

**Charter Township of York Planning Commission-Special Meeting Minutes**  
**York Township Hall, 11560 Stony Creek Rd., Milan, MI**  
**Monday, February 26, 2018**

**Special Meeting called to order** at 7:30 p.m., for the purpose of considering a Rezoning Application/P.U.D. Area Plan, Peters Building (Faust Property: Discussion & Final recommendation to the York Township Board.

**Pledge of Allegiance** recited.

**Roll Call:** Present – John Hargrove, Tom Gary, Paolo Visioni, Dick Cupka, Thom Publiski, Frank Rochowiak.

Absent - Jane Kartje. **Quorum:** Present.

**Adoption of Agenda** – Motion by Visioni to adopt the 2/26/2018 Special Meeting Agenda, as presented. Seconded by Hargrove. Discussion: none. Carried 6-0-1

**Call to Public** - Regarding the meeting purpose: Chuck Tellas, Township Supervisor: referenced Zoning Ordinance Sect. 8.02; Jim Haeussler, Peters Building: value to future residents; Planning Consultant Paul Lippens: he and Patrick Sloan conducted research, referenced their February 22, 2018 letter.

**Old Business:**

**Rezoning Application/P.U.D. Area Plan (Faust Property), Discussion and final recommendation to the Township Board:** Chairman Cupka began discussion with documentation of points to Approval vs. Denial of Recommendations of the PUD; also reviewed the previous months' discussions.

In reading Planning Consultant Lippens' February 22, 2018 letter to the Planning Commission that included 2 Recommendations, Chairman Cupka moved to, by Roll Call Vote, respond "**Approve**" or "**Deny**" on the following:

1. The Charter Township of York Planning Commission recommends that the York Township Board of Trustees **approve** the Planned Unit Development (PUD) Rezoning from Essential Agriculture (A-1) and Area Plan application by Peters Building, based on the reasoning that the rezoning is substantively consistent with the Charter Township of York Master Plan. The Planning Commission offers the following findings to support this recommendation:
  - a. The proposal is generally consistent with the intent and desire for controlled growth within the Township;
  - b. PUDs were designed to permit the clustering of development in the Township, in part to protect natural features;
  - c. The proposed area plan, that includes a clustering of residential units, preserves desirable site features such as: increased open area, retained wooded areas, play and recreation areas, sidewalks, fire hydrants, monitored central wells and sewerage systems;
  - d. The proposed PUD density is comparable to what could be pursued on the property if developed as a 1-acre lots platted subdivision;
  - e. The Master Plan is currently being updated and Planning Commission may recommend clarifications.
2. The Charter Township of York Planning Commission recommends that the York Township Board of Trustees **deny** the Planned Unit Development (PUD) rezoning and area plan for the Faust Acres PUD based on the reasoning that the rezoning is not, on its face, consistent with policy statements for the Essential Agricultural District included in the Township Master Plan. Planning Commission offers the following finding to support this recommendation:

- a. Section 6.03 (A) (1) states that “the Essential Agricultural District is intended to be used in those parts of York Township which are designated for permanent agricultural use in the Township’s adopted Master Plan. Residential developments in the form of plats or site condominiums are considered in conflict with the intent and purpose of this district and shall not be approved within this district. All required zoning changes shall be made prior to submittal of any plan or site condominium.”
- b. The Charter Township of York Planning Commission has considered the potential natural features preservation benefits that could be achieved through cluster development, as proposed in the Faust Acres Area Plan; however, the Commission finds that the required zoning change to PUD is in conflict with the stated Master Plan policy to designate the Essential Agricultural District as permanent agriculture.

Seconded by Publiski. Discussion: Chairman Cupka asked that each Commissioner state their own concerns and recommendations.

Roll Call Vote: Hargrove – Deny; Gary – Approve; Visioni – Deny; Cupka – Approve; Publiski – Approve; Rochowiak – Approve. Motion carried: Approve: 4; Deny: 2; Absent: 1. Carried 4-2-1.

Moved by Cupka to accept the results of the above roll call vote and the findings as representative of the Planner’s 2/22/18 report as the recommendation to the York Township Board of Trustees. Seconded by Publiski. Discussion: none further. Voice Vote that this represents the voting tonight: Aye: 6; Nay: 0; Absent: 1. Carried.

**Final Call to Public**: three comments heard.

**Next Regular Meeting**: March 12th, 2018 at 7:30 p.m.

**Adjournment** – Motion to adjourn the Special meeting by Gary, Seconded by Hargrove at 8:02 p.m. Carried. 6-0-1

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Thomas J. Publiski  
Acting Secretary