applicant to decide if they want to proceed with that or make changes to the plan they submitted for a home based business, since it does not meet the ordinance requirements as submitted.

Motion to postpone: Morris, support Paquin. All voted in favor.

9. Consideration of Special Land Use and Site Plan. Charles W. Brandt as Nightmare Realm, LLC, 23492 Red Arrow Highway (Parcel #80-02-001-017-02).

Motion to postpone until May 1, 2019. Motion Tarchala, support Daly. All voted in favor.

10. Public Hearing and Consideration of Zoning Text Amendment. Public Utility Facilities.

With no public in attendance at this time, there were no comments.

Commission consideration: concerns about the exemption of lot coverage on larger lots.

Motion to approve Zoning Text Amendment with item D. to read:

Lots less than or equal to ¼ acre are exempt from all maximum lot coverage requirements. Lots greater than ¼ acre cannot exceed 50% maximum lot coverage.

Motion: Cronenwett, support Daly. All voted in favor.

11. Zoning Text Amendments and Township Ordinances. Marihuana Establishments.

- a. Ordinance to Prohibit Recreational Marihuana Establishment

Motion was made to approve. Motion Daly, support Schultz. All voted in favor

- b. Ordinances for prohibition of recreation establishment and regulation of medical establishments – PC would like to see the text for each of these is separate documents. Revisions and edits were discussed. Horizon will prepare the amendments. A public hearing will be set.

12. **Adjournment** – due to the lateness of the hour no further agenda items were discussed. Motion to adjourn: Cronenwett, support Morris. All vote in favor. Meeting adjourned at 8:55.

Respectfully submitted,

Leslie Cronenwett
Acting Secretary