

**CHARTER TOWNSHIP OF HAMPTON  
PLANNING COMMISSION  
JULY 11, 2019**

The regular meeting of the Charter Township of Hampton Planning Commission was called to order at 7:06 p.m. by Chairperson Basket in the Hampton Township Board Room.

PRESENT: Mulders, Klass, Dewyse, Basket, Talaga

ABSENT: Brey, Leinberger

ALSO PRESENT: Sheppard, Eggers, Hebner, Joe Dewyse, 18 people in the audience.

Motion by Talaga seconded by Klass that the minutes of the June 13, 2019, regular meeting be approved and that the reading of the minutes be waived, the with change of motion from Brey to Klass for the SUP for the little league complex. Motion carried.

Motion by Talaga seconded by Mulders to add to the agenda discussion regarding Weaver Investments. Motion carried.

**UNFINISHED BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

Fisher Contracting, representing Ron & Pam Henika, Arms Rd, appeared before the board to request special use permit for the construction and operation of a residential pond.

Chairman, read a letter submitted by fisher addressing the roads and what they would do to maintain them and fix them. They will pay \$50,000 to repair the roads and also place a \$100,000.00 bond to cover other road repairs caused by the trucks.

The planner discussed his review: there was no fence shown on the plans. Because of the slope, no fence is required. The pond is going to be 28' deep so there is no need for circulation. The water source is natural ground and rain water. The discharge will be worked out with the building inspector. All material will be trucked off site. The applicant will need to obtain a soil erosion permit as well as a building permit. There was also discussion regarding the roads and how the trucks are destroying them. The hours of operation would be from 7am until 6 pm Monday thru Friday. The trucks could go out Boutell Rd but the turn-out is not wide enough.

Discussion continued regarding the fence. The pond would be on vacant land and open to the public. A fence may be needed.

At this time the meeting was open to the public. No one addressed the board.

At this time the meeting was closed to the public.

Further discussion was held on residential areas deserving of fences, the planning commission can approve the truck route as well as the road commission. Bonding can be a condition of the motion. The applicant can deal with the circulation as the need arises. The planning commission can ask the road commission to require a bond as well. If a fence is required, make it as minimal as possible.

Motion by Basket seconded by Talaga to approve the special use permit to Fisher Contracting on behalf of Pam and Ron Henika, Arms Rd to construct and operate a residential pond with the following conditions: A minimum 4' fence be in place, future circulation can be looked at as necessary by the planning commission, road repairs be turned over to the road commission and ask them to evaluate the road conditions, the truck route be approved with a road commission, drain commission and a township agreement including a bond, the times of operation are M-F 7am – 6pm, and that the applicant maintain dust mitigation and mud control.

AYES: Basket, Talaga, Klass, Dewyse, Mulders

NAYES: None

ABSENT: Brey, Leinberger

Motion carried

Fisher Contracting, representing Ron & Pam Henika, Arms Rd, appeared before the board to request a site plan approval for the construction and operation of a residential pond.

Discussion was held on the same conditions as the special use permit.

Motion by Mulders seconded by Klass that the site plan be approved to Fisher Contracting, representing Ron & Pam Henika, Arms Rd, for the construction and operation of a residential pond with the same conditions as the special use permit.

AYES: Mulders, Klass, Basket, Talaga, Dewyse,

NAYES: None

ABSENT: Brey, Leinberger

Motion carried

Debbie Vermeesch, 1371 N Nolet Rd, appeared before the board to request a special use permit to split farm land from an oversized accessory building and combine that accessory building with her residential lot.

Discussion was held on the following: the applicant would like to move the barn back to the original parcel with the residential dwelling. The barn exceeds the size allowed for a residential lot. A covenant be signed by the seller and buyer and also recorded stating that no other accessory buildings are allowed and if something happens to the nonconforming building is cannot be rebuilt.

At the time the meeting was open to the public. No one addressed the board.

The meeting was closed to the public.

Motion by Talaga seconded by Klass to approve the special use permit to Debbie Vermeesch, 1371 N Nolet Rd, to allow an oversized accessory building be split from farm land and adjoined to a lot with a residential dwelling on it with the following condition: a covenant be signed and recorded showing no future buildings or expansions and that if something happens to the non-conforming building it cannot be rebuilt.

AYES: Talaga, Klass, Basket, Dewyse, Mulders

NAYES: None

ABSENT: Brey, Leinberger

Motion carried

Deborah Allen, 2724 W Center Ave, appeared before the board to request a site plan review for the renovation and operation of an oil change facility into a Verizon Wireless store.

The planner discussed his review. The setbacks are met, need clarification on the parking and floor area, no lighting plan shown, landscaping shown could be moved, all utilities are existing and there are no storm/sewer catch basins shown.

Discussion continued: there would be only three employees at one time. The applicant would ask the neighbors for a shared parking agreement so the employees could park across the street at that business. The lighting can be approved per the building inspector and/or the electrical inspector when completed.

Motion by Mulders seconded by Dewyse to approved the site plan to Deborah Allen, 2724 W Center Ave, to renovate and operate an existing building into a Verizon Wireless store with the following conditions: There be 10 parking spaces shown, the lighting be approved by the electrical inspector, a new conforming print be submitted, and the landscaping shown on the print be relocated closer to the building on the other side of the sidewalk.

AYES: Mulders, Dewyse, Basket, Talaga, Klass

NAYES: None

ABSENT: Brey, Leinberger

Motion carried

Discussion was held on Weaver Investments reapplying for a special use permit for the use of an Ag building for medical marijuana. The attorney is to check and see if reapplying after denial within one year is allowed. There would have to be a substantial

change in the previous application. What if the application demonstrates better noise control and odor control?

Motion by Mulders seconded by Basket to table the notice for a public hearing for Weaver Investments for a special use permit until proper research can be done in regards to allowing a reapplication within one year.

Rob reviewed the potential updates to the Medical Marijuana Ordinance. Since the ordinance is now staying in the township, should the zoning ordinance be modified? Discussion was held on the following: only allow it in the Planned Enterprise II district and take it out of the Agricultural district. Eventually medical and recreational marijuana may have the same conditions. The regular MM ordinance has the distance between churches and schools.

Motion by Klass seconded by Dewyse to table the change of the medical marijuana ordinance and send it to the board of trustees with the planner's changes and updates to approve or eliminate the ordinance.

AYES: Klass, Dewyse, Basket, Talaga, Mulders

NAYES: None

ABSENT: Brey, Leinberger

Motion carried

OPEN TO THE PUBLIC:

Russ Gorski, 65 E Borton Rd, asked the board the regulations on building a 40' X 60' pole barn on a residential lot. If he could build a 2000 sq ft building, he would like the sidewalls to be 16' to store his 5<sup>th</sup> wheel. He also currently has a pool house as well. Mr. Gorski was advised to apply for variances to the zoning board of appeals showing his hardship as to why he cannot comply with the zoning ordinance.

Shane Schmidt of Farm Bureau Insurance presented to the board a site plan to operate his insurance business out an existing building that was a furniture repair store. Mr. Schmidt was advised of the proper procedure to follow to apply for a site plan review.

At this time the meeting was closed to the public.

Motion by Dewyse seconded by Talaga that the meeting adjourn. Motion carried.  
Meeting adjourned at 9:25 pm.

Respectfully submitted:

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Mark Basket, Chairperson

Jodie Hebner, Recording Secretary