

ONEIDA CHARTER TOWNSHIP
PLANNING COMMISSION MEETING

HELD

November 7, 2018

At 7:00 P.M.

MEMBERS PRESENT: CHAIRMAN WALTERS, MEMBERS GREEN, KILGORE, SCHERER, KUHLMAN, AND SCHROEDER

MEMBERS EXCUSED: STAHELIN.

OTHERS PRESENT: SUPERVISOR COOLEY, ZONING ADMINISTRATOR GOSCHKA, APPLICANTS MR. AND MRS. TOROK, RESIDENT CRAIG CLARK.

1. Meeting was called to order at 7:00 p.m., by Chairman Walters.
2. Pledge of Allegiance was given.
3. There were no additions to the Agenda and it was approved.
4. Minutes of September 4, 2018 were approved as printed in a Motion made by Mr. Kilgore and supported by Mrs. Schroeder. Motion Carried.
5. Public Comment: There was none
6. PA 116 Application Review – Robinson Farms, L.L.C. (three parcels)
Parcel #030-021-300-001-02, part of parcel #030-024-400-053-01, and #030-022-400-065-08.

Zoning Administrator Goschka told the Board that Jeff Robinson had purchased additional property and wanted to enroll them in P.A. 116. The clerk had sent the requests to Eaton County Community Development, the City of Grand Ledge, and Eaton County Conservation. We received letters from Eaton County Conservation District approving the PA116s. The next step is for the Planning Commission to review and make a recommendation to the Township Board. If it is approved at all the levels then it goes to the State of Michigan which makes the final decision as to approval or disapproval.

Mr. Kilgore asked why the Board would not approve such requests. Mr. Green said if the requests did not meet the requirements for P.A. 116 would be the only reason. There had been a case in the past that did not meet the requirements and it was turned down.

After all discussion, Motion was made by Mr. Green and supported by Mrs. Scherer to recommend to the Township Board that the Applications submitted by Robinson L.L.C. be approved. Motion Carried.

7. Public Hearing on Special Use Permit, Parcel #030-026-400-040-00, Address 9255 Hartel Road, requested by Mr. and Mrs. Torok. Chairman Walters asked Mr. Torok to talk with the Board about the request. Mr. Torok said that they have a Special Transitory Food Unit

Business. They have Trailers that house kitchens in which they prepare and smoke and sell food from. They want to build a 50 foot by 100-foot pole barn on their property to house the Trailers and at some point, install a small kitchen and smoker in the same building. They now cook in the Trailers. They also make Barbeque Sauce in the Trailers and in their home. And might eventually make that in the kitchen in the pole barn with possibly a freezer and dairy cooler. They would store the coolers and other equipment that is now outside in the proposed pole barn also. They explained that the Trailers are like mobile homes, the pipes freeze and they need to be stored inside a heated building.

Chairman Walters asked for questions from those present and the Board.

Mr. Clark who was present asked what type of building, Mr. Torok explained that it would be a pole barn 50 foot by 100 foot. They would be tearing down the old building at the site.

Mrs. Scherer asked if they would be moving the trailers into the building. They said that they would. Mr. Green pointed out that they were asking to put the building 8 feet from the side line of the property and due to the size, it would have to be 30 foot from the side lot line. Chairman Walters and Mr. Green asked about the handling of waste at the site. Mr. Torok said they have a dumpster at the site and all waste is removed and properly disposed of.

He also explained that they had just recently leased a new space just past the Waverly Golf Course and would be moving most of the equipment to that site.

Chairman Walters asked about the time frame for the building of the barn and other activities at the site. Supervisor Cooley said the building permit for the barn would be for one year. Mr. Green wanted to know if the Torok's had worked with the Eaton County Health Department on permits for food handling and septic. They said that they had. Mr. Green also wanted to know if it would be a full-time operation and how many employees they would have. Mr. Torok said yes it would be full time, and they would have 4 employees.

Mrs. Scherer said she felt that restrictions should be written in the SUP to be certain there was no selling from their residence.

Mr. Green felt that the request was not listed in the allowable SUP's. Mrs. Schultz explained that the Attorney had said they could not possibly list all the uses and it was at the discretion of the Board to decide if it should be allowed. Supervisor Cooley let the Board know that the Zoning Administrator reviewed all Special Use Permits every year.

Mr. Green wanted to know if there would be ovens. Mr. Torok said that they smoke everything in the Trailers. They do not use ovens.

Mrs. Torok said the new purchase of the property by the Golf Course had just happened and they would be locating the smoker at that site and much of the prep work would be done there. It was noted that the new building is in Lansing Township.

It was pointed out that the building permit was good for one year and Chapter 15.2 was pointed out to the Board.

Mr. Green asked Mr. Torok if he was aware that they were allowed no signs. He said that he was. All signs are on the trailers.

Mr. Green said he had a problem with the Special Use Permit Business having 4 employees. It was pointed out that several businesses in the Township have a number of employees under Special Use Permit.

Mrs. Scherer said a condition should be included in the Special Use Permit to discontinue the business if the property were sold in the future.

There was some discussion on the difference between a home occupation and a Special Use Permit. Mr. Green wanted to know how much of the proposed pole barn would be used for a kitchen. Mr. Torok said 25% or less.

Mrs. Scherer said she felt that there would need to be several restrictions, such as

1. No selling at the premises.
2. Number of employees to be 4 other than dwelling residents.
3. Special Use Permit terminated at termination of business.
4. Applicant must meet Health Department requirements for food handling and Septic Conditions.
5. Special Use Permit to be terminated at sale of property.

After much discussion and determination of a basis for the proposed decision, Motion was made by Mrs. Schroeder and supported by Mrs. Scherer to recommend approval of the request for Special Use Permit for the Torok Business with the conditions listed to the Township Board:

Conditions:

1. No selling at the premises
2. Number of employees to be 4 other than dwelling residents.
3. Special Use Permit to be terminated at termination of business.
4. Applicant must meet Health Department requirements for food handling and Septic Conditions.
5. Special Use Permit to be terminated at sale of property.

Basis of decision Chapter 15. 15.03 Conditions 1 through 8.

Motion Carried with one opposing vote by Mr. Green.

8. Public Comment: There was none.
9. Other Business: Mr. Kilgore wanted to know where we were with the re-writing of the Zoning Ordinance. Zoning Administrator Goschka said she has been having trouble finding help. She got a list from MTA and also had contacted the company that wrote the current ordinance. She will keep looking and mean while said possibly the Board Members should

start a list of proposed changes. There was discussion on which should come first the Zoning Ordinance or the Master Plan.

Mr. Kuhlman asked where the Township stood with the recent legalization of marijuana. Zoning Administrator Goschka told him we had opted out and were allowing nothing to do with it.

Mr. Green asked about the properties on M-100 and Zoning Administrator Goschka explained that she was working with our Attorney and they had recently sent certified letters to both of them asking to set up a 6-month plan for cleanup. They have to respond within 7 days of receipt of the letter, and if they do not, citations will be written with a request for a formal hearing, which will hopefully back us up and either mandate cleanup by the owners or allow us to go in and clean up the properties. Mrs. Schroeder noted that there had recently been a limo moved on one of the properties.

Chairman Walters discussed respect and politeness of the Board.

After all discussion, Meeting was adjourned

Minutes respectfully submitted by Jan Schultz

APPROVED:

A handwritten signature in cursive script, appearing to read "Michael Walters", is written over a solid horizontal line.

Mr. Michael Walters, Chairman