

MINUTES
Homestead Inland Joint Planning Commission
Homestead Township Hall
October 21, 2015

1.) Call to Order

Meeting was called to order by Chair Andersen at 7:01 PM.

The Pledge of Allegiance was recited.

Roll Call: Fred Poynor, Christy Andersen, Dan Moore, Doug Durke, Cathy Demitroff, and Roger Hubbell were present. Mary Miller arrived at 7:30, Rob Widrig and Brad Skusa were absent.

Staff present: Roger Williams, Zoning Administrator, and Lisa Guerrieri, acting Recording Secretary.

Also present were 5 guests.

2.) Agenda

Correspondence from Planning Commission attorney was submitted. *Motion by Hubbell and seconded by Miller* to approve the agenda with addition of Discussion on Outdoor Storage added as New Business 'c.'. **6-years; 0-nays : Motion carried unanimously.**

3.) Approval of Minutes

Motion by Miller and seconded by Durkee to approve the minutes of the July 15, 2015 meeting with changes of removing #11 -2nd sentence. **6-years; 0-nays : Motion carried unanimously.**
Later correction was added for 8.b to add 'this' to sentence.

4.) Public Input

Andersen read the rules aloud.

A guest asked if input could be made when the Agenda item was up for discussion. Chairman Andersen stated yes. Input reserved for 6.c.

5.) Close Public Input: at 7:07 PM

6.) New Business:

**a. Review of prior approval of Site plan for Walt's Smokehouse.
11942 Goose rd.**

The Zoning Administrator presented the original plan packet and staff report of prior approval April

16, 2014. Review from Zoning Administrator with explanation of Home Occupation; Home based; Short term rentals; bed & breakfast in the Zoning Ordinance for commercial activities allowed in the Residential Districts.

Chair Andersen distributed a map of Zoning Districts showing parcel and mixed residential districts. Reference to the memo from the Attorney was made by the Chair, regarding the Webster Dictionary definition of the verbs butcher, slaughter and process.

Public input was given by Elaine Saffron, who resides in the parcel across from Walt's Smokehouse. Resident stated-business started as catering company and has since seen increase in traffic, people and signage.

Walt Langille, owner of Walt's Smokehouse, stated this is a fully licensed commercial kitchen and no license is required to process animals. The animals arrive field dressed and ready to process. No butchering or slaughter is done on site. The owner stated that Walt's Smokehouse is involved in several community efforts, including a partnership with the DNR processing deer for 'Feeding the Hungry' charity. He also stated that he removed the extra signage and restricted deliveries when he was informed by the township that it was not permitted. Customer pick-up is by order only, or they cater the food by delivering to the site. The owner stated that the business only operates during the weekend, with the exception of deer season, when the processing/smoking is at a very high demand.

The Zoning Administrator stated the owner Langille has been quick to comply with all requests from the Township.

Chair Andersen read from the attorney memo which states the process is allowed under the Zoning Ordinance.

Resident Saffron stated the smoke, traffic and signs have been ongoing problems.

Owner Langille stated some of the issues were his lack of knowledge of the regulations, and conformed when he was told of the regulations.

The Zoning Administrator stated that any violations have been quickly removed and operation has complied with site plan and conditions placed at approval.

There was Board discussion. The Board agreed that the owner was in compliance with the standards and conditions of the original approval of site plan.

6 b. Mass Gathering 3.36

Zoning Administrator gave report on the response from Planning Commission Attorney, who stated that the township would have to adopt the amendment stating that it was "an ordinance to amend the ordinance" or should be adopted as a stand alone ordinance.

Board discussion was regarding the need to regulate mass gatherings and if it was in the zoning ordinance existing events would be 'grandfathered' in. If it was a stand alone ordinance it would be enforceable for all events, existing and in the future.

Public input was made stating Homestead Park has events/gatherings with large amounts of people throughout the summer season.

Further Board discussion.

Motion by Miller/ Supported by Demitroff to keep Mass Gathering Section 3.36 in the Zoning Ordinance and to re-adopt the amendment following the Attorney recommendations.

7-yeas / 0-Nays ; Motion carried.

c. Discussion Outdoor Storage

Property owner Keith Riemersma of Green Point Fliers Club, stated he had come up to vacation at his property in Section 22 of Homestead Township, 19 N Pioneer rd, and found that his neighbor's vacant property had 12-13 junk and smashed vehicles parked on it. Vehicles are smashed and inoperable. Owner of property is Jerry Corey, operates a towing company. Zoning Administrator stated he contacted Corey, and was informed he was waiting to remove the cars until the price of scrap metal increased.

Board discussion regarding the Townships junk ordinance and how this relates to the Zoning Ordinance and the Rural Residential zoning district.

Resident asked the questions 'what is a contractor?' is a towing company a contractor? What is 'heavy equipment?'

Zoning Administrator stated Section 3.31 of the Zoning Ordinance Outdoor Storage does not cover auto storage. He has given property owner until 10-30-15 to remove vehicles from property, and cannot approve a site plan for this use in a residential district. The Zoning Administrator wants the Planning Commission to confirm his interpretation of the ordinance.

Board is in unanimous agreement with the Administrator's interpretation that junk/junk vehicles and/or junk yards are not included in outdoor storage under Section 3.31.

7.) Old Business

a. Review and comment on the draft amendment, Section 3.37, regarding Medical Marijuana, to the Zoning Ordinance.

Commissioner Miller stated that the Inland Townboard has not discussed the amendment.

Zoning Administrator stated he spoke with Commission Attorney asking if it would be prudent to wait on adopting amendment considering the bills currently before the House and Senate at the State level.

Administrator believes they should wait to see what comes from bills and what is passed. Also, what comes from the MTA regarding the bills.

Motion made by Demitroff and seconded by Durkee to table amendment.

7-ayes/0-nays; Motion carried.

7. b Rezoning parcel 20427 Honor Hwy/ Carney

The North portion or parcel along highway is zoned Commercial, the southerly portion is zoned residential. This property was formerly a Bed & Breakfast. The owner wish this property to be fully zoned Commercial. This partial zoning was due to zoning map amendments done in prior years.

Board discussion regarding other parcels in the same situation and the need for further investigation and review regarding this issue. Zoning Administrator stated there is another parcel with the same issue, and that it is not good zoning practice to have parcels with split zoning. Board agreed to have larger zoning maps created and for further investigation to rectify problem. Requested a list of properties with divided/split zoning for next meeting.

c. Payment Vouchers

*Motion made by Moore and seconded by Demitroff to pay vouchers for those present tonight.
7-ayes/ 0-Nays; Motion carried unanimously.*

d. Correspondence

none .

8.) Reports

a. Homestead Twp Board – Dan Moore

Approved Micro brewery for Ambrose Place Winery; Board voted no on Benzie County Natural Hazard Mitigation; put out for bid winter plowing; voted no on wireless internet available to public at Township hall.

b. Inland Twp Board report – Mary Miller

New fire truck delivered, a pumper with a special filled tire; conducted fire education at schools; free CPR classes at Township hall; issues with trash in the park and possible installing motion cameras. Board approved Benzie County Natural Hazard Mitigation.

c. Zoning Administrator

24 land use permits have been issued since beginning of year for Inland.

21 land use permits have been issued since beginning of year for Homestead.

Propane operation is under construction. Numerous junk and blight complaints

9.) Open Public Discussion:

Resident Riemersma spoke regarding previous questions of incidental and subordinate uses. He also has concerns of environmental issues the junk vehicle leaking fluids into the ground. Additionally, this property in question is in close proximity to a parcel which is a historical farm.

Board stated that is a case by case issue, and the property would have to submit a site plan for approval.

Resident gave compliments to the Board for a very good meeting which was nicely run.

10.) Close Public Discussion

11.) Board go around, discussion/announcements

Chair Andersen spoke with developer regarding the water tank for fire chief in development.

Commissioner Durkee distressed when Neighbors have issues, and he will not be at the November Planning meeting.

Demitroff spoke regarding larger zoning maps for each township hall and the zoning office.

Miller spoke of further information regarding fracking.

12.) Adjourn

Being no more business, Andersen adjourned the meeting at 9:10 PM.

Respectively submitted by Lisa Guerrieri, acting recording secretary