

Rutland Charter Township Planning Commission Meeting

Wednesday October 4, 2023 at 7pm

Roll Call Members Present:

Larry Haywood, Marti Mayack, Brenda Bellmore, Steve Pachulski, Dan King

Others Present:

Larry Watson, Ryan Holley, Stacey Graham, Gene Hall, Jon Sporer, Mark Huisman, Ron Holley, Mary Holley, Mark Noteboom, Ted Robbins, John Krol, Dale Svihl, Nickie Haight

Approval of Agenda:

Motion by King, seconded by Bellmore to approve the agenda for October 4, 2023. All Ayes. Motion passes.

Meeting Minutes:

Pachulski wants to change what he said about who decides what an "ailing or elderly person" is during the Accessory Dwelling Unit discussion at the September 6th meeting. He says that he asked who decides what a "relative" is. Motion by Pachulski, seconded by King to accept the September 6, 2023 Meeting Minutes with one change. Roll Call Vote: Haywood: Yes, Bellmore - Yes, King - Yes, Pachulski - Yes, Mayack - Yes. Motion passes. Motion passes.

General Public Comment: None

Guests: None

Zoning Administrator's Report:

Graham has provided her written report to the PC in the meeting packet.

New Business:

Public Hearing: Special Land Use for manufacture and sale of cemetery headstones, RPM Holley, LLC (Patten Monument Company), Vacant Parcel on N M37 Highway, Hastings

Site Plan Review: RPM Holley, LLC (Patten Monument Company), Vacant Parcel on N M37 Highway, Hastings

Mayack opens the floor to public comment.

Ryan Holley has provided an updated Site Plan to Graham and the PC. He explains that the changes the board asked for are provided. He says they are no longer planning for a second driveway on M37. He explains the materials, lighting, parking lot, dumpsters, water retention, and landscaping are all now shown on the site plan as RCT requires. Pachulski shares that the plan shows signage and landscaping where a stop sign is. Holley and King explain that the signage will be reviewed separately according to the sign ordinance and setbacks.

There is no further public comment, so Mayack closes the public hearing. The PC reviews Rebecca Harvey's updated staff report and the nine standards required for SLU approval.

Haywood asks if they will use wood or metal pole construction and Holley says wood. King asks about the location of the mechanical equipment and Holley answers that there will be 2 AC units with screening on the Dan Dimond side of the property.

Graham says that Harvey's report points out that RCT requires 200 feet from the corner of Upton Rd to the facility entrance, but only 160 feet is proposed.

Motion by King, seconded by Bellmore to approve the RPM Holley LLC SLU and Site Plan. Roll Call Vote: Haywood: Yes, Bellmore - Yes, King - Yes, Pachulski - Yes, Mayack - Yes. Motion passes.

Old Business:

Public Hearing: Special Land Use for Expansion of YMCA Summer Camp at 2350 Iroquois Trail, Hastings

Mayack opens the floor to public comment.

Mark Huisman lives next to the former mental health property. He says his family has used those woods for the last 27 years. He asks if the YMCA has now purchased the property. Graham answers yes and that the property will be rezoned to Parks & Rec on October 27, 2023, pending a second reading at the Township Board meeting on October 11. Huisman says he owns land on Buehler Rd and tried to purchase the former mental health property about 10 years ago. He says that there is a strip of land along Iroquois Trail between his property and the property in question and he wants to know who it belongs to and what is going to happen with it. He says it did not used to be a part of that property but now it is marked that it is. Haywood says that has been a point of contention ever since Buehler Rd was created. Haywood says the road was built where there were no trees instead of on the actual property line. Public and PC members take some time to study the maps.

Jon Sporer, the director at the YMCA, says that they first started looking into purchasing the property about a year ago and closed on the purchase in May, 2023. He shares that they are working on the interior of the facility right now which will hold the day camp and child care. He says they did not have a survey done on the land but they are willing to pay for one. He says they have been and will continue to be good neighbors. He says the YMCA is currently developing a 3-10 year strategic plan for its facilities.

Ted Robbins lives on Woodruff Rd and is here to speak on behalf of himself and Jeff Dickerson. He says that he and other neighbors have been using the old mental health property for hunting and riding quads. He says they have 4-5 shooting ranges adjacent to the property line. He hopes that the YMCA will have safety precautions in place to avoid campers from wandering to other properties. He says that having a camp located there could have a negative impact on the neighboring property values.

John Krol lives on Buehler and his property is adjacent to the former mental health property. He confirms that there are shooting ranges out there and he does not want to be liable if there are campers wandering onto his property. He says he understands that his kids cannot ride quads out there anymore. Mayack asked who gave them permission to ride quads there and Krol says they did not have permission. He says they thought it was county land but now he realizes they were trespassing.

Sporer again shares that the YMCA wishes to be good neighbors and they can have a survey done if the neighbors want it. He says there are no current plans to have cabins in that area, and there will be fences and other safety precautions so children will not be leaving the YMCA property.

Krol comments again that stray bullets could be a problem. Robbins asks where the fencing will go and is concerned that a fence will change the deer movement. He says the zoning map shows the strip of land along Buehler Rd as unclaimed land. Sporer says it will be a children's play area fence, not fencing for the whole property.

There is no further public comment, so Mayack closes the floor. The PC reviews the nine standards required for SLU approval.

King clarifies with Graham that the SLU just pertains to the existing structure and if the YMCA wants to add or change anything else, they would have to ask for a new SLU and site plan approval so the public would again be notified. Graham says the rezone is not effective until October 27th and that the board will still have to hold a second reading on October 11.

Motion by King, seconded by Bellmore to approve the SLU on the condition of the finalization of the parcel rezoning. Roll Call Vote: Haywood - Yes, King - Yes, Bellmore - Yes, Mayack - Yes, Pachulski -Yes, Motion passes.

Public Hearing: Text Amendment allowing Accessory Dwelling Units

Mayack opens the floor to public comment and there is none. The PC is concerned that there is no public feedback.

Pachulski has done extensive research on ADUs and has many concerns about allowing them in RCT. He says people will have differing opinions about what elderly, ailing, or relative means. He says there are no details on how to keep a 2 family dwelling looking like a single family dwelling. He says the ordinance does not prevent ADUs from becoming rental units and there is no proof that ADUs will increase property values. He feels that this ordinance has been rushed and should be considered and worked on longer. He wants to study ordinances from other local governments. He does not like the idea of turning this single family home township into multi-family rental properties.

Bellmore agrees that it is important to keep RCT looking good. She thinks there are a lot of issues that could possibly come up with this ordinance.

Graham says this discussion has been ongoing for several months and started because there were some residents that asked about it. She says the PC decided they wanted this to be a permitted use and not an SLU. She explains that ordinances have gray areas, but agrees there could be some additional definitions. She reminds the PC that their job is to make a recommendation to the Board and the Board will have the final say.

Haywood says the Board can deny it. King says it is not fair for the PC to recommend the Board pass this ordinance if the PC does not support it. Graham says they have not had any recent additional ADU inquiries.

Motion by Bellmore, seconded by Pachulski to table the ADU discussion. All ayes. Motion passes.

Open Comments:

Robbins says that the Zoning Ordinances are not easy to search online, it is nearly impossible to find what you're looking for, and there is no text-to-speech function. Mayack agrees and says the information on the township website does not update as frequently as it used to. Graham says RCT needs to have an employee in charge of regularly updating the website or getting the information to Pixelvine.

Adjournment:

Motion by Pachulski, seconded by King to adjourn at 7:57pm.

Meeting Adjourned. Submitted by Nickie Haight, Recording Secretary

Proposed