

MEETING MINUTES

Augusta Charter Township Regularly Scheduled Planning Commission Meeting

Township Hall Wednesday
December 20, 2017 6:30 p.m.

1. Pledge of Allegiance

All in the room arose, faced the flag, and stated the Pledge of Allegiance.

2. Call to Order

The meeting was called to order by Vice Chair Bennett at 6:30 p.m.

3. Roll Call and Recognition of Visitors

In Attendance: Bennett, Howard, Newsome, Selter, Spence, Yurk. Absent: Chie. Planner Kreps was in attendance. There were 7 audience members in attendance. Meeting was video recorded by W. Tobler.

4. Approval of Agenda

Motion by Yurk, support by Newsome to approve agenda as presented. Motion carried unanimously.

5. Approval of Minutes

- a. ATPC Regular Meeting Minutes from September 20, 2017: Motion by Howard, support by Newsome to approve minutes as presented. Motion carried unanimously.

6. Public Hearings

- a. VMU District Rezoning – Whittaker and Talladay Roads; to receive public input on the Township Board of Trustees initiation to rezone twenty-six (26) adjacent parcels of land along Whittaker and Talladay Roads from Rural Residential, Local Commercial, and General Commercial zoning districts to Village Mixed Use (Board of Trustees initiated).

Planner Kreps explained that VMU zoning will alleviate many non-conforming uses. Public hearing opened at 6:34pm. R. Cheever questioned what is allowed in VMU zoning. Kreps noted setbacks and lot size: front/rear = 15', side = 7.5', lot size = 9000 sq.ft.. General Commercial requires 2 acres (many of affected lots are not) and 150' lot width and much larger setbacks. Approx. 75% of lots are non-conforming to current zoning and don't meet one or more requirements. Howard noted that action to create VMU does not change the current zoning ordinances. Cheever asked that ordinance states if house burns over 50% Twp. does not have to allow rebuild. Noted that if zoning changed to VMU the non-conforming status is now gone and rebuild is allowed. Cheever asked why TB initiated action rather than PC? Also noted he doesn't want marijuana grower. The discussion devolved into marijuana discussion and was brought back to topic by Selter. Tobler commented – he was on PC when similar rezoning was done with town of Willis. This was successful and was motivation for correcting the inconsistencies in the Village of Whittaker. Tobler suggested VMU to TB upon request from resident to repurpose a recently purchased former church property of 1 acre with mixed zoning. Bill Blackmon asked if commercial activities will not be allowed. Kreps noted

that majority of commercial uses are allowed in VMU: retail, office, restaurant, theater, daycare. D. Polson noted the house across the street was a print shop many years ago built 1.5' from lot line. Asked why were houses along Talladay Road not included? Kreps said zoning change boundaries are based on the Master Plan. When asked about the ability to add a driveway, Kreps noted that this would need to go to WCRC and would not change based on zoning. Kreps indicated that VMU is a better fit than current situation. Public hearing closed at 6:59pm.

7. Business Items

- a. VMU District Rezoning – Discussion regarding expansion of VMU zoning district expansion along Whittaker Road as requested by the Township Board (TB meeting 10-10-17).

Motion by Bennett, support by Newsome to recommend approval of rezoning of 26 properties to VMU as presented. Motion carried unanimously.

- b. P.A. 116 Application #PA-17-02 – Stuart, Sanford Road (T-20-31-300-003) – The applicant is requesting Township review and approval of an application to the Michigan Department of Natural Resources for a Farmland and Open Space Preservation Program.

Site has 4 parcels (3 in York and 1 in Augusta, which is landlocked) and meets qualifications for P.A. 116 program. Applicant is requesting a 10- year term. Currently zoned General Industrial. Motion by Newsome, support by Howard to approve application. Motion carried unanimously.

- c. Augusta Woods Phase 2A and 3 – the applicant is proposing to complete the Augusta Woods manufactured home community that was previously approved by the Township. The outstanding development Phases 2B and 3 have been submitted for review due to lapse in their approval.

Howard gave explanation of issue: Augusta Woods had a plan to build multiple phases. Did not implement phases 2 or 3, which were approved about 10 years ago. They did not build during subsequent years, according to court judgements. Former Supervisor indicated they needed to resubmit a site plan, as things had changed. Board changed personnel – there was not documentation from prior discussions. Developer sued AT to NOT be required to submit a new site plan. After court review, they submitted a revised site plan.

Kreps gave brief technical review of plans – they are the exact same plans that were approved 10+ years ago. AW must secure all required State permits – they currently have MDEQ approval. Not sure of status of Water Resources review or YCUA capacity review. Any approval would be contingent upon all State approvals. Kreps passed out lawyer resolution document (prepared to assist this process, give the many years of court and mediation discussions) and read through it completely.

Yurk noted that he is not pleased with how this application review transpired, as our hands are tied. Would there typically be only one entrance to a development of this size? Kreps said no, but this is manufactured home community, which has different applicable standards than other PUDs.

Motion by Howard, support by Yurk for approval of resolution of phases 2B and 3 of Augusta Woods development. Roll Call vote per resolution requirements:

Bennett – Y, Spence – N, Newsome – N, Howard – Y, Selter – Y, Yurk - Y

Motion carried 4 approve – 2 disapprove. Tobler noted YCUA has 0.8 unit capacity, AT uses only 0.2 units. AW would use only 0.03 units. He verified this because AT (not AW) would be fined for over-usage, but it is not an issue given current capacity.

8. Public Comment - None

9. Communications

- a. Special Land Use Extension Request – NextEra Energy for SLU#16-01

We inadvertently granted extension based on Special Land Use and not specific Solar Farm language. Memorandum by Carlisle Wortman explains that this action basically grants an additional 6 months to extension. NextEra requested another year and there is an automatic extension. New expiration is December 21, 2018 for site plan submission.

10. Adjournment

Motion by Newsome, support by Spence for adjournment. Motion carried unanimously. Meeting was adjourned at 7:23 p.m.

Minutes submitted by Recording Secretary Selter.
Approved at regular meeting of ATPC 01.17.18