



Armada Township

PLANNING COMMISSION

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

Armada, Michigan 48005

Telephone: (586) 784-5200 Facsimile: (586)784-5211

MINUTES

February 3, 2021

Virtual Meeting

7:00 p.m.

Regular Meeting

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Approve/Amend Agenda
5. Approval of minutes: **Regular Meeting October 7, 2020**
6. Public Comments
7. Public Hearing: **Krause Pet Crematoria**
8. Reports & Correspondence
9. New Business: A.) **Krause Pet Crematoria**
B.) **Hidden River Site Plan Extension**
C.) **2021 Meeting Dates**
D.) **Annual Report**
E.) **GAAMP's**
F.) **Administrative Site Plan Procedures**
10. Unfinished Business: A.) **Blake Farm's Landscape Plan & Road**
11. PC Projects
12. Public Comments
13. Adjournment

Next Scheduled Regular Meeting: March 3, 2021

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Call to order: Chair Kehrig called the meeting to order at 7:00 p.m.

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

Roll Call: Present: Finlay, Wieske, Jabara, DeCock, Kehrig, Murray and Abercrombie. Also, present: Planner Laura Haw, Attorney Christine Anderson, and Recording Secretary Christine White.

Approve/Amend Agenda: Abercrombie, added F.) Administrative site plan procedures and removal of public hearing until proper site plan and correct information on application is completed. Attorney Christine Anderson stated that once a Public Hearing has been properly noticed it must be held, unless the applicant did not want it. **Motion made by Abercrombie, seconded by Jabara, to amend the agenda by adding F.) Administration site plan procedures. All Ayes: Motion Carried.**

Approval of Minutes: Regular meeting minutes October 7, 2020. Two corrections to Public Comments and discussion of the content of the minutes was discussed. The first correction is for Nikkel and should read: Nikkel expressed while creating ordinances that they are easy to use,

and Blake's growth could increase traffic along Armada Center Rd. and North Ave. The second correction is for DeCock and should read: DeCock discussed meeting procedures regarding speaking without being recognized resulting in multiple conversations and being cut off. **Motion made by Abercrombie, seconded by Jabara, to approve the minutes as corrected. All Ayes: Motion Carried.**

Public Comments: None.

Public Hearing: Krause Pet Crematoria: Chair Kehrig went over the Public Hearing procedures and noted the public notices. **Motion made by Wieske, seconded by Jabara, to open the Public Hearing at 7:24 p.m. Six Ayes. One Nay; DeCock: Motion Carried.** The applicant Mr. Darren Krause presented that he was the owner of Krause Veterinary Clinic and is applying for a Special Land Use to add an animal crematorium in an existing pole barn located on the property that is 24 x 48 sq. ft. The only item that would be visible is a smoke stack. He has been in contact with Michigan Division of Air Quality and said a scale to weigh the animals and a dial to record the number of animals were there only concern and both are in place. The engineer comments of planting forty feet of evergreens along the east side were not an issue. The leftover ashes that will not be picked up will be mixed three to four times a year with material and spread as fertilizer, that will not be harmful to the fields or grass around the clinic. Attorney Christine Anderson said the public hearing could be tabled until next month. **Motion made by Abercrombie, seconded by Finlay, to table the Public Hearing until a proper site plan and application ~~could be filled out with the proper zoning as stated in the procedures and the submission requirements.~~ All Ayes: Motion Carried.**

Reports and Correspondence: Chair Kehrig noted the Macomb County Citizen Planner Program, Planner training for PC/ZBA, Hard copy of email from Christine Anderson in regard to Blake Farm's office addition, Planning & Zoning News for November & December 2020, and January 2021, clean copy of the Shipping Ordinance, and email from MCDR in regard to Armada Center Rd./Blake Farm's. **Motion made by Abercrombie, seconded by Jabara, to receive and file as presented. All Ayes: Motion Carried.**

New Business: A.) Krause Pet Crematoria: Additional information is needed. The EPA guidelines mentioned are from 2015, the planner requested an updated version of the standards in writing. A plan regarding the handling of remains was requested in writing. **Motion made by Finlay, seconded by Kehrig, to table. All Ayes. Motion Carried.**

B.) Hidden River Site Plan Extension: A letter was received from Mr. Michael DeMil requesting site plan extension. It was extended until January 2020 previously. The planner went through the ordinance on site plan extension. **Motion made by Abercrombie, seconded by Finlay, based on the recommendation from the planner, to deny the site plan extension. All Ayes. Motion Carried.**

C.) 2021 Meeting Dates: The commission discussed that the meetings were all on the first Wednesday of the month. Discussion of when determination and notification of meeting should happen. **Motion made by Finlay, seconded by DeCock, to cancel the July meeting. Ayes: Finlay, DeCock, Abercrombie. Nays: Murray, Wieske, Jabara, Kehrig. Motion Failed.**

Motion made by Jabarba, seconded by Murray, to adopt the meeting dates as presented. Ayes: Murray, Wieske, Jabarba, Kehrig. Nays: Abercrombie, Finlay, DeCock. Motion Carried.

D.) Annual Report: Planner Laura Haw presented the annual report and stated that it met the Enabling Act and recommended submission to the Township Board. Discussion that more detail is needed. **Motion by Abercrombie, seconded by DeCock, to table for a more detailed update. All Ayes. Motion Carried.**

E.) GAAMP's: Chair Kehrig presented that Attorney Christine Anderson and Mr. Michael Wozniak from MDARD were in attendance to present and answer questions on GAAMPs. Generally Accepted Agriculture and Management Practices and how they relate to the Right to Farm Act and any implications they would have on the zoning ordinances. Christine Anderson presented that the state and the courts agree that the state is the primary authority on agriculture. Any ordinance, regulation, resolution, or anything that is in place that conflicts with the GAAMPs is unenforceable. A farmer must be involved in the commercial production of a farm

product or have the intention. He does not have to make a profit. Hobby farms do not count. GAAMPs only applicable if the farmer is in compliance with them. If not the RTFA does not act as a defense. The township still controls what the GAAMPs do not. GAAMP's deal with agricultural issues. That is where the state is the expert. It is on a case by case basis. The attorney did not recommend changing any of the ordinances. Chair Kehrig pointed out that our ordinance says 55% grown on site, the GAAMP for farm market says 50%, and that should be updated, the attorney agreed, and said maintaining same definitions would be helpful. Mr. Michael Wozniack from MDARD introduced himself and gave a brief synopsis of what they do at the state level. He suggested that all complaints go through their office to determine if a farm is in compliance. A follow up letter is always sent to the township. He did state that they only go out once to determine if a farm is in compliance unless there is a complaint. The GAAMP's are reviewed annually. Any report or information they have can be requested by FOIA. Discussion of how agritourism fits into the farm market GAAMP took place. The question is a cider mill a farm market was asked with Mr. Wozniack stating there is no real definition, he said it is all up to a common understanding and definition that pertains to agritourism as value added. What are they doing to a farm product to add value? What is being marketed to add value and to draw people into the farm to buy products. It has to be related to growing. If an ordinance is to be enacted that may conflict with GAAMPs, it must be submitted to MDARD for review. Mr. Wozniack went over a few questions submitted by the commission in regard to events and activities. Only items not in the GAAMP's can be regulated. MDARD does not look at activities, they look at value added. The GAAMPs provide a way to build community and relationship through interaction. With conformance, GAAMP's is a way to establish management practices that will negate nuisances in the community and litigation. It is voluntary. If a farm is certified with GAAMP's then they have met all the requirements including the 50% grown by the farm.

F.) Administrative Site Plan Procedures: At the June 3, 2020 meeting a motion was made to not have administrative site plan approval. A request to have a special hearing to amend that part of the ordinance was discussed. The planner said she would look back at the minutes and could do a draft ordinance for planning commission to approve to the township board. Attorney Christine Anderson said the board did have the final say. Christine Anderson will need board approval to move forward with an opinion. Ms. Haw will review the ordinance, minutes, and video if need be. Discussion took place about the administrative review possibly be subject to the Open Meeting Act. Christine Anderson discussed a couple different scenarios with the commission. **Motion made by DeCock, seconded by Finlay, to request the attorney to review the administrative review ordinance and make recommendations to what needs to be done to hold the meetings and come back with an opinion.** Discussion that the township board need to approve the attorney opinion took place. **DeCock amended motion to ask the liaison to have the board have the attorney review the ordinance, Finlay seconded.** Discussion of liability of decisions took place. The ordinance gives the authority to do what they are doing and it is given by the township board. **Ayes: DeCock, Abercrombie, Finlay. Nays: Kehrig, Murray, Wieske, Jabara. Motion Failed.** Commission discussed the park pavilion, and it was stated that the township board made the decision.

Unfinished Business: Blake Farm's Landscape Plan & Road: Discussion on the landscape plan was to be submitted in December and due to the fact, this was the first meeting since October, that Blake's should be notified that the date has passed and they will be on the March meeting agenda with expectation of the updated landscape plan. **Motion made by Jabara, seconded by Wieske, to table landscape plan to the March meeting and have the planning & zoning administrator contact Blake's to let them know. All Ayes. Motion Carried.**

PC Projects: None.

Public Comments: Finlay asked to make sure to get information from the state, that the township should know where it stands with fifty percent.

Adjournment: Motion made by DeCock, seconded by Finlay, to adjourn at 9:22 p.m. All Ayes: Motion Carried.

Respectfully submitted:

Christine White,
Recording Secretary

Approved:

DJ Kehrig,
Chairperson _____ Date _____