

MINUTES
WAVERLY TOWNSHIP
PLANNING AND ZONING COMMISSION
Regular Monthly Meeting - Waverly Township Hall
February 09, 2009

Meeting called to order at 7:00 p.m. by Fay Dorr.

Members present: Fay Dorr, Mike LaPine, Bernard Wilcox, Diane Julien, and Nathan Rohr.

Members absent: Tony Millek, and Tom Fleetwood.

Public present: 11

P & Z commission members present introduced themselves to the public in attendance.

F. Dorr adjourned P&Z meeting at 7:04 p.m.

F. Dorr opened public hearing at 7:04 p.m.

Public hearing item: Special use permit application by Mr. Fritz for agri-business located at 34448 44th Ave. Mr. Fritz gave an overview and presentation of commercial kitchen on blueberry farm selling very limited number of items.

Public comment:

Dave Foerster stated it was a good idea that he was in favor of.

Ernie Brown voiced concerns about equal treatment under zoning ordinance.

Paul Tomlinson voiced concerns of building and soundness of structure.

Commission comment:

F. Dorr asked Mr. Fritz about what kind of products were to be sold and seating inside the building.

N. Rohr asked about restrooms and septic issues.

Mr. Fritz responded to all the questions in a satisfactory manner.

F. Dorr adjourned public hearing at 7:30 p.m.

F. Dorr re- opened P&Z meeting at 7:30 p.m.

FINDING OF THE FACTS FOR SPECIAL USE PERMITS
Reference: Waverly Township Zoning Ordinance #6; pages XIII-2 and XIII-3

- A. General Standards for Making Determinations: The Planning Commission shall establish the facts and shall find adequate evidence showing that the proposed use:
1. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the township land use plan.
All commission members agree in the affirmative.
 2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.
All commission members agree in the affirmative.

3. Will not be hazardous or disturbing to existing or future neighboring uses.
All commission members agree in the affirmative.
4. Will be substantial improvement to property in the immediate vicinity and to the community as a whole.
All commission members agree in the affirmative.
5. Will be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, schools, and the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
All commission members agree in the affirmative.
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
All commission members agree in the affirmative.
7. Will not involve any uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
All commission members agree in the affirmative.
8. Will be consistent with the intent and purposes of this ordinance.
All commission members agree in the affirmative.

Motion to approve special use permit by M. LaPine. Seconded by N. Rohr.
Roll call vote of the commission members present. Motion carried unanimously.

Agenda: Motion made by B. Wilcox to accept as presented and amended. Seconded by M. LaPine. Voice vote unanimous to approve.

Minutes: Motion made by B. Wilcox to approve the December 08, 2008 minutes as presented and corrected. M. LaPine seconded motion. Voice vote unanimous to approve.

TOWNSHIP Report – Fay Dorr (due to absence of T. Millek)

- a.) Discussed letter from Harold Schuitmaker concerning zoning ordinance No. 6 and the need to review the changes to it.
- b.) Discussed sheriff's dept.
- c.) Discussed special use permit needs for a tower for computer internet service provider, I2000. A public hearing will be held on March 09.

Marcy Colclough from the Paw Paw Rivershed gave a presentation concerning their work. The Paw Paw river watershed, a grant funded project, serves approximately 30 municipalities and to date the quality is good.

Steve Thomas of the Paw Paw Little League gave a presentation of a rough general plan of the baseball fields and the property usage to the commission. Site will have upon completion, 11 different fields and generous parking.

F. Dorr announced that the sale of property to a church organization near Ski's Bar and Grill was progressing.

Public comment:

Paul Tomlinson voiced concerns over conflicting wording in zoning ordinance that deals with lake front property, front yards on those properties and throughways and the width thereof.

Commission comment:

F. Dorr : asked board members about starting meetings with a pledge of allegiance. Members were agreeable to the idea.

F. Dorr requested members review Low Impact Development.

F. Dorr announced that Paw Paw Township was in the process of revamping their future land use plan.

Motion made by M. LaPine to accept as presented and amended. Seconded by B. Wilcox. Voice vote unanimous to approve.

F. Dorr declared the meeting adjourned at 9:05 p.m.