

Baroda Township Planning Commission
Minutes
March 16th, 2022

On March 16th, 2022 the Baroda Township Planning Commission met in the Municipal Buildings Meeting Room at 9091 First Street., Baroda. Present were, Chairman David Schultz, Christina Price, Tom Lippert, Dean Schmaltz, Tom Shafer, Barbara Sukys and Peter Van Vooren. There were 20 audience members.

Chairman David Schultz called the meeting to order at 6:33 p.m.

Meeting Closed at 6:33pm

Public Hearing Opened for 10059 Singer Lake Rd

Applicants Comments – Rasa and Darius Mitkus property owners of 10059 Singer Lake Rd explained their intentions for the Tourist Home.

Audience Comments –

- **Mark Gardiner 10053 Singer Lake Rd** – Stated his concerns, questions and was opposed to the SLUP
- **Maureen Light 10095 Singer Lake Rd** – State her concerns, questions and was opposed to the SLUP
- **Sheldon Light 10095 Singer Lake Rd** – State his concerns, questions and was opposed to the SLUP
- **Mike & Gail Shirley 10117 Singer Lake Rd** – State their concerns, questions and was opposed to the SLUP
- **Tom Nelson 10055 Singer Lake Rd** – State his concerns, questions and was opposed to the SLUP
- **Blake Downey 10061 Singer Lake Rd** – Stated his concerns, questions and was opposed to the SLUP
- **Cheri Corder 10325 Singer Lake Rd** – State her concerns, questions and was opposed to the SLUP
- **Ed Pinkowski 215 E Shawnee Rd** – Stated his concerns, questions and was opposed to the SLUP
- **Prudence Nelson 10055 Singer Lake Rd** – Stated her concerns, questions and was opposed to the SLUP
- **Peg Pinkowski 10167 Singer Lake Rd** – Stated her concerns, questions and was opposed to the SLUP
- **Kelly DePumpo 9995 Singer Lake Rd** – Stated her concerns, questions and was opposed to the SLUP

Summary for the all residents opposed of the SLUP was that they do not want to see short term rentals around the lake as it is their primary residents and they do not want to change the character of the area.

Closed Public Hearing at 7:38pm

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; Tom Shafer, Christina Price, Dean Schmaltz, Tom Lippert. Voting No, David Schultz, Pete VanVooren, Barbra Sukys**
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;**

Christina Price, Dean Schmaltz, David Schultz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No, Tom Shafer

3. The special land use shall be compatible with the natural environment of the site.
By Roll Call Vote – Voting Yes; Tom Shafer, Dean Schmaltz. Voting No, Christina Price, David Schultz, Pete VanVooren, Barbra Sukys, Tom Lippert. SLUP Land Use is Denied
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.
5. The special land use shall be compatible with the capacities of public services and facilities affected by the land use.
6. The special land use shall comply with applicable Township, County, State and Federal regulations.

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.

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 denied to Approve the SLUP for 10059 Singer Lake Rd.

Audience Comments - None

The meeting was adjourned by 8:00 p.m. The next regular meeting is scheduled for April 11th 2022

Christina Price
Baroda Township Planning Commission Secretary