



DEXTER TOWNSHIP

PLANNING COMMISSION

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BILL GAJEWSKI
EX-OFFICIO TWP. BRD.

JIM JEDELE
BOB NESTER
-
COMMISSIONERS

JANIS MILLER
RECORDING SECRETARY

REGULAR MEETING OF THE PLANNING COMMISSION Tuesday, April 24, 2018

Present: Steve Burch, Chair; Tom Ehman, Vice-Chair; Tom Lewis, Secretary; Bob Nester and Jim Jedele. Absent: With notice, Bill Gajewski.

Also present: Zach Michels, Director of Planning and Zoning (DPZ); and Janis Miller, Recording Secretary.

- 1. Call to Order:** Mr. Burch called the meeting to order at 7:00 PM.
- 2. Conflict of Interest:**
Mr. Burch: Ex-parte contact at client site.
Mr. Jedele: Ex-parte contact with a township resident resulting in an email to the Planning Commission members.
- 3. Approval of Agenda:**
Moved by Mr. Nester, seconded by Mr. Lewis, to approve the agenda as submitted.
Motion carried 5-0.
- 4. Public Comment:** (non-agenda items) None.
- 5. Action Items:**

Item #1:

Public Hearing for (18-PC-186) Ann Arbor Moose Lodge Combined Site Plan Review

Director of Planning and Zoning report:

1. A private shooting club is a special land use in the Recreation Conservation (RC) Districts, therefore a site plan review and approval is required.
2. It does not appear to be an expansion or intensification of the special land use.
3. A reminder that there are seven members of the Planning Commission, with only five present tonight, we need a majority (4) of the total body to vote affirmative for approval of the Resolution.

Applicant Presentation:

Bert Peterson, Moose Lodge Representative

1. This is a simple pavilion, post and beam with a metal roof and gravel floor.
2. The pavilion will be open, no enclosure.
3. The pavilion will contain picnic tables as there is an annual picnic.

4. For safety reasons the pavilion allows viewing, protected from the sun and inclement weather that is closer to the ranges.

Questions of the Applicant:

Mr. Lewis: Will there be any electricity or lighting in the pavilion?

Mr. Peterson: No, as the site is only open during daylight hours.

DPZ Michels: The Fire Department did review it, having no concerns they supported the building of the pavilion. The site plan meets all the developmental standards except for the landscaping, which can be handled as a waiver in the Draft Resolution.

Mr. Burch, Chairperson, opened the Public Hearing at 7:10 PM.

No public input.

Mr. Burch closed the Public Hearing at 7:10 PM.

Planning Commission Review:

Moved by Mr. Ehman, seconded by Mr. Nester, to grant approval for the Combined Site Plan (18-PC-186) Ann Arbor Moose Lodge, and that the conclusions or opinions of the Director of Planning and Zoning for Current Zoning contained in the Draft Resolution are accepted as facts.

DPZ Michels clarification of changes to the Resolution: Paragraph 90 date added; paragraph 130 no public comment; paragraphs 170, 180, 190 and 200 strike (b) reasons; paragraph 220c stricken as the Fire Department has no objections, and paragraph 230c stricken. Members agreed.

Roll Call Vote: Yeas-Burch, Lewis, Ehman, Nester, and Jedele; Nays-none; Absent-one. Motion carried 5-0.

Item #2:

Draft Zoning Ordinance:

§13.40(G): Common Use Access Lots

As materials from the review committee were not received seven days prior to the meeting, as stated in the Bylaws, no specific public notification was posted. The Planning Commission can vote to suspend the rules if they want to discuss this topic tonight.

Moved by Mr. Ehman, seconded by Mr. Nester, to defer discussion/action on §13.40(G): Common Use Access Lots to the regularly scheduled May 22, 2018 meeting.

Motion carried 5-0.

§16.105: Outdoor Furnaces

As no changes to the text presented at the last meeting, no specific public notification was posted.

Moved by Mr. Nester, seconded by Mr. Jedele, to defer discussion/action on §16.105: Outdoor Furnaces to the regularly scheduled May 22, 2018 meeting. Motion carried 5-0.

Staff reports and all other supporting documents regarding the above agenda items can be obtained at the Township hall during normal business hours. Additionally, these documents are available on the Townships website: www.dextertownship.org and can be viewed on new.livestream.com/dextertownship.org.

6. Approval of Planning Commission Minutes:

Moved by Mr. Nester, seconded by Mr. Lewis, to approve the meeting minutes of March 27, 2018, as amended. Motion carried 5-0.

7. Election of Officers: No action

8. Township Board of Trustees Update:

Written report of the April 17, 2018 Regular Board meeting submitted, and accepted by consent, in Mr. Gajewski's absence.

9. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary:

Mr. Burch: I attended the April 8th Township Board Meeting and I felt the character of the Planning Commission was being impugned. The most effective way we can minimize their concerns is by including "ex-parte contact" in the Conflict of Interest portion of the agenda. **DPZ Michels** responded that to codify that change, the draft Bylaws includes "ex-parte contact" review as part of the Conflict of Interest.

Mr. Nester: Raised concern that Post 46 was no longer a "private hunt and fish" facility as the use of military grade automatic gunfire was heard on the grounds, which leads to the question of the private facility being rented out. **DPZ Michels** responded that the Zoning Ordinance does not specify the type or caliber of weapon. Changes that have been made to the gun ranges are within the approved site plan. It is approved as a private shooting range. If they are charging for range use, or events, that is outside the scope of what was approved. Proof that there is rental being charged at the facility is actionable.

Mr. Nester: The Rover pipeline runs through what was the existing gun range. Does that require another site plan approval? **DPZ Michels** responded that documents show a large gracious area and as long as they were within the approved area they are OK. If there is an increase of shooting stations, then they would need extra review.

DPZ Michels: Concerned with open emails between Planning Commission members. When replying to "all" it is considered a public meeting in a private setting, which violates the Open Meetings Act. Use of private email, in communicating PC business, is discouraged as a FOIA (Freedom of Information Act) request would require you hand over all your private email for scrutiny. Use the Township provided email to communicate Township business.

10. Review of Bylaws:

DPZ Michels: Some items in the draft Bylaws have been moved to more appropriate locations. Staff looked at Bylaws across the state and nation to glean best practices. The draft Bylaws have been reviewed, without objections, by the Township attorneys. Mr. Ehman's draft was reviewed by the Township attorney and a recommendation not to adopt it was entered, due to non-compliance with the Open Meetings Act and First Amendment.

Discussion:

For consistency, a significant part of the Bylaws should apply equally to the Township Board, the Planning Commission, and the Zoning Board of Appeals. The Planning Commission Bylaws should be drafted by the Planning Commission. The Planning Commission is not a legislative body but makes administrative decisions. Adding definitions to clarify terms like malfeasance, misfeasance, and nonfeasance. Article 3(C): Conflict of Interest, Article 3(I): Accepting Gifts, Article 11: Site Inspections, and Article 3(F): Communication. Article 2(E)(3): Membership and cause for removal, ie. lack of familiarity of state statutes, local ordinances, and policies. Article 5(B): Term limits of officer's.

Mr. Burch, Chairperson, set a Bylaws Work Session for Tuesday, May 8th, 7:00PM, at the Township Hall.

11. Public Comment: None.

12. Future Agenda Items: May 22, 2018

A. Draft Ordinance Review

1. §13.40(G): Common Use Access Lots
2. §16.105: Outdoor Furnaces
3. §17.40: Water Quality and Quantity

B. Review of Bylaws

13. Adjournment: Mr. Burch declared meeting adjourned at 9:06 PM.

Respectfully submitted,

Tom Lewis, Secretary

Janis Miller, Recording Secretary