

**SANDS TOWNSHIP PLANNING COMMISSION**

**MINUTES**

**Draft**

July 17, 2012

1. Call to Order at 1830 by Planning Commission Chair S. Foulks
2. Roll Call: S. Foulks, B. Mann, R. Titter, J. Noe, J. Wixtrom, S. Brauer & E. Anderson
  - a. Absent: None
  - b. Others in Attendance: Randy Yelle, Carolyn Kerkela, Ross Olsen, Jim Kidder, Barb Kidder, Dan Caya, Cathy Caya, Austin Caya, Bruce Smith, Nancy Olsen, Jim Noe, Stan Wittler, D.J. Beauchamp, Jennifer Beauchamp, Jesse Zambon, Gary Peters, Bev Peters, Ross Olsen, Jessie Melchiori, and others
3. Approval of Agenda: Motion by J. Noe, Supported by S. Brauer to approve agenda with the addition of 9c - additional definition for the Zoning Ordinance. Ayes: 7, Nay: 0. Motion granted.
4. Approval of Meeting Minutes of June 19, 2012: Motion by J. Noe, Supported by B. Mann to approve the minutes as presented. Ayes: 7, Nay: 0. Motion granted.
5. Public Comment
  - a. None
6. Close Public Comment
7. Public Hearing
  - a. ZM12-01
    - Dan Caya explained he purchased the property with the understanding it was zoned Residential; he learned it was zoned Commercial when he went to apply for a Zoning Compliance Permit. Discussion followed.
    - Motion by B. Mann, Supported by R. Titter that, after conducting the required public hearing, reviewing staff documentation, receiving public input and finding the request to be consistent with the Sands Township Master Plan, and whereas the rezoning to Rural Residential is an acceptable buffer between the Residential to the South and the Commercial to the North, the Planning Commission of Sands Township hereby recommends that the Sands Township Board grant rezoning request number ZM12-01, 20.02 acres, from parent parcel number 52-14-110-001-10, the S ½ of the SE ¼ of the

SW ¼ of Section 10, T47N R25W, from its current zoning to the requested zoning of Rural Residential as requested. Ayes: 7, Nays: 0. Motion granted.

b. SUP2012-02

- Douglas Beauchamp explained his request and said they brought the request to the ZBA last month. Beverly Peters read the letter she sent to the ZBA. She asked about covenants in the subdivision and stated they are against horses on the property, and there never have been any horses on the property. Board discussion followed.
- Motion by J. Noe, Supported by R. Titter that, after conducting the required public hearing, receiving staff input, reviewing provided documentation, hearing input from the Beauchamp's and receiving public input and concerns, the Sands Township Planning Commission is hereby granting Special Use Permit request number SUP2012-02 with the following conditions of approval:
  - Not more than two (2) large animals (horses),
  - Animals shall be confined by a fence,
  - Animals shall be housed at least 100 feet from property lines,
  - Manure shall be stored at least 100 feet from property lines,
  - Must comply with Sands Township Noise Ordinance Number 54.Ayes: 6, Nays: 1. Motion granted.

c. SUP2012-03

- Motion by S. Foulks, Supported by J. Noe, to table this request until the next regular meeting (September 18) because of the lack of time for board members to look over the material.
- B. Mann stated this should have been brought up at the start of the meeting and the agenda amended accordingly.
- Motion on the floor. Ayes: 6, Nays: 1. Motion granted.

8. Unfinished Business: None

9. New Business

- a. Administrative Report given by R. Yelle
- b. Special Meeting – Rezoning Request. Board decision to hold a special meeting on August 7 at 6:30 for the request from Sands Township, ZM2012-02.
- c. Definition of Medical Marijuana Caregiver Facility – Discussion followed. Board decision to hold a Public Hearing on August 7 on the proposed definition for the Zoning Ordinance.

10. Public Comment:

- James Gorieski, Fair Board acting President, would like to clarify the new board is not aware of all the past issues between the Township and the fair board. He is disappointed they were not given a chance to explain or answer any questions. It would have been nice to know ahead of time.
- Jesie Melchiori – She had lots of contact with the office and never felt they did not have all the information they needed. It was never mentioned the issue would not be discussed. They were confident on the information they gathered and worked hard to present their case to the Board.
- Barb Kidder – approves of the decision because the board was not able to look over the information ahead of time.
- Jake G., Township Resident – The decision is disappointing. The Planning Commission is making it difficult to be heard and they were not given a chance to make a case for the racing, which could be an asset to the community.
- Mark – The board knows they always have the option to table a decision, but they did not allow the people present to state their case. They took away the chance to soon and it is disheartening to see that quick approach instead of allowing them to speak their case and hear opposition.
- Jesse Zambon, Township Resident – He started a track in Bark River. He wants to come and do this the right way. He is dedicated to youth and community. He wants to work with the opposition and is willing to start discussion and hear opposition to try to work out the issues. He will pursue this through the right channels and keep an open mind.
- B. Kidder – how often are Planning Commission meetings? The Board responded with six times per year unless a special meeting is called.
- Mark – Can they be on the agenda for the Special Meeting set for August 7?
- S. Foulks – No. There is not enough time and he wants to be present for the meeting. He has some questions about noise.
- Mark – there are questions about noise but there was no time allowed for discussion or for us to answer questions.
- Jesie – Is it possible to schedule a special meeting before S. Foulks leaves? This is great for kids, including hers and they want kids to participate in these activities. She gave the background on the summer actions and what was taken to get at this meeting. Noise testing was done. The plan was to have motocross racing at the fair and three races in the fall.
- Planning Commission members responded that there simply was not enough time to look over the information thoroughly to make a complete decision. They need to know the facts before they can decide.

11. Close Public Comment

12. Motion by B. Mann, Supported by R. Titter to adjourn at 1944.

S. Foulks

R. Titter

C. Kerkela

Chair  
Planning Commission

Secretary  
Planning Commission

Recording Secretary  
Planning Commission