

ESTABLISHED 1835



SYLVAN TOWNSHIP

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Sylvan Township Planning Commission

DRAFT AGENDA

April 18, 2024

7:00pm

- Call to Order – M. VanBuren, Chair
- Pledge of Allegiance
- Roll call of members: Tom Bareis, Clifford Camp, Courtney Heller, Leah Herrick, Matthew Koenn, Mike VanBuren, and Sandie Schulze
- Accept agenda
- Approval of Minutes from the March 21, 2024 regular meeting.
- Public Comment –
- Unfinished Business –
- New Business –
 1. Discussion of amendment to zoning regulations for small lots within the Low Density Residential Zoning District and mechanical equipment.
- Comments/ concerns of the Planning Commission members
- Adjournment

REMINDER:

- Next regular meeting May 16, 2024

Supervisor
Kathleen Kennedy

Clerk
Amanda Nimke

Treasurer
Rodney Branham

Trustee
Kurt Koseck

Trustee
Sandie Schulze

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DRAFT

Minutes for the
PLANNING COMMISSION15 Meeting
March 21, 2024 at 7:00pm

The Sylvan Township Planning Commission meeting for March 21, 2024 was called to order by Chairman VanBuren at 7:00 p.m.

Pledge of Allegiance

Chairman VanBuren offered gratitude to Steve Eiseman for his years of service with the Planning Commission.

Members Present: Mike VanBuren, Chairman; Courtney Heller, Vice Chairman; Sandy Schulze, Trustee; Leah Herrick; Tom Bareis. **Absent with notice:** Matt Koen. **Absent without notice:** Clifford Camp

Also Present: Doug Jackson, Recording Secretary; Rod Branham, Treasurer; Amanda Nimke, Clerk; Patrick Zieske; Ann Kalmbach; Bill Kerns; Jenni Kerns; Adam Kovsky; Matt McKernan; Mary Elorde; Patti Vogel; Jeff Vogel; Theresa Clark; Ted Hirsch; Rene Townsend; Kevin Townsend; Reuben Lesser; Lois Wightman; Roger Hayman; Mary Randolph; Jim Randolph. **Present on Zoom:** Scott Pacheco, Planning and Zoning Administrator

Motion to accept the agenda for this meeting made by Bareis, seconded by Hercik. Agenda approved through unanimous consent.

Motion to approve minutes for the February 15, 2024 meeting made by Heller, seconded by Herrick. Minutes approved through unanimous consent with no correction.

Public Comment:

Comment made in dissent towards the public ballot initiative petition challenging Michigan PA233.

Supervisor
Kathleen Kennedy

Clerk
Amanda Nimke

Treasurer
Rodney J Branham

Trustee
Kurt Koseck

Trustee
Sandra Schulze

Comments from the Zoning Administrator: Because only 5 PC members present, 4 votes would be needed to carry or deny a motion.

Unfinished Business: none

New Business.

1. Public hearing to consider the Zoning Map Amendment (ZMA 24-001) to rezone the property at 20490 N. M-52 from Local Commercial (LC) to General Commercial (GC).

Jeff Vogel, owner of Vogel's Party Store. The rezoning from Local Commercial to General Commercial is to update the status of the Vogel's Party Store parcel and have little to no impact on the surrounding community. This was all farmland and there was no commercial shopping, no product services to the north of what was then the village of Chelsea. I was very young, but the parcel we are discussing was originally zoned agricultural. Then when the convenience store was proposed and built, a new classification was created to Residential Commercial to facilitate the parcels currently used. Chelsea, now being a city and expanding to the north, I believe it is appropriate to update this zoning classification to General Commercial to tolerate the future use of this site. Although we, the Vogel family, have operated as a grocery/party/convenience store, the parcel is being utilized as it is attached to State highway 52. The traffic counts have increased dramatically over the last 5 decades. Samples of potential future improvements include more modern enhanced convenience store, maybe another retail or office building. Whatever built, it will increase the tax base of the property.

Zieske: To me this dove-tails in with the comments made from another resident about property rights. I think that that should be paramount here, assuming that the business owner is not going to do anything that harms the neighborhood. Stuff that he mentioned sounds reasonable to the area, so I generally feel I should support it. When you look technically at the Master Plan, it has cited that the future land use be zoned as Local Commercial as it is now, and states that the only compatible zoning district is LC. So the Master Plan seems to indicate that the zoning should stay where it is. But in spite of that, given the nature of what they're trying to do and the location they are in, it should be overridden. I support the proposal. And I hope that the other 2 applications before you tonight are treated in a similar positive vein.

Public hearing closed by Van Buren.

Discussion walked through the steps of Goals and Objectives of the 2017 Master Plan as outlined in the staff report supplied by the Zoning Administrator.

Public comment opened again by Van Buren:

Supervisor
Kathleen Kennedy

Clerk
Amanda Nimke

Treasurer
Rodney J Branham

Trustee
Kurt Koseck

Trustee
Sandra Schulze

Joseph Merkel (not on sign-in list): With idea of the site plan or any future development improvements, any site plan brought before the committee in the future certainly would have to comply with all the setbacks. And with US highway 52 [M-52] with the creek and the setbacks, there certainly could be some changes to the structure and some improvements, but of that 3.3 acres, there's going to be a certain percentage of that property that would not create encroachments along the highway system and/or the creek. There is room for expansion or improvement, but it's not going to be a multi high rise structure or office building. It's going to be something along the similar lines of what it is, just more current. There is also a wetlands survey assessment done for that too. Going south towards the city of Chelea, there is roughly 150 – 180 feet that could be used that would not be within the areas for either the power company easement and or the highway setback easements in the 120 foot east or west of the center line. That's about it. For the rest of the site you can improve the building and make some improvements, but you're not going to have a large development there. That's never going to happen because of the stream and the highway.

Public comment closed again by VanBuren.

Further discussion among the Planning Commission.

Planning Commission motion to recommend approval of the proposed Zoning Map Amendment (ZMA 24-001) to rezone the property at 20490 N. M-52 from Local Commercial (LC) to General Commercial (GC) because as discussed at tonight's Planning Commission meeting and as presented in the Planning Commission staff report, although the rezoning would not fully comply with the Future Land Use Map in the 2017 Master Plan, there are circumstances that have occurred since the approval of the 2017 Master Plan that have changed the area. Also, the proposal would comply with some of the goals and objectives of the 2017 Master Plan and the project would not have an impact on the public health, safety, or welfare of the community. Made by Van Buren, Seconded by Heller. Role call vote: All "yes". Motion passes.

2.Public hearing to consider the Special Use Permit (SUP24-002) to allow a towing business and impound yard use at the vacant parcel F-06-22-100-007 in the Industrial Zoning district.

Bill Kerns: It's been a lengthy project. I own Manchester Collision and Towing down in Manchester. I've owned it for 29 years now. Three years ago, Metro Dispatch, who dispatches State Police and Washtenaw County Sheriff did not renew contracts with two towing vendors up in this area. The area was split between my area in Manchester and Don's Body Shop in Witmore Lake. So by default, I am basically up here. Now 20 years ago I did attempt to come up here, and had a battle and I was quite content...

Pacheco: After the applicant is done speaking, you can... I feel that I am not in the same position I was earlier... so you can have me present the project to you if you want...

Kerns: We are covering the area for Chelsea Police, State Police, Washtenaw County Sheriff. As of right now we are doing it out of Manchester. We have two locations, one in Manchester, one in Saline. So everything is coming out of Manchester and going back to Manchester. I make light of the fact that we charge mileage. So we would be cutting our revenue. But to cover the area effectively, that's what needs to be done. Our response time is expected 24 hours 7 days a week to be 20 -25 minutes. That's what is required of us. Also, when car owners want to come get belongings out or pick up their car or whatever it is, I do apologize that I'm sorry you have to drive to Manchester. Yes I know you're on I-94 but... so. On the property of the Kalmbach's and the Township to do some rezoning that didn't go well with the general public in that area. So now we are over where Mr. Boom(?) has a parcel that has a zoning that's appropriate currently for towing, I think it has the outdoor storage under the additional use permit. You know where it is at. I-94 to the south and US 12 to the northside, so I think it's a good fit. I want something nice. I've been in business for 29 years. I'm not jumping in and jumping out. I have a good reputation for providing good service and I want to build a good building that is an investment. I hope it pays off for me long term. I'm not going to throw up something that isn't aesthetically pleasing. I'm trying to do something that's right and that fits in.

My service area is 6 townships: Manchester, Bridgewater, Sharon, Freedom, Sylvan, and Milan. We cover 12 miles of I-94, we also do Chelsea Police Department exclusively, so the city also.

Mary Elorde: I live on Pierce Rd. This is still our neighborhood although we're far down the road. You say you will make it aesthetically pleasing. I'm hoping that you do. In my head, I've not been to your location in Manchester, but I know people who have. But in my head I see that junkyard on your way down toward Milan along US-23, that's not what we're talking about, right?

Kerns: Correct.

Elorde: Because, even though its next to the highway, even though it's not in a neighborhood, the expectation is that it'll be pleasing to a Chelsea characteristic.

Kerns: We've been pretty extensive with planning. Ted Hirsch is here with Midwest Consulting with all kinds of initial conceptual drawings of a steel building. We also hired his recommendation for an architect which has done a pretty nice job with different facades, different materials, rather than just barn siding.

Elorde: That is comforting to those passing by it 2 or 3 times a day, or people on the highway.

Kerns: I truly want to build something nice. It's an investment. I'm going to be spending a lot of money. I'm putting a building there, and I want it to be nice.

Elorde: How many vehicles would be the max that's going to be allowed? Or is that something that will be in the proposal?

Kerns: Because we attempted to do something at the Kalmbach property, we did some analysis. So currently we're doing the 2 yards. Right now, we believe we might have 10 cars in Saline and 10 cars in Manchester. In the winter it could have been 20 or 30. I think we have 30-33 spaces allocated at this site. (Maximum would be 40 – Ted Hirsch) . I don't believe we've ever had 40 in one yard. We don't sell parts or cars. We tow them, store them for insurance or for safety reasons until they go to a body shop. A majority of our business is never done at the yard. I think perhaps 10% of our business may come back to the yard. That's a pretty accurate number. I've done this a long time. For example we towed your neighbor's car and took it right to the dealership. A lot of what we do isn't even done at that yard.

Elorde: (refused to use a mic) Will there be a large fence like there was going to be at the Kalmbach property.... Part of the proposal...

Kerns: What is required of us from the Metro Dispatch for the police lot is... they want a 6-foot fence. So we've been playing with that. We want something up front a little more aesthetic with some stones and a privacy fence on the north part, certainly on the east and south will be chain link. On the west, I'm playing with what to do there. That'll have to do with my neighbor with the barn.

Roger Hyman: Will you be bringing in any tractor-trailers?

Kerns: As they happen, yes. We had 2 on I-94 last January. Typically they get processes and they're gone. They could be there 2 – 4 weeks. Certainly, we do some of that. We may do 6 -10 a year.

Elorde: Scott mentioned the health, safety and welfare of the community. That would be in your pocketbook as well, you being so close to the water tower.

Kerns: One of the statistics I threw down about the need up here... I spoke of how I brought fuel up to a woman around midnight. I was upset that I was going out and I was the only one who works hard. You know, I had pity for myself. And she had run out of fuel at eastbound just before 52. And I get out there... and she's got a three year old in the back seat. And you know, I really felt good about my job. And I was glad that I could help her. But is that not important that someone get there in a timely fashion? A report I read about 5 or 6 years ago, - I do a lot of towing for the State Association and do some teaching for the fire over 27 years – but 50% of the fatalities on the freeways are from

secondary incidences. So the longer it takes me to get up there to clear an incident, people are getting killed also. I'm not up here for soapboxes, but we have the duties of getting these roads opened back up to get the traffic flowing. Not just for general commerce, but for safety. You talk about health and safety, break down on the side of the road and see how comfortable you are. You'll want me towing you out of there right away.

Schulze: Are you going to be taking down the building that is currently there?

Kerns: No, wrong parcel. This parcel is empty, thank goodness. I think you're thinking of the neighboring pole barn.

Schulze: So which one is it in relation to that pole barn?

Kerns: Just east. Our properties would be right next to each other.

Schulze: There's that hill that goes up... I just thought it was all together.

Kerns: I know which parcel you're talking about. I don't want that either.

Jackson: I used to do accident research and visited many tow yards and vehicles there, I'd find puddles of automotive fluids, gasoline, oil, transmission fluids and such on the ground. What environmental protections would you ensure that you have considering the aquifer is right there where the water tower is.

Kerns: We'll do our best that if there is anything leaking that we're going to contain it, either through pool dikes, whatever it may be. I don't think I would bring back any cars that are still leaking to our yard. I won't debate that subject. But if there is anything visible, we're going to put down blotters for whatever it is to keep that out of the ground water. Again, it is an investment for me. I'm the property owner for the lifetime, so it's not my intent to contaminate it.

VanBuren: Have you been involved in any of the electric vehicle accidents and dealt with the actual fires?

Kerns: Semi load of EV batteries, this spring, 52 and 94 was full of EV batteries going for LG from one to another. Being a fireman for 27 years, I am captain of a training officer. And that's the buzzword. It really is what we're going to do with them and how to handle them. We work with a company called ESA, Energy Security Agency. Sounds federal, it's not, it is a private enterprise, but when we are on one, they are involved to advise us on how to best handle these and what to do with them. And there is a gamut of them. You know that one that was up there, you know they wanted fire use a four gas monitor the entire time we were there also for until LG came out to verify that nothing was going

on chemically to start a fire. We say that we do the best we can and figure out what to do with them.

VanBuren: Would you anticipate having electric vehicles in your tow yard that have potentially been involved in an accident.

Kerns: Certainly possible. At this point, our general rule of thumb, it seems to be in the industry, is we give them space. We're not putting them next to other things. Chelsea fire really is excited what to do with Chelsea Proving Grounds. Chelsea fire district is being taxed with protecting that facility for fire. And they have a whole bunch of them. And we're monitoring how they do them.

VanBuren: Yeah, but they haven't completely been involved in accidents to disturb, right?

Kerns: Well, you've got your fire for whatever reason. We've had Manchester Fire, Manchester Towing, Chelsea Fire, Dexter, Scio. We've had a couple meetings. When we hit one on a freeway, what are we going to do? There's been lots of discussions on how to move them, relocate them. Storage falls on us towers. But, we're still talking about what to do with them for the motoring public. Dexter had that house fire where they drug two of them out of the house that were on fire.

VanBuren: What sort of toxic fumes come out of the electric vehicle fire?

Kerns: Just as a fireman's viewpoint, I feel the car industry is pretty regulated and there are a lot of safety things involved. I'm more concerned about the scooters and the mopeds and the wheelchairs. The Ann Arbor City had a wheelchair fire from an electric battery in a building of 7 stories or something. Those aren't regulated. There's different brands of batteries being used. Chargers are being swapped. As a fireman, I'm more concerned about those than I am cars.

VanBuren: I'm worried about a neighbor, if he wakes up in the morning and there's an electric battery burning right next to his residence. What sort of toxicity are we exposing them to? Because there is a residential house next door. One east.

Kerns: No different than on a freeway, I'm thinking. We learn it as we go. Chelsea Fire covers that area. I won't pretend to know what toxicity there could be.

Hayman: My understanding is that electric cars that caught on fire, the fire department takes it somewhere or a tow yard takes it somewhere, and there's a pad that needs to be put on so that it will keep it from re-igniting again. Is that something that the fire department puts on or you put on?

Kerns: No, there nothing going on like that that I've seen yet. You'll hear all kinds of stories about it. Stories in California they are putting tanks, sea containers full of water.

Here, once the fire department deems it safe to move, it goes to the tow yard. There are fire blankets where they attempt to snuff out the fire, and actually they let them burn while they are covered up.

Hayman: Right, then they keep them covered to keep the fires from starting up again.

Kerns: No, I disagree with that.

Zieske: If you have, lets say, 10 vehicles at your other two tow yards, adding a third tow yard, would that tend to balance the number between the 3? So that now you'd have something like 6 each. So all of them will have a lower volume than the two have individually right now.

Kerns: Correct. We're covering the area with 2 yards. We're gunna add a third. So, yes. Although this is a fairly busier section than Manchester is, I'll say that. Saline is pretty busy, too. I would suspect that this would have 60%, Manchester would have 40% of those.

Public hearing closed by VanBuren

Comments from Pacheco, Zoning Administrator. Industrial zoning is appropriate for a tow yard. Special needs standards need to be reviewed. Future Land Use was discussed. He recommends that if the Commission does not sign the motion to approve or deny tonight, that they memorialize findings for the motion to be brought back to the next meeting for motion for approval or denial.

The Planning Commission went through the Special Use Permit Standards.

Kerns and Hirsch requested this to be tabled so they can research conditions 4 and 6 of the Standards more to better understand the conditions.

The Commission will review with their engineers and attorney on these as well.

Motion to table SUP24-002 to allow a towing business and impound yard use at the vacant parcel F-06-22-100-007 in the industrial zoning district to the next meeting made by Bareis, seconded by Schulze. Unanimously approved, Motion passed.

3.Public hearing to consider the Special Use Events Permit (SEP-24-001) at 20390 M-52 (Robin Hills Farm) for a fireworks event that will feature games and activities for kids as well as concessions, live music, and fireworks. Setup and cleanup of the event will precede and follow the event.

Adam Kovsky: I'm here representing Robin Hills Farm. We submitted an application for an event on June 29 for this year. And you can see it on the agenda that it features games and activities for kids, as well as live music, fireworks. So we submitted the

application as part of that process we're required to submit like traffic safety plan, lighting plans, had to get the approval through CAFA, the fire authority, MDOT, and the State Police of Michigan. A little about the event, it's taking place on a Friday. The fireworks itself really is complimentary to the event overall. The main thrust of the event, we're working together with the Rotary Club of Chelsea to raise money for Chelsea scholarships, so it's going to be a fundraiser. In addition to that, the main purpose is to highlight and showcase the agricultural tourism activities that take place on the property. I apologize that this didn't make it into the original report that Scott shared with you. And just to give you folks an overview of some of those agricultural activities that will be taking place during the event. I've got a printout to share with the Commission now or afterward, it's up to you, if you want to read along with me.

Pacheco: If that's the one you emailed me, they have that one.

Kovsky: I just want to give out a little more information. Looks like that's the timeline actually that the activities are going to be taking place. I've got a copy I can share with you. So the framework of the numbers is going to be like this. We're gonna hopefully have the fireworks display at the end of the night. By advertising for that, the idea is it's going to draw folks on the property so that they can see all the great agricultural tourism activities that are taking place. So throughout the day, starting at 4:00 and going until about 7:30 we've got a detailed list of activities. But essentially what we're doing is, at our property we've got a facility called the Pasture Barn. This facility is one part classroom space, one part educational, can also have private events in it. So at that spot on the property during the event we're going to have a presentation of Community of Conversation. What this is, it's going to be a series of 20-minute lectures and presentations about the different activities that take place on the farm. So I'm just going to go over those activities with you today. The first activity is the grazing of heritage breed livestock, specifically sheep and goats on the Robin Hills Farm property. The reason we want to highlight and promote the fact that there's heritage breeds out there, for those of you who don't know what I'm talking about, these are livestock that are adapted to being raised on pasture and eating grass versus a more conventional farmed animal, that's factory farmed, grain fed, in order to get them as big and fat as possible as soon as possible. But at Robin Hills we've got some older breeds from the U.K., we've got Cheviot sheep, we've got Shetland sheep, and these are more specifically designed to be raised on pasture. We think that's important to know. Some folks would say that the meat of those animals is actually a healthier product at the end of the day because they are not grain fed and raised all close together. They got green grass and blue skies. And so, during the event there will be a lecture on that and there will also be an opportunity for the visitors at the event to interact with the animals. After that, there will be a break so that folks can enjoy the concessions and just general games and activities of the day. At 5, we'll have a presentation about the work we've been doing at our restaurant, which is

called The Nest. It's a farm to table restaurant here in Sylvan Township. It's just right down the road. We just want to highlight all the ingredients we use in the restaurant for folks on sourced on local. All the beef, for example, comes from a family farm over in Zeeland, an hour west of Lansing. All our beef, all our burger patties, all our steaks, all come from Michigan. Produce etc., and so highlighting that, I mean, the benefits of that is you know where your food comes from. I mean the farmer that owns the property comes routinely to the restaurant, which is pretty cool. It's not like we have a Cisco rep. It's like he raises the animals himself. And its cool. It minimizes the carbon footprint. The animals travel a short distance to get here. So we think that's all important. We want to promote that agricultural tourism for folks who have never been out to the property. We want to let them know that we've got a year-round restaurant that's open all year for dinner and brunch. The next presentation, I think this will be the most fun, hands-on mushroom logs. So, agriculture, when people think of farming, they think of flat tillable land like corn, beans, that kind of thing. What's really cool about our approach to farming is that, we've found you can take advantage of non-traditional landscapes as well. So on our property, there's a lot of undulation. We've got a creek with a ravine leading down to it. It's all wooded and that's a place you'd look at and never think you could farm there. But, what we've noticed is that mushrooms grow really well in that type of environment because it's moist, dark. So, we're going to have a mushroom log workshop. And so what that looks like is taking hardwood logs about 4-feet long, like oak logs for example, and inoculating them with mushroom spawn. It's a really fun activity. It involves actually drilling holes and pounding little dowel rods into a log, so that the mushrooms can then colonize those logs and visitors will have a chance to come back the next year and actually harvest the mushrooms that they were able to put there this time. So we think that's pretty cool. We're excited to make that a feature of the event. We're going to be partnering with another farm to do that – Full Flower Farm out of Grass Lake. They're going to provide the logs and the mushroom spawn. We're going to end the day with the farm's many ecosystems, with the conversation about the work we've done to preserve the natural environment and the different wildlife habitats that are on the farm. We've got ponds, we've got trails, ton of turtles, ton of snakes, a lot of aquatic birds because of the ponds, a ton of deer. More importantly than that just the place where the property is situated, we're right in the Huron River watershed. Which is really neat. We feel we're obligated because of our environmental proximity to that, that we need to be good stewards of the land so we leave the space open, we're not proposing to build anything new, we're just hosting an event that is supposed to highlight the agricultural tourism activities that are going on. We definitely want to use fireworks to get people out there. So we're coming to you for that permission, and if you have any questions about the event.

Elorde: What's your headcount on your cattle and sheep?

Supervisor
Kathleen Kennedy

Clerk
Amanda Nimke

Treasurer
Rodney J Branham

Trustee
Kurt Koseck

Trustee
Sandra Schulze

Kovsky: We don't have any cattle, we just have sheep. Between 50 and 60. There's a handful of goats out there too.

Elorde: Is there going to be an admission fee for this event?

Kovsky: There is going to charge for the parking, but proceeds from the parking will go to benefit the work that the Chelsea Rotary Club is doing, like their scholarship efforts. I have a member of the Rotary Club here tonight to answer any questions about what exactly we're trying to achieve in terms of donations for that.

Zieske: Thinking about the event itself, I think it's really a great event. I'm really happy since I've moved to Chelsea about 15 years ago, of all the different kinds of things that we have in Chelsea, especially all kinds of festivals and events during the summertime. And this adds another dimension that we don't have yet, but could. It just builds on it. Even the fireworks. I'm really missing the fireworks. I know we used to have them in Chelsea. And then we had the fireworks down the road on Bush Road that definitely ??? event. So I'm just happy that someone wants to bring back fireworks. I haven't been down there to Robin Hills Farm myself for over a year probably. That's only because I've been so busy. But this event might actually bring me out there again. I hope it all works out, and I'm happy to hear that the CAFA and MDOT have already been contacted. That's good to do upfront.

Elorde: When Robin Hills first became a proposal, I think a lot of the neighbors on Waterloo,- do you border the unpaved part of Waterloo Rd? – there was a 10:00 sound – Scott could speak more to this than can I. Is that still in play and are the neighbors okay with the fireworks, because I'm all for fireworks?

Kovsky: We've got the fireworks starting at 10:00. So, that being said, I'll look towards what the ordinance says about that. But we also want to be able to launch them when it's dark out. So maybe there's a variance that can be put into to place there. Our hope is that we are able to do it properly and to have a really good show for everybody that does come. And even for the folks who don't, they'll probably be able to see it from downtown Chelsea, even. So hopefully we're going to have a great event. And we're also going to be monitoring the sound. I think that's included in the proposal. We're required already to be monitoring decibel levels at the property lines. So we're able to furnish that information on request for these events. I think we'll be in a good spot to provide that.

Matt McKernan: Chelsea Rotary, I'm on the Board of Rotary. Every year the Rotary comes together to find \$7500 towards scholarship funds. We're hoping what this event will do is further that to the trades. So we're looking to do \$7500 towards scholarships and \$7500 towards trades. Whether it's 252 Local 190. This venue, with the fireworks attracting people together, ?? Chelsea fireworks as a kid, it just seems like a perfect fit, as

long as permission is here, will allow us, we'd like to go ahead and take those funds and spread it across the community further.

Public Comment closed by VanBuren.

Comments from Pacheco, Zoning Administrator. Addressed SEP allows one time variance on fireworks noise past ordinance. Commission should review pg 2-8 of the report, and list any they want to discuss. Hopes someone on PC will attend the event and monitor how it all unfolds.

Commission reviews staff analysis. Discussion and questions with Kovsky.

Motion to approve with conditions the proposed Special Event Permit to allow the fireworks festival at the Robin Hills Farm 20390 M-52 because, as discussed at tonight's Planning Commission meeting and as presented in the Planning Commission staff report, the proposed event would meet the requirements for Special Use Event Permit under Charter 30, Article IX, Section 30-808 Agricultural commercial/tourism business Item e.

Conditions:

- 1. The applicant shall submit a letter or email from MDOT that provides MDOT review and approval of the proposed event prior to June 22, 2024.**
- 2. The applicant shall submit a letter or email from the State and local police departments that provide review and approval of the proposed event prior to June 22, 2024.**
- 3. The applicant shall submit a letter or email from the Chelsea area fire authority that provides review and approval of the proposed event prior to June 22, 2024.**
- 4. All the required conditions of the Township Engineer will be followed.**
- 5. The Port-a-potties shall be located a minimum of 200 feet from the nearest property line.**
- 6. The applicant shall provide the decimal reading report at the property lines at intervals during the fireworks and Nest show and report it back to the Township Zoning Inspector along with the headcount forecast based on the number of vehicles that were parked.**

Made by Van Buren, seconded (not). Roll call vote. Bareis: yes; Heller: yes; Schulze: yes; Herrick: yes; VanBuren: No. Motion passes.

4. Review and Discussion of Update to the Lima Township Master Plan.

Pacheco discussed changes. Map was changed a bit. Decreases in Future Land Uses near their NE border with us at I-94 was changed to agricultural. This is more in compliance to what we have in those locations.

Planning Commission has no comments to Lima Township about these changes.

Comments/concerns of the Planning Commission members

Comments about revisiting the future use of Robin Hills Farm.

A Doodle-poll is being planned for the Master Plan review.

A good time to discuss the future use of Robin Hills Farm would be during the Master Plan Review.

Motion to adjourn by Bareis, seconded by Herrick

meeting adjourned at 9:23 pm.

Reminder: next meeting is at 7:00 pm on April 18, 2024



SYLVAN TOWNSHIP

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Chelsea, Michigan 48118-9673
(734) 475-8890
Fax: (734) 475-8905

AGENDA ITEM: 1

DATE: April 18, 2024

TO: Planning Commissioners

FROM: Scott Pacheco, AICP, Planning and Zoning Administrator

RE: Zoning Text Amendment ZTA 24-003

Project History

At the Sylvan Township ZBA meeting on December 6, 2023, the Zoning Board of Appeals (ZBA) put forth a motion. The motion recommended that the Sylvan Township Planning Commission undertake and contemplate the development of an ordinance that would regulate mechanical equipment within the required side yard setbacks and would consider revising the LR district side yard setbacks for more appropriate distances based on the width of the property.

Both of the recommendation stemmed from ZBA review of multiple variance requests regarding setbacks in the LR district and mechanical equipment that was placed on the sides of homes within the required side yard setback for the zoning district in which the property is located.

At the January 9, 2024 the recommendation from the ZBA was discussed by the Township Board. The Township Board determined that this recommendation should be advanced to the Planning Commission and that they should consider comprehensive revisions to the LR district regulations and the regulations regarding mechanical equipment as necessary.

Section Sec. 30-116 of the Sylvan Township Zoning Ordinance allows amendments to be initiated by the township board, the township planning commission, or by petition of one or more property owners of the township, or by one or more persons acting on behalf of a property owner of the township. All proposed amendments shall be referred to the township planning commission for public hearing, review, and recommendations before action may be taken thereon by the township board.

Project Description

The following report for the proposed Zoning Text Amendment (ZTA) 24-002 is separated into two sections; The first section will review the regulations of Chapter 30 Zoning, Article III District Regulations, Division 6. Lr-Low Density Residential District and the second will review the possibility of adding regulations into Chapter 30 Zoning, Article IX. Supplemental Regulations, Section 30-809 regarding Mechanical Equipment.



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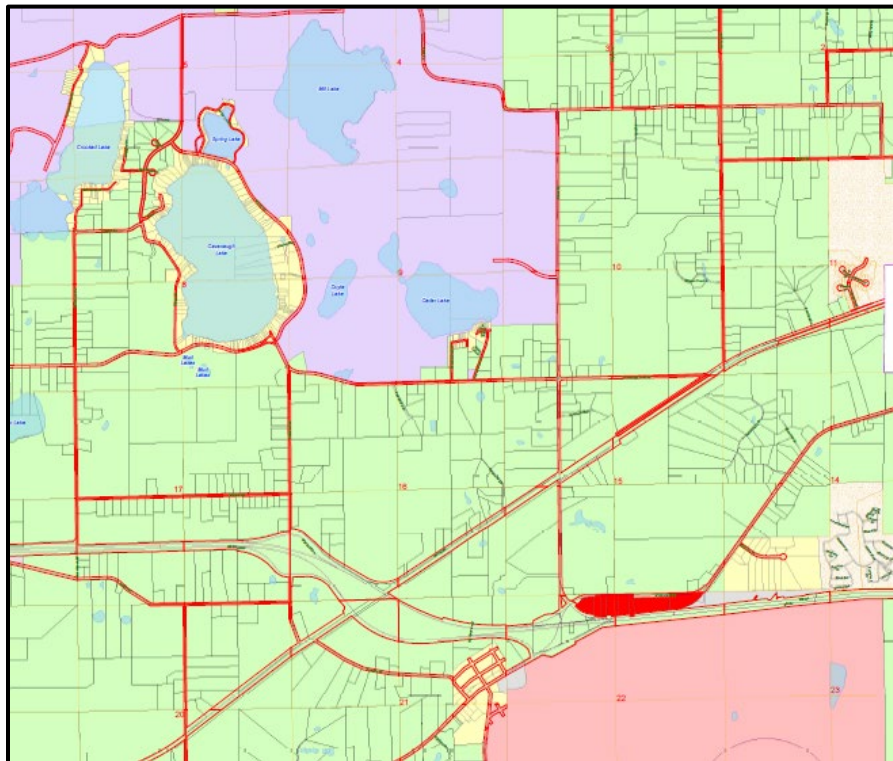
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Tonight meeting is not a public hearing on the ZTA. This meeting is to allow the Planning Commission members to review the staff suggestions and make any comments needed prior to the ZTA being noticed for a public hearing.

Low Density Residential District (LR):

The ZBA made the recommendation that the Planning Commission review the regulations in the LR zoning district based on the average size of a property zoned LR and the average width of a property zoned LR. If you look at the attached zoning map you can see 95% of the properties that have the zoning designation LR are adjacent to a lake. With the only two area that are not near a lake being the 18 parcels with access off of Chisholm Drive and the parcels that are part of the original Village of Sylvan plat off of Old US 12 near Farnher Road and the Municipal Offices.



Zoning Code	
	AG - Agricultural
	CJ - Consent Judgment
	GC - General Commercial
	LC - Local Commercial
	I - Industrial
	I-ART - Industrial Auto/Research/Tech
	LR - Low Density Residential
	MU - Municipal
	RC - Recreation Conservation
	SR-1 - Single Family Residential District 1
	MR

The property that are adjacent to the lakes are mostly smaller narrow lots. The existing LR district has the following size and setback requirements under section Sec. 30-348. Regulations and performance standards of the zoning code:

- (1) **Lot area.** *The minimum lot area in this district shall be one acre for single-family dwellings and accessory structures thereto. The minimum lot area for all other buildings and structures shall be three acres.*

SUPERVISOR
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- (2) **Lot width.** *The minimum lot width shall be 150 feet.*
- (3) **Lot coverage.** *The maximum lot coverage shall not exceed 20 percent.*
- (4) **Floor area ratio.** *The maximum floor area shall not exceed 20 percent of the lot area.*
- (5) **Yard setback requirements.**
 - (a) **Front yard:** *Not less than 50 feet. No fence shall be constructed in the front yard, except those fences to define lot lines, not to exceed three feet in height.*
 - (b) **Side yards:** *Least width of either yard shall not be less than 20 feet, except in case of a corner lot. Corner lots fronting upon public or private streets or roads shall have two front yards and two side yards.*
 - (c) **Rear yard:** *Not less than 35 feet.*

Because the majority of the lots in the LR district are adjacent to lakes, the lots do not meet the minimum lot area or lot width requirements for the LR zoning district. The rest of the regulations including the lot coverage, floor area ratio and setbacks are all designed for lots that would meet the minimum lot area and width regulations. Because of this in order to build a new home, add to an existing home or build other improvements on these smaller sites, many times variances to the setbacks, floor area ratio and lot coverage are needed.

The zoning code under section 30-839. - Nonconforming lots of record (a) allows lots that fail to meet the requirements for area or width, or both, to be built on as long as that improvements meet the other regulations of the code such as setback, floor area, lot coverage, and height.

In an attempt to allow the appropriate construction on these existing smaller legal lots of record in the LR zoning district without the need to request and approve a variance it is staff option that the setbacks, lot cover, and floor area ration should be designed based on the size of the properties.

Example Revisions to Section 30-348:

- (1) **Lot area.** *The minimum lot area in this district shall be one acre for single-family dwellings and accessory structures thereto. The minimum lot area for all other buildings and structures shall be three acres.*
- (2) **Lot width.** *The minimum lot width shall be 150 feet.*
- (3) **Lot coverage.** *The maximum lot coverage shall not exceed 20 percent of the lot area, unless the lot is less than 1 acre than the maximum lot coverage shall not exceed 30 percent of the lot area.*
- (4) **Floor area ratio.** *The maximum floor area shall not exceed 20 percent of the lot area, unless the lot is less than 1 acre than the maximum lot coverage shall not exceed 30 percent of the lot area.*
- (5) **Yard setback requirements.**
 - (d) **Front yard:** *Not less than 50 feet. No fence shall be constructed in the front yard, except those fences to define lot lines, not to exceed three feet in height.*



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(e) Side yards: Least width of either yard shall not be less than 20 feet, except in case of a corner lot, *unless the lot width is less than 80 feet wide than use the setbacks in the table below.*

<i>Lot Width</i>	<i>Required side yard setback</i>
<i>40 feet or less</i>	<i>5 feet minimum</i>
<i>50 feet or less greater than 40 feet</i>	<i>5 feet minimum/ 15-feet aggregate</i>
<i>60 feet or less greater than 50 feet</i>	<i>10 feet minimum</i>
<i>70 feet or less greater than 60 feet</i>	<i>10 feet minimum/ 25-feet aggregate</i>
<i>Less than 80 feet, greater than 70 feet</i>	<i>15 feet minimum</i>

- (f) ~~Corner lots fronting upon public or private streets or roads shall have two front yards and two side yards. Lots with multiple property line with frontage upon public or private streets or roads shall have multiple front yards, except if the lot abuts a lake than the lots shall have multiple rear yards.~~
- (g) Rear yard: Not less than 35 feet.

By changing the Setbacks, Lot Coverage and Floor Area Ratio regulations but not revising the lot area and lot width regulations for these existing legal non-conforming lots of record will be allowed to be developed with appropriate size improvements, without allowing any more properties to be created in the LR zoning district than currently allowed.

Mechanical Equipment:

The ZBA made the recommendation that the Planning Commission review the regulations regarding Mechanical Equipment being placed within the side yard setback. This request is in response to generators being proposed on properties within the LR district within side yard setback as most of the home in the LR districts are on the lakes and the homes on these lots are build right up to the minimum setback leaving no room for mechanical equipment on the sides of the homes.

Surrounding Municipalities:

Lyndon Township:

Generator have specific regulations they are allowed to encroach into a required rear and side yard setbacks. However, if they are within these setbacks than the generator must utilize either a wall or vegetation to screen the generator from the neighboring property.



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Lima Township:

Does not allow generator to encroach into a required setback.

Grass Lake Township:

Allows generators and ac unit within the side yard setback as their required setbacks only apply to buildings and accessory buildings.

Hamburg Township:

Mechanical equipment has specific regulations in the Zoning Ordinance which allows mechanical equipment, on residential properties, such as ground-mounted air conditioners, full house generators, and similar machines, to project into any required yard setback a maximum of four feet provided they meet the noise regulations, are located closer to the subject building than the building on the neighboring properties and the mechanical equipment is screened from off-site views by either a vegetated screen or visual screen.

The Sylvan Township Zoning Ordinance currently has the following regulations that allow items to be within required yard setbacks:

DIVISION 1. – GENERALLY

Sec. 30-182. - Application of regulations.

(b)Density and height regulations.

(3)Yard exemptions. Notwithstanding yard regulations set forth in this chapter, the following plant materials and structures may be located anywhere on any lot: Window awnings, flag poles, hydrants; laundry-drying equipment, arbors, trellises, recreation equipment, outdoor cooking equipment; sidewalks, trees, plants, shrubs and hedges; and light poles. Anything to be constructed, placed, planted or allowed to grow, shall conform to the provisions of section 30-791

(6)Yard measurements. Required yards shall be measured on a line that is perpendicular to a lot line to the face of a building or structure if the roof overhang or other projections is three feet or less, or to the outer edge of the roof or other projection if the overhang or other projection is more than three feet from the face of the building or structure.

I would suggest that changes are proposed to allow Mechanical Equipment to project into a required yard setback that section 30-182 (b)(3) be amended to reflect these changes as follows:

(3)Yard exemptions.

a. Notwithstanding yard regulations set forth in this chapter, the following plant materials and structures may be located anywhere on any lot: Window awnings, flag poles, hydrants; laundry-drying equipment, arbors, trellises, recreation equipment, outdoor cooking equipment; sidewalks, trees, plants, shrubs and hedges; and light poles.

ESTABLISHED 1835



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Anything to be constructed, placed, planted or allowed to grow, shall conform to the provisions of section 30-791

b. Notwithstanding yard regulations set forth in this chapter, mechanical equipment on residential properties such as ground-mounted air conditioners, full house generators, and similar machines may project up to 5 feet into a required yard setback as long as the equipment is not closer than 5 feet from a property line and all other regulations are met.

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