

MINUTES BIG RAPIDS CHARTER TOWNSHIP PLANNING COMMISSION

Tuesday, May 12, 2015 --- 7:30 p.m.

Big Rapids Township Hall, 14212 Northland Drive, Big Rapids, MI 49307

I. CALL TO ORDER: 7:30 P.M.

Chairman Hults called the regular meeting of the Big Rapids Charter Township Planning Commission to order at the township hall on Tuesday, May 12, 2015 at 7:30 p.m. Mr. Stanek administered the oath of office to Mr. Bean and Mr. Keating.

II. ROLL CALL:

Present: Gordon Oliver, Carmen Bean, Jim Shane, David Hamelund, Vivian Smith, Philip Keating and Michael Hults. The record shows a quorum is present. Also Present: William Stanek, Zoning Administrator and Brent Mason, Recording Secretary.

III. PUBLIC COMMENT: None

IV. PUBLIC HEARING: SUP 15-004 - Freeman Propane. Called at 7:32 pm

Doug Freeman appeared representing Freeman Propane. Currently they are operating in Vestaburg and are looking to expand into this area. Freeman Propane is applying for a special use permit (SUP) to operate a retail propane business on property on the West side of Northland Drive approximately one quarter mile north of 12 Mile Road. Initially, the plan is to put a retail propane tank and office on that property, man it with 4 people to start with and a 30,000 or 18,000 gallon bulk storage tank, depending on whatever is available at the time. The business will primarily service residential home heating. They will have approximately 3 or 4 trucks on site. The site will have a fenced in storage yard to meet State of Michigan code. The building will be a 30' x 50' pole construction building if allowed by the building official and the township code. There will be a maximum of 100 - 200 residential tanks in the yard in the enclosed fence. Mr. Freeman stated that the site was pretty wet when he stopped by the property earlier today. Mr. Keating asked what type of fence will be used to enclose the yard. Mr. Freeman stated that the fence will be chain link without privacy screening. Mr. Hults asked about the wet condition of the land and the possibility that the lot may not be an appropriate site for this use. Mr. Freeman responded that he might have to look for another site due to the wet conditions on this property. Mr. Freeman told the commission that he did not want to get a PERK test of the property yet, and wanted to get the commission's approval for the use first. Mr. Shane asked if Mr. Freeman owned the property, Mr. Freeman responded that he

did not. The purchase will be contingent on the answer Mr. Freeman gets from the commission tonight. Mr. Shane asked if that commission could issue a SUP to a property that is not owned by the applicant. Mr. Hults and Mr. Stanek responded that they can, however, Mr. Hults continued with his concern about the possibility that Mr. Freeman might not use this property and whether a SUP should be granted if Mr. Freeman might walk away from it. Mr. Hults mentioned that he has had a couple of discussions with the administration about this. Our permit application requires a class B site plan before you can go ahead and build. The ordinance doesn't require a site plan for the SUP itself. Mr. Hults continued with his concern about whether Mr. Freeman was sure he can use the property, Mr. Hults is not sure that the commission is willing to grant the special use permit. Mr. Hults stated that typically the commission will review a site plan at the time as the SUP request. Mr. Freeman said he understood that. Mr. Shane said that there was nothing to prevent the commission from issuing a SUP on this piece of property, provided they went ahead with the project. Mr. Shane thinks it is a little preliminary to be discussing a SUP for something that is still tentative. Mr. Shane and Mr. Hults discussed the differences in the ordinance and the application. Mr. Keating asked Mr. Freeman how concerned he was about the water at the site. Mr. Freeman responded that it is not an issue for him at this time, but there is standing water that will have to be dealt with. Mr. Freeman advised that his purchasing the property would be contingent on the decision of the commission tonight. John Doyle did respond that he is not opposed to this proposal, and presented comments about the property and the fact that it is really wet and the ground is heavy. No one else had a comment about the special use permit application. Mr. Keating asked if Mr. Freeman might want to withdrawal his application, and Mr. Hults did acknowledge that this particular request is not typical, and Mr. Shane acknowledged that this request does sound tentative, but if the SUP is issued and not exercised, it expires. Mr. Hults reiterated that the hearing is to determine if this use is appropriate for this property. Mr. Hults did go over the questions and no concerns were presented, but he is concerned that the site might not be appropriate because of the water issues. Mr. Freeman is now concerned because of the water issues. Mr. Doyle mentioned a tile under the road that may drain into the property under consideration, contributing to the water problem. There was a brief discussion about the water issue. Mr. Hults closed the public hearing at 7:48 pm.

Mr. Keating opened the board discussion with a comment to Mr. Freeman that until he has a site plan, he would not be in favor of the SUP. Mr. Shane stated that he thinks the commission can issue the SUP, but if it is not acted on, will it cost Mr. Freeman to reapply? Mr. Stanek believes the decision can be postponed for Mr. Freeman to gather more information. Mr. Freeman advised that he did check out the site in the spring, and it was dry, but today, with the recent days of rain, it is now wet. Mr. Hults

asked Mr. Freeman if 30 days would give him enough time to figure out whether he would like to pursue this further. Mr. Keating stated that the commission is not opposed to the request, but that they do need more information. Mr. Freeman did understand and agreed that the commission and he both have concerns. Mr. Hults suggested that the Class B site plan be presented at the next meeting. No other discussion occurred. Mr. Shane made a motion to table the request to the next meeting. Supported by Mr. Keating. The motion to table the request carried unanimously.

There was some discussion about the paving of the property.

V. SITE PLAN REVIEW: CFT Properties: Todd Csernai

Site Plan from PBK associates is presented with a letter from Patrick Birtles addressing issues that were brought up in the staff review of the plan. Mr. Hults asked if the Township Engineer has reviewed the Site Plan. The Township Engineer has not responded back on this project, but did advise that he does not need to review this plan since it is not hooked up to sewer and water. Mr. Hults asked about staff concerns, and was advised that the letter addressed all the concerns. The only items that has not been addressed is storm water run-off, but due to the property size and coverage it will not be an issue. Mr. Keating asked about parking spaces, and for the size of the proposed building (7,000 sq. ft.), 35 spaces are required, and 50 spaces are proposed. Mr. Hamelund asked about sidewalks. Mr. Csernai responded that they are around the building. There was a discussion about sidewalks in the future and no one was opposed to them. There were no other issues to discuss.

A motion to approve the site plan was made by Mr. Keating and seconded by Mr. Oliver. No other discussion occurred. The motion carried unanimously.

VI. PUBLIC HEARING FOR REZONING REQUEST:

Mr. Hults called the public hearing to order at 8:02 pm for the rezoning of current industrial district that lies in Section 2 and part of Section 3 between 197th Avenue and the White Pine Trail north of the City of Big Rapids and South of Green Township. The request is to zone this area to Agricultural to bring it into alignment with the existing uses. DeMar and Kevin Hatchew are in favor of the rezoning in order to use property they purchased at 1619 Catherine Street for a Beauty Salon and Senior Fitness Center. There are no other individuals present for the hearing. Mr. Hults closed the hearing at 8:05 pm. Mr. Keating asked Mr. & Mrs. Hatchew if they have talked to any of the neighbors. Mr. Hatchew advised that they have talked to the neighbors and have gotten many positive comments about what they have done on the property already, and that they are excited about what is going to be done. Mr. Shane made the motion to

recommend the resolution that the Township Board rezone the area in question and Mr. Keating seconded the resolution.

BIG RAPIDS TOWNSHIP
Planning Commission Resolution
May 12, 2015

Resolved, the Big Rapids Township Planning Commission recommends to the Big Rapids Township Board of Trustees the following change to the Big Rapids Township Zoning Ordinance, Article II – Districts, Section 2.1 Establishment of Districts, Industrial District. It is recommended that the language for Section 2 and the first line of Section 3 be removed so as to rezone the area north of the City limits of Big Rapids and south of Green Township between 197th Avenue and the White Pine Trail from industrial to agricultural.

Roll Call Vote:

	For	Against
Vivian Smith	<u> X </u>	_____
Gordon Oliver	<u> X </u>	_____
Carmen Bean	<u> X </u>	_____
James Shane	<u> X </u>	_____
Phil Keating	<u> X </u>	_____
Michael Hults	<u> X </u>	_____
David Hamelund	<u> X </u>	_____

The resolution was approved by the Planning Commission on May 12, 2015

VII. Zoning Administrator’s Report:

Mr. Stanek reported to the commission on the status of the clean-up at 1205 N. State Street. Several photographs and documents that were forwarded by the adjoining neighbor, Helen Cusimano, were passed to the commissioners for their review. The Cusimanos have had several potential buyers back out because of the condition of this property. Prolonged discussion occurred and details of the conditions of the site plan approval were reviewed. The final determination is

that no bargaining will occur. Ultimately, they need to clean it up or the Township will clean it up. Ticketing will need to occur if progress does not continue to be made. The Commission agrees that Mr. Stanek is doing a good job dealing with them.

VIII. ADJOURNMENT:

Chairman Hults entertained a motion to adjourn at 8:30 p.m. The motion was made by Vivian Smith and seconded by Gordon Oliver. Motion carried with 7 yeas.

Motion to approve the Planning Commission minutes of May 12, 2015 by: Jim Shane, Seconded by: Vivian Smith. Roll call vote carried with 6 yeas.

Michael Hults, Chairman
BIG RAPIDS CHARTER TOWNSHIP
PLANNING COMMISSION

Date Approved