

**Baroda Township
Planning Commission Meeting
June 12, 2017**

Present were Patrick Freehling, Ed Heyn, Dean Schmaltz, David Schultz, Tom Shafer, Wendie Shafer, and Peter Van Vooren.

Chairman David Schultz called the meeting to order at 6:30 p.m. in the Baroda Township Municipal Building Meeting Room at 9091 First Street, Baroda. There were at least 10 audience members.

The minutes of the May 2017 Planning Commission meeting were discussed. Tom Shafer moved, seconded by Peter Van Vooren to approve the minutes of the last meeting. Vote, all yes. M.C.

The Building Inspector's and Zoning Administrator's report, presented by Wendie Shafer, showed Building permits for eleven projects three of which were for new homes. She reported zoning permits were issued for the new three homes.

Chairman Schultz introduced Ken Pinkowski saying that we are not here to hear about the Dablon Winery Special Use Permit, but will focus only on the pending application. Mr. Pinkowski gave a 20 minute presentation against approval of Mr. Schopf's request for a Special Land Use Permit for a Tourist Home at 158 Spring Rd.

Chairman Schultz introduced Mr. William "Bill" Schopf asking him to add any comments he had in answer to the forgoing report. Mr. Schopf reiterated that there would be no change in the amount of traffic, nor conditions needed for emergency services from what were present when the Kimlelys lived in the home. He said that he has no intention of building a public road from the winery to the home on 158 Spring Rd.

Wendie Shafer announced that she has a potential conflict of interest because her son is an employee of Dablon Vineyards. She said he is a 35 year-old man and does not live in her household, and that neither she nor her son is financially dependent upon the other. She asked for a determination from the Planning Commissioners as to whether she should abstain from voting on the Application. Some commissioners felt it would be considered by the audience to be a conflict of interest and thought it would be inappropriate for her to vote. Wendie excused herself from voting on the application. Tom Shafer excused himself from voting for the same reasons saying he had hoped to vote on the application and that a precedent for a Tourist Home was already in existence with the Dajani Tourist Home across the street.

The Planning Commissioners addressed the Basis of determination points as follows:

SECTION 13.03 BASIS OF DETERMINATION

Prior to approval of a special land use application and required site plan, the Township Planning Commission shall insure that the standards specified in this section as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion and operation of the special land use under consideration.

A. General Standards - The Township Planning Commission shall review the particular circumstances of the special land use request under consideration in terms of the following standards, and shall approve a special land use request only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:

1. *The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.*

Voting Yes – David Schultz, Dean Schmaltz, and Patrick Freehling. Voting No- Peter Van Vooren and Ed Heyn.

2. *The special land use shall not inappropriately change the essential character of the surrounding area.*

Voting Yes – David Schultz. Voting No – Dean Schmaltz, Peter Van Vooren, Ed Heyn, and Patrick Freehling.

Chairman Schultz said that since the second point failed to be approved, the Special Land Use application is automatically denied. The remaining 6 points of determination were not voted upon.

He announced a short break and gave leave to the audience members who wished to go.

Jim Pheifer reported a drain problem is occurring at the Zelmer home at 2183 Shawnee due to the construction of the Thompson home at 2171 Shawnee behind the Zelmer property. Mr. Pheifer requested the language in the ordinance regulating drainage should be stricken from section 10.16 of the Zoning Ordinance since there are state laws governing this issue. He asked that the Planning Commission request the Township Board to send a letter to the Drain Commission requesting this issue be addressed. He said he is willing to meet with the Drain Commissioner to show him the problem area.

Audience member, Jeff Miller asked when his SLUP for a Tourist Home would be addressed. He was directed to speak with Jim Pheifer to determine the completeness of his application.

The Agenda items for Agricultural Tourism Ordinance, Wind Energy, and Resorts were tabled until the next meeting of the Planning Commission on July 10, 2017.

The meeting was adjourned at 7:53 p.m.

Wendie Shafer,
Baroda Township Planning Commission Secretary