



# Armada Township

## PLANNING COMMISSION

23121 E. Main Street, P.O. Box 578

Armada, Michigan 48005

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### MINUTES

June 3, 2020

7:00 p.m.

#### Regular Meeting

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Approve/Amend Agenda – **Amended: 6-3-2020**
5. Approval of minutes: **Regular Meeting March 4, 2020**
6. Public Comments
7. Public Hearing: **Special Land Use Wrubel Accessory Structure 73377 True Rd.**
8. Reports & Correspondence
9. New Business: **A.) Special Land Use Wrubel Accessory Structure 73377 True Rd.**  
**B.) Park Pavilion**  
**C.) Master Plan Discussion**  
**D.) New Planner Proposal's-moved to last item**  
**E.) Administrative Site Plan Procedures**
10. Unfinished Business: **A.) Shipping Container's**  
**B.) Crematorium's**  
**C.) Blake's Orchard & Cider Mill Landscape Plan**
11. PC Projects
12. Public Comments
13. Adjournment

Next Scheduled Regular Meeting: July 1, 2020

**Call to order:** Chair Kehrig called the meeting to order at 7:03 p.m. after giving a summary of the COVID 19 requirements.

**Pledge of Allegiance:** Chair Kehrig led the group in the Pledge of Allegiance.

**Roll Call:** Present: Finlay, Wieske, Jabara, DeCock, Kehrig, Nikkel and Abercrombie. Also, present: Planner Joe Tangari, and Recording Secretary Christine White.

**Approve/Amend Agenda:** DeCock added under Unfinished Business; C.) Blake's Orchard & Cider Mill Landscape Plan. Finlay asked to have Shipping Container's tabled. Abercrombie added under New Business; E.) Administrative Site Plan Procedures. Planner Tangari requested D.) under New Business be moved to the last item of the night so he could leave before new planner proposal were discussed. **Motion made by DeCock, seconded by Wieske, to approve the agenda as amended. All Ayes: Motion Carried.**

**Approval of Minutes:** Regular meeting minutes March 4, 2020. Motion made by Abercrombie, seconded by Jabara, to approve the minutes. All Ayes: Motion Carried.

**Public Comments:** Nikkel stated that the Board discussed an ordinance violation on McPhall Rd. This is a mitigated wetland from 2004 when the DEQ worked with the township to get the property to match the site plan. The site plan follows the property so when Mr. Kerner bought the property, he still had to abide by the 2004 site plan. He went over what the ordinance says, and continued to say that one board member took it upon himself to change the ordinances on his own, instead of enforcing them. Six years ago, if the supervisor would have told Mr. Kerner to come back to the planning commission, it could have been handled properly. Now we have a resident who the township knowingly has a violation of the ordinances.

**Reports and Correspondence:** Chair Kehrig noted Planning & Zoning News for March/April & May 2020. Updated Fire Department Review, and an administrative review from the Planner for Blake Farms for bathroom addition approved on the September 2019 site plan. Abercrombie questioned where the bathrooms are being installed. Kehrig pulled out the Blake Site Plan. Two places were shown on the 2019 site plan for bathroom additions. One is in a pole building used for storage. The other is in the Orchard Café. The administrative review was done for the storage pole barn bathrooms. Also, an addition to an agriculture building for storage which meets the ordinance. Kehrig mentioned that bathrooms were added to the pavilion, under administrative review and was discussed at a prior meeting. DeCock mentioned that the site plan is not being followed. It shows four lights in the parking lot, they have five. **Motion made by DeCock, seconded by Kehrig, to receive and file as presented. All Ayes: Motion Carried.**

**Public Hearing: Special Land Use Wrubel Accessory Structure 73377 True Rd.** Chair Kehrig introduced the Wrubel Special Land Use. **Motion made by Abercrombie, seconded by Jabara, to open the Public Hearing at 7:39 p.m. All Ayes: Motion Carried.** Mr. Mark Wrubel went over his request for the Special Land Use with the commission. He described his property layout with visual boards that showed the location of the Woodbeck drain. It runs diagonally thru his property. His home and another small accessory structure are also shown. He presented the location he is proposing. The location of the Woodbeck drain makes it economically unfeasible to build the barn anywhere else on the property. The location of his well, home, and garage make it impossible to build behind the house. The cost of putting it on the other side of the drain would be over \$20,000. Because of the drain he is disadvantaged more than other homeowner's in the area. He has spoken to and received signatures from eighteen residents along True Road. He presented a list with names and locations of each home. He also presented pictures of what it would look like it. Planner Tangari went over his review. The request is for the accessory structure to be in the front yard. It is 2,160 square feet. The property is cut through by the Woodbeck drain, which makes development on its western portion difficult. The lot is 7.318 acres, and up to 4,000 square feet is permitted. The roadway set-back is 110 feet from the centerline of the roadway and is met. The location requirements of Section 2.03, accessory buildings are generally prohibited in the front yard or non-required street side yard. Standards for front yard accessory structures per section 2.03, accessory buildings may be permitted in the non-required front yard or the non-required street-side yard as a special land use providing the following conditions are met: 1.) The accessory building is in harmony with the principal structure, the environment, the topography and the surrounding properties. The pictures submitted were not clear. The home has a brick façade. 2.) There is proportionality between the size of the lot, street frontage and the size of the accessory building. The planner recommended if the planning commission is satisfied that the choice of this location is reasonable, considering the alternatives, to approve the Special Land Use. Mr. Mark Wrubel stated it would be 110 feet from the center of the road and that there is a thirty feet setback from the center of the drain. DeCock asked why there was not any verification from the drain commission in the packet. Planner stated that there is no formal verification from the Drain

Commission but could obtain something in writing from them. **Motion made by DeCock, seconded by Wieske, to close the Public Hearing at 8:07 p.m. All Ayes: Motion Carried.**

**New Business: A.) Special Land Use Wrubel Accessory Structure 73377 True Rd.** Chair Kehrig went through the ordinance with the commission and stated that only two standards had to be met for the special land use. The ordinance was changed to include this because the Zoning Board of Appeals was receiving numerous cases. The building has to be in harmony with the principal structure, the environment, and surrounding properties. There is proportionality between size of the lot, street frontage and the size of the building. **Motion made by Kehrig, seconded by Wieske, to recommend to the Township Board approval of the Special Land Use for the Wrubel accessory structure located at 73377 True Rd. based on the two requirements of the ordinance.** DeCock asked to have motion modified to include confirmation of the drain set-back. **Motion made by Kehrig, seconded by Wieske, to recommend to the Township Board approval of the Special Land Use for the Wrubel accessory structure located at 73377 True Rd. based on the two requirements of the ordinance and confirmation of the drain set-back. Roll Call Vote: Kehrig, Yes; Wieske, Yes; Abercrombie, No; Nikkel, No; DeCock, No; Finlay, No; Jabara, Yes: 3 Ayes; 4 Nays: Motion Failed.** Discussion that the township board could decide to allow or not allow based on the information given took place. **Motion made by Finlay, seconded by DeCock, to deny the Special Land Use based on the applicant having adequate land in the back to build. Roll Call Vote: Finlay, Yes; Jabara, No; Wieske, No; DeCock, Yes; Kehrig, No; Nikkel, Yes; Abercrombie, Yes: 4 Ayes; 3 Nays: Motion Carried.**

**B.) Park Pavilion:** Chair Kehrig went over with the commission that a pavilion was built in the Township Park. Photos were included in the packets. The park director had requested funds for the project from the board during the budget process. The board allocated the necessary funds for the project. The director assumed that was all the approval needed to move forward. He did not realize that the project needed planning commission approval and building permits. The Michigan Enabling Act Sec. 61. (1) was read aloud to the commission, that states that it needed to be submitted to the planning commission. Discussion included that it did not need to be in the park master plan, and that communities can take opportunities as they come. The commission wanted a plan review from the Planner, and location and dimensions. Wieske thought because no permits were obtained that it should be roped off. **Motion made by DeCock, seconded by Finlay, to table for more information. All Ayes: Motion Carried.**

**C.) Master Plan Discussion:** Planner Tangari went over that the Michigan Planning Enabling Act requires a community to review its Master Plan every five years. This was discussed at the March meeting. The previous plan for the township was prepared in 2015 and the planner recommended the following steps: Evaluation of the Policies and Objectives, Data, Public Opinion/Political Climate, Rezoning's and Capital Improvements, Unforeseen Changes, Regional Changes, and Local Areas of Concern. He noted that the Special Ancillary Agricultural Uses Overlay had been adopted and should be reviewed to evaluate whether it is working to both facilitate economic development and protect the surrounding area. In general, the township's demographic makeup has changed little since 2015. Economically, the township has had several new industrial uses move in but is by large an agricultural community. Again, he pointed out that Blake's, has continued to grow, and there may be some merit to revisiting the township's policies and goals regarding agribusiness, both for understanding its effects on surrounding uses and with regard to supporting agricultural operations as they diversify their offerings to remain economically viable. The township only received one rezoning request, and it was granted because it was broadly consistent with the future land use map. Industrial development has continued to increase to the west in southeastern Bruce Township, the Master Plan's guidance regarding the movement of development north along the M-53 corridor remains relevant and current. The primary area for concern appears to be the stretch of Armada Center Road near Blake's, which receives a high volume of traffic during the high tourist season. There may be merit to conducting a targeted analysis of that area with the property owner's own master plan in mind. How does the township balance preservation of public safety and welfare with continued economic development in that area? Overall, the Master Plan still appears to be relevant, and a

wholesale update does not appear to be necessary at the moment, the township may benefit from a more focused study of Blake's specifically and agribusiness in general. He went over a couple of options with the commission. **Motion made by DeCock, seconded by Nikkel, to forward to the Township Board because no changes are needed at this time. They looked at the state standards. All Ayes: Motion Carried.**

**D.) New Planner Proposal's:** Moved to be the last item discussed.

**E.) Administrative Site Plan Procedures:** Abercrombie concerned that things are out of their hands, and not in the loop. **Motion made by DeCock, seconded by Abercrombie, to have no more administrative site plan reviews.** Discussion of the ordinance 4.04 Administrative Review Authority took place. An amendment to the zoning ordinance would have to be put in place to change it. The Overlay District doesn't require full site plan submission. Motions to allow for administrative review needs to stop moving forward. **5 Ayes; 2 Nays (Kehrig & Jabara): Motion Carried.**

**Unfinished Business:** **A.) Shipping Container's: Motion made by Finlay, seconded by Nikkel, to table the discussion. All Ayes: Motion Carried.**

**B.) Crematorium's:** Planner Tangari went over that Krause Veterinary on North Ave has expressed a desire to operate a pet crematorium within one of the existing buildings on its property. The zoning ordinance does not address crematoria at present. Pet crematoria cannot legally be used for human remains, and vice versa. He researched other zoning ordinances and found that most are fifty to sixty years old. A properly modern crematorium will have little to no external effects on surrounding properties. The equipment is well contained within the building, and the production of smoke and odor is extremely limited. Discussion that it would be reasonable to require a Special Land Use with standards limiting where it could go, and that modern stacks are about the same as an A/C unit. Some standards would address smoke and odor. **Motion made by Jabara, seconded by Abercrombie, to put into ordinance form. All Ayes: Motion Carried.**

**C.) Blake's Orchard and Cider Mill Landscape Plan: Motion made by DeCock, seconded by Finlay, to send a letter to Blake's reminding them that the landscaping has an October 2020 deadline. 6 Ayes; 1 Nay (Kehrig): Motion Carried.**

**Planner Proposal's:** Chair Kehrig went over with the commission that three proposals were included in their packets. Giffels Webster, McKenna, and Steve Cassin. He mentioned that two were large firms and one was an individual. They asked if Mr. Tangari would stay and be interviewed. He agreed. The commission went over Giffels Webster proposal with him.

**Motion made by Finlay, seconded by Abercrombie, to extend the meeting. All Ayes: Motion Carried.** Kehrig made mention of Ira Township ordinance book and how nice it looked. They asked Mr. Tangari several questions. He excused himself when they were finished. He left the meeting at 10:17 p.m. The commission then discussed when and how they would interview the two remaining candidates. Finlay stated that Kehrig should make the calls and DeCock stated that a meeting should be held Monday June 8. Kehrig thought that was too soon, but would try and get it done and would keep the commission up to date.

**PC Projects:** None.

**Public Comments:** Abercrombie stated she is happy Blake's are thriving, but wants to know what is being worked on for the road expansion with the Macomb County Road Commission. Discussion that there should not be a joint effort between the township and Blake's for the cost of the expansion. The taxpayers should not have to pay for it. The cost should be on the Blake's. Finlay and DeCock want the road concern addressed in the letter about the landscaping. **Adjournment: Motion made by DeCock, seconded by Kehrig, to adjourn at 10:30 p.m. All Ayes: Motion Carried.**

Respectfully submitted:

Christine White,  
Recording Secretary

Approved:

DJ Kehrig,  
Chairperson\_\_\_\_\_Date\_\_\_\_\_