

MINUTES
WAVERLY TOWNSHIP
PLANNING AND ZONING COMMISSION
Regular Monthly Meeting & Public Hearing – Waverly Township Hall
September 8, 2008

Meeting called to order at 7:00 p.m Chairman Larry Chase.

Chase asked the Planning and Zoning members to introduce themselves.

Members present: Larry Chase, Nathan Rohr, Joe Mayo, Diane Julien, Bernard Wilcox, Mike La Pine, and Fay Dorr.

Members absent: none

Public present: 12

Also in attendance Attorney Harold Schuitmaker, and Zoning Administrator Tasha Smalley.

Agenda: Accepted as presented

Minutes: Motion made by Dorr to approve the August 11, 2008 minutes as presented and reviewed. Seconded by Rohr. Voice vote unanimous, all yes, motion carried, minutes approved.

Township Board Report: Dorr reported that His Harvest Ministries sent a letter to the township clerk requesting that the township board postpone the matter of the Special Use Permit until the October 2, 2008 meeting. Legal counsel said it is within the rights of the applicant to postpone board action until the October meeting. Dorr did report to the township board regarding the P&Z motion to disallow the Special Use Permit. Dorr also reminded the township board that the P&Z continues to wait for township board action regarding a recording secretary for the P&Z.

Chase adjourned the regular P&Z meeting at 7:13 p.m. and opened the public hearing on the Future Land Use Plan amendments and map corrections.

Chase opened the floor for public comments.

- Dave Foerster presented the P&Z board, attorney, zoning administrator, and others with his three pages of typed comments. Chase allowed Foerster adequate time to cover all of his comments.
- Ted Major had a question about farmland preservation.

Chase closed the public hearing at 8:05 p.m. and re-opened the regular P&Z monthly meeting.

Motion by Julien to table the P&Z approval of the future land use plan amendments and map corrections until the P&Z hears the comments of the township board and the Van Buren County Planning Commission. Seconded by La Pine.

DISCUSSION of the motion:

*Dorr reminded the P&Z that the P&Z was previously in agreement with all the amendments at the public hearing on June 9, 2008 and P&Z agreed with all the map corrections. Additionally, the P&Z heard the county's comments of their review of the proposed amendments in their letter prior to the June 9, 2008 public hearing. Finally, all

of the jurisdictions were given complete future land use plans with the amendments clearly identified prior to the June 9, 2008 public hearing and the township received a letter praising the plan from one of the jurisdictions.

*Chase reminded P&Z members that the township board has clearly conveyed to the P&Z that the issue of farmland preservation will be handled on a case by case basis when a farmer actually requests to be in the program.

Roll call vote: Rohr No, Julien Yes, Mayo No, Chase No, Wilcox No, LaPine Yes, Dorr No. Motion to table failed.

Motion by Rohr regarding Section VII, C(2) of the future land use plan for clarification that it read like the zoning ordinance, regarding single family and two family housing as it relates to multiple family and mobile home parks. Seconded by Mayo. Voice vote, all yes, motion carried.

Discussion regarding Item #3 (Flood Plain) the newspaper notice of public hearing; This was not necessary to address this because there are no changes and it is not an omission.

Motion by Wilcox: the P&Z commission took proper action regarding the change back to the original AG designation in Sections that were incorrectly designated R-1. Seconded by Rohr. Voice vote, 6 yes, 1 no. Motion carried.

Motion by Wilcox: to accept the future land use plan with the P&Z technical corrections and amendments and recommend township board approval. Seconded by LaPine. Roll call vote: Rohr Yes, Julien No, Mayo Yes, Chase Yes, Wilcox Yes, LaPine Yes, Dorr Yes. 6 yes 1 no.

SITE PLAN REVIEW FOR MAGOO:

Sam Kassem, manager of Magoo Gas Station at M-40 & M-43 Hwys. explained the plan to expand the canopy over the 2 eastern gas pumps.

Motion by Rohr: to approve the site plan pending an improved plan that addresses the drainage, spillage, and topical range as addressed by the P&Z board. Seconded by Dorr. Roll call vote: Rohr Yes, Julien No, Mayo Yes, Chase No, Wilcox Yes, LaPine No, Dorr Yes. 4 yes, 3 no.
Motion carried.

Comments:

*Rohr: Zoning Administrator to review the improved site plan and issue the building permit. Rohr said the site current plan was sufficient.

*Dorr: Site plan is sufficient because the path of the current drainage is marked on the plan. Water run off will be the same whether the water falls on the current non-permeable pavement or on the roof of the new extended canopy.

*Chase: Wants to verify we are not creating a safety issue with the water flows.

Chase adjourned the meeting at 9:14 p.m.