Minutes of Emmett Township Planning Commission

June 15, 2015

Chairman Mueller called the meeting to order at 7:02 pm. Roll call taken with Mueller, Korotko, Scott, Powers and Dumas present.

Dumas read the May minutes for the regular meeting with making a correction of striking the last paragraph. Powers made a motion to accept the minutes as corrected. Korotko seconds the motion. With all in favor, motion carried.

Mueller called the open hearing to order at 7:06 pm. Opening the forum up to public comment Mueller asked each person to state name and address.

Dan Greenia

Resident Greenia, 11376 Bryce Road presented a petition to the planning commission stating that it took a short time to collect these 35 signatures. Greenia stated that he could get more signatures.

Planning Commission Response:
Dumas accepted the petition and copied it for Greenia.

Andrea Misch

Resident Misch, 13069 Bryce Road, stated she didn't want to live in a commercial area, that this will decrease her property value. Misch felt the planning commission already made a decision with the reading of the May minutes.

Planning Commission Response:
Mueller asked for the next comment then the planning commission will respond.

Frank Hurt

Resident Hirt, 11621 Bryce Road, didn't want the noise from a business. He drove by Rozek and Francek current store in Lapeer and it's an office. I don't want to live next to a warehouse, is this a brick and mortar store? Hirt feels there is an environmental impact on their horses and this business is setup to drain into his property. He moved to Emmett to get away from industry. Hirt was also concerned about the screening; I don't want to look at a fence with green slats.

Thomas Rosek asked to answer some of the questions; Mueller asked him to wait until all of the residents had a chance to speak.

Planning Commissions Response:
Mueller stated that this is a proposed commercial business not brick and mortar that is an electric hardware that serves mainly customer over the internet. These businessmen have worked with the planning commission to for several months on the steps to become a commercial business in Emmett Township. The property is currently zoned residential and in our master plan on the future land use map it is in the designated commercial district. This open hearing is about the zoning of the property; this is not a meeting on site

plan review. As for the drainage into your property; that will be handled by our inspectors and is highly unlikely. There is no additional noise from this business; this is commercial not industrial.
Dumas presented a copy of the master plan changes from August 2013 including the Future Land Use Map to all the residents in attendance. She explained that the planning commission took several years to make the future land use amendments with proper public notifications and procedures. Very few people were in attendance of the open hearing in 2013 and as the minutes indicate all of the public was in favor of the changes to the commercial district.
Mueller stated that M-21 (Dunnigan Road) was selected over M-19 because of the non-conforming commercial properties along the M-21 corridor. There is no commercial on M-19. The objective is to allow all of those non-conforming to one day become conforming. Mueller addressed the concern on screening; this will be a natural screening, no fencing, trees and shrubs have been discussed.

Chad Dumas

Resident Dumas, 12291 Metcalf stated he was the only resident in attendance of the 2013 meetings. He spoke up at that time about the changes to the zoning. No one else came, it was in several newspapers.

Resident Misch responded by stating that she doesn't get the newspaper and she wasn't notified. It's not fair and this sounds like a done deal. This will ruin her deer and wildlife in her back yard. Why weren't we notified? Can we be notified of the next meeting on this rezoning?

Planning Commission Response:
Scott from that planning commission stated that he was not ready to vote, he is an alternate for the planning commission and had no idea that he would be sitting on this board tonight. He was just sitting with the residents and was ask to fill the position of a missing planning commission member. Mueller stated that this is an open hearing to hear public comment on the zoning, We are here to listen to all information before making a final decision. Dumas said that all proper notifications were in the local newspapers and mailings to neighboring properties. As for the changes to the master plan back in 2013 all notifications were made in accordance to the procedures that we must follow including: postings in the newspapers and for public view at the township hall and at both Capac and Yale library. We can't mail everyone on the petition notification of the next meeting. It will be the third Monday of each month at 7:00 pm located at the township hall, July 20th.

Bill Shannon

Resident Shannon, 11247 Bryce Road informed that planning commission that he was a realtor and a former zoning administrator. This is spot zoning and you can't put an industry in a residential neighborhood. There are 4 houses on the South and 2 houses on the North. Shannon said, why can't they put their business on Burt Road in that commercial area. Resident Shannon was concerned about road repair and economic impact to the homeowners and township. This will lower our property values.

Resident Shannon is concerned with the lights going onto the building. Explained that when he was on the planning commission he prevents strobe lights from being allowed on the towers located on Imlay City Road.

Planning Commission Response:
Dumas interjected and stated that this is a commercial not industrial business. Industrial area is on Burt Road near I-69. Korotko who is also on the Village of Emmett board stated that piece of property is in the Village of Emmett and it is zoned industrial not commercial. This is a commercial business.

Resident Chad Dumas, asked Shannon if he was familiar with the Michigan enabling act. The laws have changed and the planning commission did everything according to the law. This is not spot zoning.

Thomas Rosek and Jeff Francek

PLC Toolbox Supply is to be an electrical hardware in a pole barn type constructed building. The architect whom drafted the site plan chose the build location because of the topography of the land. The proposed building site is on the highest portion of the property.

Question from the residents:
How they get the parts? Answer, we work with wholesale suppliers.
How does this business benefit the public?
What if this business goes out of business, we stuck with who knows what next?

Mueller, we have discussed their intentions and they are working with us to make this a business that blends into our farming community with natural screening. The proposed building is a pole barn type construction that will have an exterior agricultural finish.

Resident Frank Hirt asked; why not relocate to another location? We have are from this community and would like to have our business in Emmett.

Resident Gail Hirt of11621 Bryce Road felt the master plan doesn't benefit the area. This is a farming community. Dumas informed her that every township must provide different zoning districts including mobile home, industrial and commercial. We can't have just agricultural. Dumas also asked, how is this not beneficial to the community, no reply.

Resident Misch said that this will bring the wrong kind of people into our neighborhood. Mueller informed Misch that this business brings in business and working class people. Crime happens in every neighborhood.

Residents Roy and Jackie Costello were in attendance but no notable comments.

Residents Madeline O'Connor and Mary O'Connor of 11304 Dunnigan Road remained silent and listened to the discussion.

Mueller asked for any other discussion. The residents demanded the vote from the planning commission. Dumas stated that the open hearing is to hear public comment that we should close the public hearing. The decision is made during the regular meeting. Dumas moved to close the open hearing at 8:25 p.m. Scott seconds the motion. With all in favor, Motion carried.

Mueller made a motion to table the planning commission's decision on the rezoning of the parcel to give everyone an opportunity to view and consider all of the information. Korotko seconds the motion. With all in favor, motion carried.

Mueller instructed Dumas to copy the site plan application for the residents in attendance to read, so they understand the facts about the proposed business. Dumas made a copy for each resident, handed them out and asked them to view it with an open mind. The residents left the meeting.

Mueller made suggestion to Rosek and Francek to bring visuals and any information that would help describe their business. Rosek offered to bring the architect if necessary.

Dumas recommended that if time permitting she will make a visual display on why the changes to the future land use map and all the non-conforming commercial property in the township to help explain the planning commission decision from 2013.

Mueller said that Stevernos is building what appears to be a fenced in area and Waddy has been out there.

Dumas made a request for the planning commission to review a copy of the master plan to make sure all of the updates are correct before she submits another copy to the county. It appears that the county doesn't have a electronic copy of our master plan on their website. I will also forward them a current ordinance book.

No Public Comment

No Communications

Dumas moved to adjourn the meeting 9:22 p.m. Powers seconds the motion. With all in favor, Motion carried.

Recording Secretary of the
Emmett Township Planning Commission,

Susann J. Dumas

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