

Baroda Township Planning Commission
Proposed Minutes
June 14th, 2021

On June 14th, 2021 the Baroda Township Planning Commission met in the Municipal Buildings Meeting Room at 9091 First Street., Baroda. Present were, Christina Price, Bill Hurst, Dean Schmaltz, Tom Shafer and Barbara Sukys. Absent was Chairman David Schultz & Peter Van Vooren. There were 4 audience members.

Christina Price called the meeting to order at 6:37 p.m.

The minutes of the May 10th, 2021 meeting was reviewed. Bill Hurst moved, seconded by Barbra Sukys to approve the minutes. Vote – all Yes. Motion Carried.

The Building and Zoning Report for May-June 2021 was distributed and reviewed by the Commissioners.

Meeting Closed at 6:39pm

Public Hearing Opened

Applicants Comments – Matthew & Anna Fairchild of 1600 Skala Rd explained their reasoning for applying for a SLUP and that its required from the Health Department for a Dog Kennel License. The Health Department will do yearly checks in order for them to keep their license.

Audience Comments – No Audience Comments.

Closed Public Hearing at 6:53pm

Reopened Regular Meeting

Deliberation and Action by Planning Commissioners

General Standards-

1. The special land use shall be designed, constructed, operated and maintained in a manner compatible with the character of adjacent land uses. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None.**
2. The special land use shall be consistent with the intent and purpose of the Baroda Township Zoning Ordinance and Master Plan. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None**
3. The special land use shall be compatible with the natural environment of the site. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None**
4. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety and welfare of persons or property through the production of traffic, noise, smoke, odor, fumes or glare. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None**
5. The special land use shall be compatible with the capacities of public services and facilities affected by the land use. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None**

6. The special land use shall comply with applicable Township, County, State and Federal regulations. **By Roll Call Vote – Voting Yes; Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, None**

Conditions-

1. The Township Planning Commission may impose reasonable conditions with the approval of a special land use application and site plan which are necessary to insure compliance with the standards for approval stated in this section and any other applicable Township ordinances and regulations. Such conditions shall be considered an integral part of the special land use permit and approved site plan and shall be enforced by the Zoning Administrator.
2. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
3. The Planning Commission, at its discretion, may require greater setbacks than otherwise established for the district in which the proposed special land use would be located where it is determined that one or more of the following conditions exist:
 - a. the proposed use will create noise, light, odor or similar potential nuisances affecting adjoining properties, the effects of which could be reduced or eliminated by increasing the separation from those uses;
 - b. adjacent property, even if vacant, is zoned Residential and the compatibility of the proposed special land use with existing or future dwellings could be substantively improved by increasing the setback for the special land use along the Residential property line;
 - c. due to the nature of the special land use, there is the potential threat to the health, safety or welfare of adjoining properties because of traffic, litter, trespassing or similar impacts that could be reduced or eliminated by increasing the separation from those uses; or
 - d. natural features, such as a significant vegetative screen, wetlands or topographic variations that would moderate the impacts of the special land uses could be preserved by modifying the setback requirement.

Conditions Added: 1. Quiet time for dogs being outside is from 11:00pm to 6:00am.
2. No more than 10 breeding dogs living at the residents at one time.

By Roll Call Vote – Voting Yes; Bill Hurst, Dean Schmaltz, Tom Shafer & Christina Price. Voting No, Barb Sukys.

Performance Guarantee-

In authorizing a special land use permit, the Township Planning Commission may require that a cash deposit, certified check, or irrevocable bank letter of credit be furnished by the developer to insure compliance with an approved site plan and the special land use permit requirements. Such guarantee shall be deposited with the Township Clerk at the time of the issuance of the special land use permit. In fixing the amount of such performance guarantee, the Township shall limit it to reasonable improvements required to meet the standards of this Ordinance and to protect the natural resources or the health, safety and welfare of the residents of the Township and future users or inhabitants of the proposed

project or project area including, but not limited to roadways, lighting, utilities, sidewalks, screening and drainage. The term "improvements" does not include the entire project which is the subject of zoning approval nor to improvements for which a performance guarantee has been deposited pursuant to Act No. 288 of 1967, as amended. The Township and the project developer shall establish an agreeable procedure for the rebate of any cash deposits required under this section, in reasonable proportion to the ratio of the work completed on the required improvements as work progresses. Said agreement shall be written as an element of the conditions surrounding the approval of the special land use permit.

By Roll Call Vote – Voting Yes; None, Voting No Bill Hurst, Barbra Sukys, Dean Schmaltz, Tom Shafer & Christina Price. It was decided by the Commissions that this was not necessary.

Christina Price announced that the Motion was Past to Approved the SLUP for 1600 Skala Rd. to Matthew and Anna Fairchild for their Dog Kennel.

Unfinished Business –

Dean Schmaltz was reappointed
Peter Van Vooren Reappointed postponed as he was absent

Air B&B on Ruggles Rd – Postponed Barbra Sukys to get address (8783 Ruggles)

Construction Board of Appeals – Christina Price reported that she will update once the Board is established.

7964 Cleveland Ave – Shed in front of home – Jim Pheifer will follow up on this property.

8536 Steve-Baroda Rd – This will be addressed by the Township since they removed the garage and have more accumulation of blight and a vehicle in their front yard.

New Business –

Ordinance Officer Report – Christina Price shared the Townships Ordinance Officers Report with Commissioners.

Brief Discussion on Mark Schutze applying for Outdoor Assembly License for Nimby Pond through the Township. Concern about his property being one parcel and not in compliance with Ordinances.

Audience Comments - None

The meeting was adjourned by 7:48 p.m. The next regular meeting is scheduled for July 12th, 2021.

Christina Price
Baroda Township Planning Commission Secretary