

SANDS TOWNSHIP PLANNING COMMISSION
MINUTES
April 19, 2016

1. Call to Order at 1830 by Planning Commission Vice-Chair J. Noe
2. Roll Call: J. Noe, S. Brauer, R. Card, A. Burbey, J. Wixtrom & E. Anderson
 - a. Absent: R. Titter
 - b. Others in Attendance: Randy Yelle, Carolyn Kerkela, James Noe, David Kallio, Nancy Olsen
3. Approval of Agenda: Motion by S. Brauer, Supported by E. Anderson, to approve agenda as presented. Ayes: 6 Nays: 0 Motion Carried.
4. Approval of Meeting Minutes of January 19, 2016: Motion by S. Brauer, Supported by A. Burbey, to approve the minutes as presented. Ayes: 6 Nays: 0 Motion Carried.
5. Public Comment: None
6. Business:
 - a. Sands Speedway Request
 - i. R. Yelle explained the letter from Attorney Pickens.
 - ii. Planning Commission Discussion:

Lengthy discussion followed from the Planning Commission on what a rezoning of the property could mean for the Township, surrounding residents, and the property owners. Many of the same concerns from the April 2015 meeting were brought up. Currently, a court order is in place limiting the days and times of racing. If the property is rezoned, a Special Use permit would be required and then the Township would be able to enforce any conditions put on the permit. A concern on spot zoning was also discussed.

J. Noe stated that she stands with how she conducted the meeting and the decision she made. She was not involved in any litigation with the racetrack and the letter from the Attorney was from her husband, not her. She does not feel she has a conflict of interest but will not discuss or vote on the issue tonight, as requested by the letter from Attorney Pickens. She turned the rest of the discussion on the topic and the call for a motion over to S. Brauer, Secretary.

After further discussion on the issue, A. Burbey moved to reopen the rezoning request from the Sands Speedway. R. Card supported. Roll call vote: E. Anderson – yes, A. Burbey – yes, J. Wixtrom – yes, S. Brauer – yes, R. Card – yes, J. Noe – abstain. Motion carried 5-0, with 1 abstaining.

b. Amendment 01-01-16:

R. Yelle explained this is informational only at this time. Additional information may be coming soon.

c. Amendment 02-01-16

J. Noe and S. Brauer were appointed as a subcommittee to review an amendment regarding Medical Marijuana Dispensaries.

d. Amendment 03-01-16

A. Burbey and R. Titter were appointed as a subcommittee to review an amendment regarding Wind Power generators, with E. Anderson providing additional information.

e. Master Plan Review

R. Yelle explained that the Master Plan is due for a five year review and asked the Commissioners to review the presented draft and bring updates to the June meeting.

f. Rezoning

R. Yelle explained a new road project in the Township and that the Township may decide to rezone that area to Open Space. More information will be at the June meeting.

7. Administrative Report:

- a. R. Yelle gave an update on violations in the Township, the new connection road going in between M-553 and Silver Creek Road, the Landfill Authority, the UPAWS Facility, and the old sign at the Fairgrounds.

8. Public Comment:

James Noe feels it is a mistake to open the rezoning again. He feels this guarantees the issue will be back in court, instead of avoiding it. He fails to see how not complying with conditions of an SUP could put the track out of business. He feels this would take the monitoring of activities away from the land owners and an SUP would not be a way of monitoring or assuring compliance. He feels this creates spot zoning for remaining Commercial property in the area. He also said that saying Jane Noe has a conflict of interest acknowledges that the Speedway reduces property values, which affects her financially.

Nancy Olsen said the question of Jane Noe having a conflict of interest insults her integrity. Spouses are separate people. She feels that the surrounding

property owners have worked with the new owners and thought things were going well. The nonconforming status of the track and the court order bring protection for the neighbors, who have spent money, time and heartache on the issue. She knows there is an effort to keep business in the Township. She also listed the requirements of rezoning property and does not feel this request meets those requirements. The Planning Commission is there to represent the residents of the township and she feels a rezoning will not be in favor of the people. She is disappointed in the action taken tonight.

9. J. Noe adjourned meeting at 1938.

J. Noe
Vice-Chair

S. Brauer
Secretary

C. Kerkela
Recording Secretary