

Holly Township
Planning Commission – Regular Meeting
Minutes of June 8, 2009

Call to Order: Chairperson Lalaine Kilbourn called the June 8, 2009 Regular Meeting of the Holly Township Planning Commission to order at or about 7:00 p.m. at the Holly Township Hall, 102 Civic Drive, Holly, Michigan.

Roll Call:

Commissioners Present:

Lalaine Kilbourn, Chairperson
George Barton
Lloyd Kernen
Mark McHalpine
Ted Gurski
Steve Ruth
Rick Stevens

Staff Present:

Laura DeVault, Building & Zoning Administrator

Others Present:

Janet Leslie, Trustee
Larry Lilly
Brian Oppmann, Carlisle/Wortman
John Lauve

Agenda Approval:

- **Commissioner Ted Gurski moved to approve the June 8, 2009 Agenda, as written. Chairperson Lalaine Kilbourn supported the motion. A voice vote was taken; all those present voted yes; the motion carried.**

Approval of Minutes:

- **Commissioner Lloyd Kernen moved to approve the minutes of May 11, 2009, as written. Commissioner Ted Gurski supported the motion. A voice vote was taken; all those present voted yes; the motion carried.**

Communications:

1. Planning Commission Bylaws adopted May 11, 2009
2. Resolution 2009-10 Boards and Commissions Meeting Dates

Commissioner George Barton questioned whether everyone was comfortable with the change in the Planning Commission meeting time. It has come up before and members had difficulty getting here by 6:30. The meeting time can be set by the Planning Commission; there is no obligation to start at 6:30.

Commissioner Lloyd Kernen stated he can get to meetings by 6:30 p.m.

Chairperson Lalaine Kilbourn noted when the meeting time changed from 7:30 to 7:00, the meetings still lasted the same length of time. 6:30 is early for the public. Many people work until 6:00. She would prefer to keep it at 7:00, especially during the winter months when there's bad weather.

Commissioner Ted Gurski stated he prefers 7:00 also.

Commissioners Stevens, McHalpine and Ruth indicated they could make either meeting time.

Commissioner Rick Stevens noted the 6:00 Zoning Board of Appeals meetings may not be done by 6:30 in time for the Planning Commission to start.

Chairperson Kilbourn indicated this is the end of a fiscal year. Clerk Karin Winchester prepared budgets showing that quarterly Planning Commission meetings would be a cost-cutting measure. There have been times in the past the Planning Commission didn't meet because there was nothing on the agenda.

Mr. Brian Oppmann, Carlisle/Wortman, questioned whether everyone should still keep the second Monday of the month open in case someone submits a site plan.

Chairperson Kilbourn stated everyone should keep the second Monday of the month open in case an applicant comes in.

Commissioner Barton questioned if an applicant submits a site plan and an unscheduled meeting is held, whether the applicant would pay.

Chairperson Kilbourn noted the Township will have to determine that.

Commissioner Barton questioned what the law states regarding frequency of Planning Commission meetings.

Mr. Oppmann indicated the new planning act indicates Planning Commissions must meet at least four times a year, minimum.

New Business: No new business.

Public Hearing:

1. Proposed Master Plan Amendment

➤ **Chairperson Lalaine Kilbourn moved to open the Public Hearing on Proposed Master Plan Amendment. Commissioner George Barton supported the motion. A voice vote was taken; all those present voted yes; the motion carried.**

Mr. Larry Lilly, 110 Clarence Street, thanked Mr. Oppmann for providing him a map and other materials.

Mr. John Lauve, 200 North Saginaw Street, indicated the Master Plan Amendment reflects that homes on Quick Road have been moved into the planned residential area. It's not fair to the Quick Road residents to move them into Silverman City.

Chairperson Kilbourn noted the darker line around the area is a sewer and water district.

Mr. Brian Oppmann indicated the planned residential future land use category is destined for PUD type projects or coordinated plan projects like Riverside development, coordinating open space, et cetera.

Ms. Janet Leslie, 460 Otter Run, noted she e-mailed comments regarding the Master Plan Amendment as a Township Board member. As a resident, she believes the next time there is a master plan update, it would be valuable to solicit input from residents at a visioning meeting similar to what was done in 1997.

Residents come to meetings reacting to something, which is different than sharing ideas for the direction of the Township.

Commissioner Barton indicated the Planning Commission asked for a visioning workshop and they were shot down.

Chairperson Kilbourn stated she fought very, very hard for a visioning workshop. A minor redo is done every five years and a major redo every ten years. This was a ten year. The Board, for cost purposes, said no. The Planning Commission had to fight to even get what they had.

Commissioner Barton indicated the master plan redo was Commissioner Ruth, Chairperson Kilbourn and himself as a subcommittee to save costs, along with Mr. Oppmann.

Ms. Leslie noted many successful communities do a joint Master Plan with a community that shares both an economic and cultural situation; for example, the Village of Milford and Milford Township. Holly Village and Holly Township are in a similar situation. During the next Master Plan update, it would be valuable to consider working together with Holly Village.

- **Chairperson Lalaine Kilbourn moved to close the Public Hearing on Proposed Master Plan Amendment. Commissioner George Barton supported the motion. A voice vote was taken; all those present voted yes; the motion carried.**

Old Business:

1. 2009-2010 Mining Permit application for parcel #01-12-251-001, 01-12-251-009 & 010, Middleton Sand & Gravel.

Chairperson Kilbourn noted this was previously postponed. She questioned whether Middleton Sand & Gravel had submitted any additional items.

Ms. Laura DeVault, Building & Zoning Administrator, indicated though Middleton hasn't submitted it, they have purchased an aerial photograph from Air-Land Survey and are in the process of adding it to their plans and resubmitting them to the Township.

- **Commissioner George Barton moved to table 2009-2010 Mining Permit application for parcel #01-12-251-001, 01-12-251-009 & 010, Middleton Sand & Gravel until the regular September meeting. Commissioner Steve Ruth supported the motion. A roll call vote was taken. Ruth: Yes; Kern: Yes; McHalpine: Yes; Stevens: Yes; Gurski: Yes; Barton: Yes; Kilbourn: Yes. The motion carried with a 7/0 vote.**

Ms. DeVault indicated she spoke to Randy Ford from Hubbell, Roth & Clark and Clerk Winchester, who receives the submittals from the mining operations. Mr. Ford said it wasn't a large issue. In the past we have permitted the applicant to submit during the permit year or the following year. She also spoke to Middleton Sand & Gravel's attorney, Mr. Ray Foley, and he indicated it would be provided in the next few days. The Board of Trustees asked that the Planning Commission make a recommendation to approve or not approve so the item can be on the Board's next agenda.

Ms. DeVault indicated, as a point of order, when you table something, it means you can take it off the table and discuss it during the same meeting. If you would like to postpone it, it would be moved to the next meeting's agenda.

Commissioner Barton noted if an item is not taken off the table, there's no action taken on it and you're effectively postponing it.

Chairperson Kilbourn noted last month she wanted to take action on this; either approve or not approve. Ms. DeVault was the one who said that we should postpone it and now she's saying that the Board wants the Planning Commission to take action on it.

Ms. DeVault stated Mr. Jamie Burton from Hubbell, Roth & Clark may have indicated it could be postponed. Ms. DeVault indicated a recommendation could be given to the Board for or against.

Commissioner Barton noted Middleton is always dead last in their submissions.

Ms. DeVault noted that Middleton Sand & Gravel has new owners.

Chairperson Kilbourn indicated it has been postponed.

Ms. DeVault stated it was discussed at the pre-planning meeting that a recommendation would be asked for to approve or not approve so it could go forward to the Board of Trustees.

2. Annual Report

Chairperson Kilbourn noted Commissioner Barton has prepared the 2008 Annual Report, an overview summary of what happened last year.

Commissioner Barton read the 2008 Annual Report. He noted 2008 was the end of an era for several reasons. It was the last year of monthly Planning Commission meetings; the last year that Commissioner Bill Angus was here; the last year Mr. Barton was chairman; it was the last year there was a Board of Trustees that was pretty stable, chaired by Dale Smith for 12 years; it was the first Master Plan developed by a subcommittee and it was the first Master Plan that will be approved by the Board and not by the Planning Commission.

Chairperson Kilbourn noted the last line should be stricken.

Commissioner Steve Ruth questioned what was required to be in the Annual Report.

Chairperson Kilbourn stated Article 8 in the Bylaws speaks to the Annual Report, then read from Article 8.

3. Budget:

Chairperson Kilbourn noted language was needed to back up the Research/Development district.

Mr. Oppmann stated the Master Plan calls for a Research/Office category that aligns itself with a number of zoning districts. Another item that could be developed is a Wind Energy Conversion System ordinance. Two communities he works with have developed one. Carlisle/Wortman developed language for the communities and they both went their separate ways on a number of issues. The language can be aligned to work for Holly Township. Though the Township has a 99.9% chance of never seeing a commercial windmill farm, regulations still need to be in place to protect general health, safety and welfare; whether its setback regulations or other safety features. Both the Wind Energy Conversion System ordinance and the Research/Development language could be done individually for \$500.00 each.

Commissioner Kernen noted he has done research on wind generators. One that he looked at reflects there is a 40 year payback.

Commissioner Barton indicated, with only four meetings a year, the Planning Commission will be reactive and not proactive. He recommended not planning for things that will require hours spent on them during meetings because the agenda is going to be full.

Chairperson Kilbourn noted if an additional meeting is needed, it can be set. In the past the Planning Commission has opted to have their monthly meeting even if there wasn't a full agenda to work on bettering the Township and being proactive. At one time the Planning Commission discussed something similar to a key holding ordinance. She believes Carlisle/Wortman prepared language on it. She would like it brought back and discussed again. Community forums could also be held, along with costs for brochures and maps prepared for residents attending meetings.

Commissioner Mark McHalpine suggested making material available on the website for residents to access and download what they want.

Chairperson Kilbourn indicated the Planning Commission could review all the ordinances to see if anything needs to be changed.

Mr. Oppmann noted he believes the Township has done a good job staying up to date on major issues regarding Township ordinances.

Commissioner Ruth suggested better planning could be looked at for future commercial buildings -- appearance, style, materials, roofs and signs -- and coordinating that with the Village.

Chairperson Kilbourn noted commercial architectural guidelines to regulate building form and mass (building materials, rooflines, and common signage) was listed on a 2006 priority list.

Commissioner Barton suggested developing a better rapport with Grand Blanc and Fenton Townships and attending their meetings to learn what's going on around us.

Chairperson Kilbourn noted in the past she has attended both Grand Blanc and Fenton Township meetings, reporting back to the Supervisor and the Planning Commission.

Commissioner Stevens indicated more seminars should be attended.

Chairperson Kilbourn noted there is money in the budget for Planning Commission members to attend conferences and seminars. Attendance can be approved through the Supervisor or the Clerk.

Commissioner Gurski suggested budgeting each year to cover the next master plan update.

Master Plan Update:

Mr. Oppmann noted he provided a four-page summary of public input incorporated into the Master Plan, as well as input from the Township Board of Trustees and staff, and also Oakland County Planning. He reviewed the major changes with the Commission and the reasons for them. Many changes are just corrections. He noted an area of disagreement is the future land use of the Renaissance Festival. A comment was made that it should be changed, but it's a three-year special land use. He doesn't see that changing in the near future. It's zoned AGRE but the future land use is Institutional. If the Renaissance Festival decided three years from now to move, the Township should take another look at the zoning. You can always amend the Master Plan.

Commissioner Barton questioned whether Mr. Oppmann knew what the odds were that the State of Michigan would begin to sell land.

Mr. Oppmann indicated he didn't know the answer to that. Holly Township's plan states if the State does choose to sell land, the Township will assess what's being sold, then make a determination on future land use, if and when that happens. The Township would receive property transfer affidavits if something sells. Just like the Renaissance Festival, the Township should be prepared if that happens.

Chairperson Kilbourn suggested having Mylar overlays in the Township's copy of the Master Plan.

Administrator DeVault reviewed her comments regarding the Master Plan map. An area in the northeast is incorrectly indicated as Planned Residential and should be Multi Family as it is not part of the Paragon PRUD. Also, open space areas in developments should all be resource/conservation green and not white.

Mr. Oppmann noted there was a suggestion to add corridor studies to the Master Plan. The Board requested Carlisle/Wortman and the Planning Commission do a full-blown land use study for the North Holly Road Corridor. At subcommittee level it was decided because the economy took a downward turn, in lieu of doing that the section could be beefed up. There hasn't been a movement of more intense uses for several years by Grand Blanc Township. In the future, Grand Blanc and Holly Township can discuss screening and buffering the one piece of industrial property from Holly Township's residents.

Chairperson Kilbourn clarified, when she asked the Board where this request came from, it was indicated the request came from one person.

Administrator DeVault stated on Page 3 it indicates we were revising the Master Plan 2008 and it should read 2009.

Administrator DeVault noted that the Holly Township Parks information was not complete. She provided Mr. Oppmann with a summary of changes requested by the Parks & Recreation Department.

Commissioner McHalpine noted on Page 29 under Groveland Oaks, the park is not open year-round; it's seasonal. They also don't have 600 campsites; it's more like 254.

Mr. Oppmann stated he would check Groveland Oaks' website to get the number of campsites.

Administrator DeVault stated in the school section it says that all of Holly Township is Holly Area Schools. There is a small area in Holly where students attend Grand Blanc Schools.

On Page 31 there is a table for the schools. It lists Wellspring Carl Richter Campus in Holly Township. Carl Richter is actually in the Village of Holly.

On page 31 where it reads Mt. Holly has 13 runs, it should read it has 19 runs. The other updates she provided for this item were completed.

Chairperson Kilbourn suggested any changes Administrator DeVault recommends should be passed on to Mr. Oppmann. If Mr. Oppmann deems any of them relevant, they will be made. Administrator DeVault asked Chairperson Kilbourn if she may continue with review comments.

Administrator DeVault indicated Trustee Leslie's comment regarding adding safety paths to the Master Plan were discussed at the last Planning Commission meeting. Safety paths need to be added on Pages 69 and 71 as discussed previously. Also, a number of residents submitted a petition to request that the mining district future land use category be changed to AGRE.

Chairperson Kilbourn noted part of residents' concerns will be addressed when the language is done for the Research/Office ordinance.

Administrator DeVault stated there is an inconsistency between the future land use map and the text on Page 58. The area west of the Village is no longer a large multi-family development. She asked that Mr. Oppmann revise the sentence.

Chairperson Kilbourn questioned if the Master Plan Update was recommended for approval to the Board of Trustees and approved at the next Board meeting, when it could be anticipated the Planning Commission members would receive copies. She also requested Mr. Oppmann to prepare a cost estimate for the hard copies Carlisle/Wortman would prepare, along with a disk.

Chairperson Kilbourn indicated she would get a few drafts of a cover page for the Master Plan together and e-mail them to the Planning Commissioners to decide which cover idea they would prefer.

Mr. Oppmann suggested Chairperson Kilbourn send the drafts to his office. He has programs which may help design the cover page.

Commissioner McHalpine noted by calling the Master Plan the 2010 Master Plan, it would be an easy reference to when a five-year or ten-year redo is required. If the year ends in 5, it's time for a five-year redo; when the year ends in 0, it's time for a major redo.

Chairperson Kilbourn thanked Mr. Oppmann and the subcommittee for their work on the Master Plan Update.

- **Commissioner George Barton moved to recommend approval to the Holly Township Board of Trustees of the Master Plan Update based on the material received by the Planning Commission tonight, June 8, 2009, including changes to the text and maps that were suggested tonight. Commissioner Steve Ruth supported the motion. A roll call vote was**

taken. McHalpine: Yes; Stevens: Yes; Gurski: Yes; Barton: Yes; Kilbourn: Yes; Ruth: Yes; Kernen: Abstained. The motion carried by a 6/0 vote, with 1 abstaining.

Public Comment:

Ms. Leslie stated she is pleased with the budget discussion. The community will appreciate the Wind Energy Conversion ordinance suggested by Mr. Oppmann. Residents also have concerns regarding the commercial architectural design standards that Mr. Ruth suggested. Another idea for protecting the aesthetics of the community would be to consider an ordinance that would protect structures of historical significance. She also appreciates that money will be set aside yearly to budget for the Master Plan.

Mr. Lilly noted this is one of the best meetings he's been to. The Township has to concentrate more on residents and put a package together for them to pick up as they come into a meeting. There should be three or four extra packages. You should have a mindset that you work for 10,000 residents that live in the Holly community. You have to have microphones. He didn't hear that budgeted in.

Reports:

Commissioner Rick Stevens indicated his report should be called Report/Comments. As the remediation process for the mining properties should be starting to take place, someone has to invest some time and develop a relationship with those involved in the operations rather than sending out notices and reminding them that we have court injunctions, et cetera.

Chairperson Kilbourn noted Supervisor Lambert has been working on it.

Commissioner Stevens stated he was glad to hear that. If Genesee County puts a water line in, things could change on a dime in the area. He also commented that the truck facility across from the Holly Donut Shop has a wall that's half down. He's never seen what was in there before this; it's a mess. The DNR should be checking this place out. When we have the Taste of Holly in July and people see that disaster, it's a sad thing. We have some very influential people in this community. Mr. Bullard is a County Commissioner and he resides in Holly. He would know things regarding how Oakland County could help the community. For example, Genesee County tourism has a convention tax they put on hotels. The money was originally set up to pay for promotions to get people to come into Genesee County. There was a loophole in the law where you could use the money to build capital improvement projects to draw tourists. Someone has to dig in the corners on some of this. Mr. Bullard may know those things. Nancy Cassius attends functions in Holly. She attended the retirement party for former Holly Township Treasurer Bernice Alexander. The Motts live in Holly. He can envision a multi-use facility in the area for residents to gather, possibly where the truck plant and the car dealership are, which are an eyesore. The Planning Commission's job is to plan and think.

Chairperson Kilbourn noted the Planning Commission has now been limited to four meetings. Previously they could plan proactively.

Commissioner Stevens stated we get out of it what we put into it; it doesn't matter if there are four meetings or twelve meetings. There is so much talk going on in this community with no facts to justify comments, which only generate hostilities and hard feelings. Until there is actual hard-core information,

the opinions that are coming out are worthless. They're killing time and not helping out the community. Unless you've got something to say and you can back it up, you shouldn't say it, period.

Commissioner George Barton indicated he believes the Township should take a much more active role in planning with more detail the sand and gravel businesses. He suggested hiring a landscape architect to ensure the mining operations don't become dumps. A lot of time was spent bonding them and other things. It's getting to the point where a baseline needs to be set for reclaiming the area and estimating it from an engineering cost and try to change the bonding.

Commissioner Mark McHalpine reported the previous Saturday a few Planning Commission members got together with former Planning Commissioner Bill Angus while he was in town. Mr. Angus sent his regards to the Planning Commission members who didn't make it, wishing they could have.

Commissioner McHalpine noted there have been many complaints regarding not being able to hear each other during meetings. He suggested to Clerk Winchester that if the wall behind the staff desk were bumped in and a doorway was made, with the present meeting room divided into two rooms, you have a conference room and office. If the other office is completely moved out and the meeting room was held in the rectangular area on the other side of the building, it's wide open and everyone could hear much better. At present, the shape of the meeting room provides a lot of echo and feedback. You could use a reciprocator saw, slide the wall back, replace the carpet and it's a cheap solution. You could also accommodate more people in the meetings.

Chairperson Kilbourn reported she will put a letter of recommendation together for Bill Angus for Planning Commission members to sign and forward to him. She indicated, when looking at the budget, subscriptions/tuition is budgeted for \$1,000.00 for training or subscriptions. As a reminder, the next meeting isn't until September but keep the second Monday of every month open.

Commissioner Kernan reported he has received material from Supervisor Lambert regarding training and he has sent it in to Clerk Winchester for approval.

Commissioner Ted Gurski indicated he wanted to agree with Commissioner Stevens' comments. There are many powerful people in the Township that could bring a more positive attitude between the Township and the Village. It seems there are always a handful of people who make comments in the newspaper that may be unfounded. There are others who don't come to meetings or talk to the other side, and they never realize the comments are unfounded. He indicated when his wife reviewed some minutes she indicated she would never open a business in Holly; the Planning Commission gives everyone a hard time and costs a lot of money compared to the Village. When the economy is the way it is and you're trying to figure out ways to bring business in, it's depressing. He doesn't know what the Planning Commission can do or citizens to try to change the perceived bad blood between the Township and the Village. There may be bad blood between two or three people, but he has nothing against anybody in the Village. He's lived here 20 years and he's never heard anyone in his neighborhood say anything bad about the Village. He doesn't know where it comes from. If he can be part of the solution, he'd like to do that.

Commissioner Steve Ruth: No report.

Administrator DeVault reported the engineer from Gould Engineering, Lisa Easterwood, representing the YMCA, indicated they may be prepared in July to present to the Planning Commission, pending satisfactory reviews by the planner and engineer. The new meeting schedule was sent to Ms. Easterwood, indicating they would have to pay for a special meeting. It was indicated to Ms. Easterwood the Planning Commission would prefer to keep meetings the second Monday of the month, as a quorum is needed and the Commissioners' schedules follow along that line.

Mr. Dan Parker from Parker Engineering & Design is looking at opening up a knitting shop, in an existing non-conforming structure. He made an escrow deposit and will meet with the Township engineer. Also, Mr. Behrendt on Grange Hall Road is exploring the idea of continuing the greenhouse as a tree nursery.

Ms. DeVault indicated she attended the zoning administrator's certification program that was offered by Michigan State University land use planning hosted at Oakland County, which was four weeks on Wednesdays. She took her certification exam. She can now prepare a report and present it to the Clerk and Supervisor and make recommendations on how we can make changes in our ordinance, work on office procedures and guidelines. There was a great deal of information. They received a large amount of material to bring home with them; including samples of forms and procedures for other communities, and information on case law.

The Michigan Renaissance Festival is requesting they be the new host for an event that's been held for 10 years in Macomb County Parks. The event raises money for children through the Children's Miracle Network. There are a great deal of sponsors, including Motor City Harley and WRIF. That would be under the outdoor gatherings ordinance and would go before the Board of Trustees. Additional potential sponsors will be contacted. It probably will be held August 1st, 2009. In 2007 they had 15,000 people attend.

Adjournment: Chairperson Lalaine Kilbourn, hearing no other business, adjourned the meeting at 9:19 p.m.

Zo Turner, Recording Secretary
Holly Township