

**Charter Township of York-Planning Commission  
Regular Meeting Minutes  
York Township Hall  
February 22, 2010**

**CALL TO ORDER**

Chairperson Alexander called the meeting to order at 7:30 pm.

**MEMBERS PRESENT**

Earle Fox, John Hargrove, Paolo Visoni, Joan Alexander, Michael Cowhy, Keith Fineberg, and Jane Kartje.

**OTHERS PRESENT**

Don Pennington and Rodney Nanney, York Township Planning Consultants

**DETERMINATION OF QUORUM**

A quorum was present.

**ADOPTION OF AGENDA**

Motion by Fineberg, seconded by Fox to adopt the agenda as presented. Motion carried 7-0-0.

**APPROVAL OF MINUTES**

The minutes of both the Special and Regular Meetings held on February 8, 2010 were reviewed and amended. Motion by Fineberg, seconded by Visoni to approve the minutes of February 8, 2010 Regular meeting and Special meeting as amended and place them on file. Motion carried 7-0-0.

**CALL TO PUBLIC**

- Mrs. Mary Hess of 600 Canterbury in Saline, MI spoke on behalf of Mr. Howard and Mr. Kelven Braun and their present zoning violation concerning the signs that are present on two of their silos.
- Mr. James Kovalak asked if the Planning Commission meetings are recorded. The Chairperson indicated that meetings are not recorded. He asked who prepares minutes and how that person does so. He then asked if the Planning Commission would allow him to record the minutes of this meeting on his tape recorder. He was informed that recording of a public meeting is allowed.
- Members of the audience asked to have the microphones, located on the Commissions table be turned on, so they could hear more clearly. The microphones were turned on.

**CORRESPONDENCE**

None

**REPORTS**

Chairperson Alexander

- Asked if the Planning Commission, especially the newest members, would be interested in doing a site plan review class during a workshop meeting since some of the newer members have not had the opportunity to review site plans. Chairperson Alexander indicated that she would like Don Pennington to work with us on this, but there is very

little money available in the Planning Commission education budget. She will see if she can get some funding and set up a class.

#### **TOWNSHIP BOARD REPRESENTATIVE**

- Jane Kartje reported that the Township Board had set a date for March 9, 2010 for a Public Hearing on the 2010/2011 York Township Budget.
- Passed resolution #2010-01 to adopt 2010/2011 fiscal year meeting dates.
- Introduced and had its 1<sup>st</sup> reading on the ordinance to amend Zoning Ordinance (65).
- Approved to renew the Township's membership to the Michigan Recreation and Parks Assoc. and named Trustee Hargrove, Township Representative.

#### **REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE**

None

#### **REPORT OF PLANNING CONSULTANTS**

Mr. Don Pennington and Rodney Nanney were present, but had no report to give.

#### **REPORT OF ENGINEERING CONSULTANT**

None

#### **REPORT OF COMMITTEES**

None

#### **REPORT OF TOWNSHIP OFFICIALS**

None

#### **PUBLIC HEARING**

None

#### **NEW BUSINESS**

None

#### **OLD BUSINESS**

- **Special Use Permit Application for Wind Turbine/Sign Violation - Braun Farms**  
Chairperson Alexander started the discussion by saying that the township's lawyer's opinion, after reading the language found in Laches, was not relevant to this particular situation. Chairperson Alexander also reminded the applicant that the Special Use Permit application and signs violation are two separate issues, but because one can directly affect the other, they are being discussed together until the applicant can reach a decision as to how to proceed with both matters. The applicant's options in dealing with both issues were again reviewed.  
Mr. Braun asked if he could get a variance for his signs. Chairperson Alexander informed him that it would require him to appear before the ZBA. But, reiterated that the Zoning Board of Appeals, per Zoning Ordinance regulations, cannot hear a variance request that involves an S.U.P. Should the Braun's decide to seek a variance from the ZBA, an open SUP application for the WESC could prevent the ZBA from hearing a variance request related to these signs. Mary Hess asked the Commission what would be the most expedient way for the Braun's to receive a variance for their signs. She was informed that the Braun's could request a Special Meeting of the ZBA, but additional fees would be required for that to happen. Don Pennington also explained to the

Braun's their options in obtaining a variance, along with an SUP permit. At this time, because of time restraints, Chairperson Alexander asked the Braun's if they would like to discuss these options outside of the meeting room and return later with a decision on how they would like to proceed with this matter. The Braun's agreed.

- **The Braun agenda item was adjourned at 8:25 pm and will resume again later.**
- **Discussion of Wind Energy Systems Regulations**  
The Commission reviewed all changes made previously. Chairperson Alexander pointed out new zoning districts added to Section 50.33 C and the addition of item #7 to Section 50.33, D regarding an annual Zoning Compliance inspection. Mr. Rodney Nanney commented on the safety inspections that are being required annually by the Township Inspector.
- **Adjourned Discussion of Wind Energy Regulations at 8:45 pm. to finish discussion with the Braun's regarding their SUP application and signs violation.**
- **Return to Agenda item of Braun Farms Lighted Signs and SUP for WESC.**  
The Braun's returned to the meeting after discussions with their WESC installer. They indicated they will hold their SUP application for the WESC until after a hearing with the ZBA concerning their lighted signs. Mr. Keith Fineberg informed the Braun's that April 20, 2010 is the next scheduled meeting for the ZBA . Mr. James Kovalak asked the Planning Commission how quickly they could review the SUP for the Braun's WESC after a decision is made by the ZBA on their lighted signs.. He was told the next Planning Commission meeting would be held on April 26, 2010 and the application for the Braun's WESC permit can be added to the Planning Commission agenda at that time. The applicant must contact the Planning Commission Chair to request their SUP application be placed on this agenda . The Planning Commission would then have 180 days to review the application, before making a decision. The Braun's were referred to Section 56.11 of York Township Zoning Ordinance as to how to proceed with their variance to the ZBA.
- **9:00 pm Resumed discussion on WESC.**
- Changes were made to add RSP (Research Park Districts) PSP (Public Semi Public ) and PUD (Planned Unit Development) to permitted locations.
- Both Planning Engineers pointed out contradictions between the Chart and the language used in the Special Use Permit Section 50.33, paragraph 2. They were instructed by the Planning Commission to do a final review of the document and clarify the Chart and Language so as not to conflict with each other.
- Motion by Alexander, seconded by Fineberg to extend the meeting past 10:00 pm. to complete the agenda items. Motion passed 7-0-0.

### **Growth Management Plan Review**

Mr. Rodney Nanney presented updates for specific sections of the Growth Management Plan/ Master Plan Update as requested by the Planning Commission. He pointed out the importance of the Goals and Objective Policies of York Township because of the renewed interest of growth in this area due to the presence of Toyota and other growing businesses.

### **ANNOUNCMENTS FROM THE COMMISSION**

None

**FINAL CALL TO PUBLIC**

None

Next regular meeting will be on March 8, 2010, at 7:30 pm., with a Workshop Meeting at 7:00 pm.

**ADJOURNMENT**

Motion to adjourn by Visioni, seconded by Fineberg. Motion carried 7-0-0. Planning Commission Meeting adjourned at 10:03 pm.

Minutes prepared by Michael Cowhy

Michael Cowhy  
Planning Commission Secretary