**CHARTER TOWNSHIP OF HAMPTON**

**PLANNING COMMISSION**

**JUNE 14, 2018**

The regular meeting of the Charter Township of Hampton Planning Commission was called to order at 7:00 p.m. by Chairperson Basket in the Hampton Township Hall.

PRESENT: Brey, Talaga, Klass, Basket, Helminiak, Dewyse

ABSENT: Mulders

ALSO PRESENT: Sheppard, Hebner, Close, Schafer-Andress, Joe Dewyse, Benchley and 23 people in the audience.

Motion by Helminiak seconded by Dewyse that the minutes of the April 12, 2018 and April 19, 2018, meetings be approved and that the reading of the minutes be waived. Motion carried.

NEW BUSINESS:

John May Jr., 323 Ridge Rd., appeared before the board to request a special use permit for a farm land split with non-conforming accessory buildings.

Discussion was held on the following: The aerial photo shows three accessory buildings. One can be used as a garage. It was clarified that the very small structure that looked like a building was a travel trailer. Therefore there are only two accessory buildings on the property. All setbacks are met with the accessory buildings. Applicant no longer has any horses. The potential buyer of the 5 acre property is aware that they are only allowed one horse. A covenant needs to be recorded at the deeds office stating that if one building was destroyed it cannot be rebuilt.

At this time the meeting was open to the public.

Motion by Klass seconded by Brey to approve the special use permit to John May Jr., 323 Ridge Rd., for a farm land split with non-conforming accessory buildings with the following conditions: Proper drainage must be approved by the building inspector, and a covenant recorded at the Register of Deeds Office.

AYES: Klass, Brey, Dewyse, Helminiak, Basket, Talaga

NAYES: None

ABSENT: Mulders

Motion carried.

Dustin Gwizdala, W Borton Rd., appeared before the board to request a special use permit for the construction of a residential ½ acre pond.

Discussion was held on the following: Rob’s notes were discussed. Drainage is the biggest issue with the public. No fence was indicated. No grading plan was submitted, a better site plan is needed, a soil erosion permit is required, as well as a building permit. The stagnation of water, the source of water, and the capacity of the pond has to be stated on the site plan. The slope is three to one. At 10’ out into the pond it will be 3’ deep.

The pond will be aerated and stocked with fish and also contain blue dye. The pond will be approx. 500-600 feet back on the property. Site plan drawings are lacking information. The spoils from the pond will be used on site to build up the property where a house will be built.

At this time the meeting was open to the public:

Tim Paradise, 1570 N Knight, expressed concern of an inadequate site plan. He would like to see elevations, a topographical view and where the dirt is going. Mr. Paradise is also very concerned about draining onto his property.

Don Bokhart. 1626 N Knight, is concerned about increased flooding issues on his property. Doesn’t want this pond runoff to go onto his property.

Wade Schaefer, 1584 N Knight, is concerned about the drainage going onto his property if the applicant installs berms and builds his house on a high elevation.

Dennis Hutchinson, 404 W Borton Rd, stated he is not opposed to the pond and that the lot and field are tiled from the previous farmer. The storm drain is on the north side of this property.

Steve Wisniewski, 1670 Kaczmarek, doesn’t want anymore more water on his property than what is already there.

Alan Garwick, 395 Hampton Rd, is concerned about more flooding to his property. A 2” drain is not large enough.

Discussion continued: The attorney discussed the concerns about the failing township drainage system and that a special assessment can be placed on specific township properties to have the drainage issues corrected.

At this time the meeting was closed to the public.

Discussion continued again in regards to what the planning commission can do at the meeting. The special use can be granted and the site plan review be tabled until the next meeting so the applicant can provide a more accurate site plan including the topographical information. A fence of at least 4’ high with a self -locking gate be installed and shown on the site plan.

Motion by Talaga seconded by Brey approve the special use permit to Dustin Gwizdala, W Borton Rd., for the construction of a residential ½ acre pond with the following conditions: A more accurate site plan showing exactly where the spoils are going to be deposited, the exact depth of the pond, a 4’ fence and self-locking gate, and drainage plan. The board is also looking for a topographical study information.

AYES: Talaga, Brey, Helminiak, Dewyse, Klass, Basket

NAYES: None

ABSENT: Mulders

Motion carried

Dustin Gwizdala, W Borton Rd., appeared before the board to request a site plan review for the construction of a residential ½ acre pond.

After discussion from the Special use permit the planning commission can table the site plan review for more accurate information on the site plan.

Motion by Dewyse seconded by Helminiak to table the site plan review until the next meeting in which an acceptable site plan is provided showing the conditions in the special use permit. Motion carried.

A public hearing was held on the approval of the amendment to the Master Plan in regards to the Planned Enterprise District.

At this time the meeting was open to the public: No one addressed the board. The township did not receive any comments from the surrounding communities.

Motion by Talaga seconded by Klass to accept the amendment to the Master Plan for the future land use map and the planned enterprise district.

AYES: Talaga, Klass, Brey, Helminiak, Dewyse, Basket

NAYES: None

ABSENT: Mulders

Motion carried

The planning commission discussed the planner’s notes regarding changing the special use permit requirement for farm land splits to an administrative approval. Leaving the approval process the way it is would make it less likely for error approval. There would be more eyes to look at the submission. It was agreed upon that the special use permit process for farm land splits would remain the same.

The planning commission discussed regulating short term rentals, i.e, Air BNB rental properties. The township doesn’t have the regulations that cities have in keeping track of rental properties. Air BNB’s are not something the planning commission would like to pursue at this time.

Motion by Talaga seconded by Helminiak to not get involved in Air BNB rental properties at this time and re-look at the issue in a year or as the demand grows. Motion carried.

COMMUNICATIONS:

A memo from Supervisor, Close, was handed out in regards to New Hope Bay wanting to convert the model house in the front of the property to a day care center.

Discussion was held on the following: New Hope would have to amend their special use permit and also amend their site plan. This building would be leased to Bay Arenac ISD free of charge as a satellite daycare location.

A memo was handed out from in regards to the township regulating and enforcing a rental policy for houses in the township. There seems to be a lot of issues with people renting houses in the township and having no respect for the neighbors. Ordinance 42, nuisance and disorderly conduct would apply to rental situations.

OPEN TO THE PUBLIC:

John, New Life Church discussed that they would like to open and operate a church at 1465 Center Ave, the old Hampton 6 Theatre. This building would be leased from Do All. Churches are not allowed in the B1 zone, however assembly halls are. There is not a definition of an assembly hall in the current zoning ordinance. Google defined an assembly hall as a gathering for schools or churches.

The owners would need to come for a special use for change of use and also a site plan.

Motion by Basket seconded by Dewyse that the meeting adjourn. Motion carried. Meeting adjourned at 9:15 pm.

 Respectfully submitted:

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 Mark Basket, Chairperson

 Jodie Hebner, Recording Secretary