

Baroda Township Planning Commission
Minutes
November 2nd, 2021

On November 2nd, 2021 the Baroda Township Planning Commission met in the Municipal Buildings Meeting Room at 9091 First Street., Baroda. Present were, Chairman David Schultz, Christina Price, Bill Hurst, Dean Schmaltz, Tom Shafer and Barbara Sukys. Absent was Peter Van Vooren. There were 8 audience members.

Chairman David Schultz called the meeting to order at 6:32 p.m.

The minutes of the October 5th, 2021 meeting was reviewed. Barbra Sukys moved, seconded by Bill Hurst to approve the minutes. Vote – all Yes. Motion Carried.

The Building and Zoning Report for October 2021 was distributed and reviewed by the Commissioners.

Meeting Closed at 6:53pm

Public Hearing Opened

Applicants Comments – Justin Fluck of 11745 Holden Rd explained his reasoning for applying for a SLUP and his intentions for the Property.

Audience Comments –

Rhonda Rose: Concerns with Large Gatherings,

Nancy Gast: Mentioned that she heard it was for Veterans. What property management company will be handling things. If he plans to continue the flower business.

Joy Rudlaff: If there is any issues who would the neighbors contact.

Closed Public Hearing at 7:07pm

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, David Schultz, 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, David Schultz, 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, David Schultz, 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, David Schultz, Dean Schmaltz, & Christina Price. Voting No, Tom Shafer**

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, David Schultz, 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, David Schultz, 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 10:00pm to 8:00am.
2. No more than 8 people staying at the residents at one time.
3. Jim Phiefer Inspections pass along with proper permits for furnace.
4. Township and Neighbors have proper contact of property management and Justin's personal contact number.

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.

Did not vote on this.

Chairman David Schultz announced that the Motion was Past to Approved the SLUP for 11745 Holden Rd for a SLUP for a Tourist Home under the stipulation that the inspections pass.

Unfinished Business –

Air B&B 8783 Ruggles Rd – Property owners said they would show to the meeting and did not.

Tourist Home with no SLUP – Postponed

SLUP Permit Application for 755 Browntown Rd - Postponed

New Business –

House Bill 4722- Was discussed by the Board

William Hurst – Presented his letter of resignation to the Planning Commission as he was appointed to be the new Township Treasurer starting on November 23rd, 2021. Discussion on his replaced took place with a recommendation that the Township Board will extend their consideration until the December Meeting.

Audience Comments - None

The meeting was adjourned by 7:47 p.m. The next regular meeting is scheduled for December 13th, 2021.

Christina Price
Baroda Township Planning Commission Secretary