

ATTICA TOWNSHIP  
MINUTES OF THE  
PLANNING COMMISSION  
October 27, 2016

At a regular meeting of the Attica Township Planning Commission held on the 27<sup>th</sup> day of October, 2016, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairman Penzien at 7 p.m. The following members were PRESENT: Dave Penzien, Kent Gierman, Phil Madeline, Geri Berry, Robert Stockwell, Mark Ochadleus and Maureen Lemons. ABSENT: None. ALSO PRESENT: Planner Dave Birchler, Planner Jason Bibby, Attorney Gildner and the public per the attached sheet.

**REVIEW MINUTES:**

The Board having reviewed the minutes of the September 22, 2016 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

**MOTION** by Gierman, seconded by Berry to approve the September 22, 2016 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**PUBLIC HEARINGS:** Chairman Penzien opened the Public Hearing to receive comments on the Attica Township Master Plan update at 7:04 p.m. Planner Bibby stated that a Master Plan update is required every five years. The draft of the update has been put out to neighboring communities and to the public. Attica Township Supervisor Al Ochadleus commended the Planning Commission and the planners for the arduous process of updating the Master Plan and recommended approval. Public hearing closed at 7:06

**OLD BUSINESS:**

1. **Master Plan Approval and Recommendation:**

**MOTION** by Gierman, seconded by Berry to adopt the attached Resolution of Adoption of the Attica Township Master Plan and recommend approval of the Master Plan Update to the Attica Township Board. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

**2. Discuss County Animal Control Ordinance:**

Supervisor Ochadleus stated that he asked the township planners and the Planning Commission to research the need for a dangerous dog ordinance after a resident was recently bitten by a dog. It appears the Lapeer County dog ordinance will cover the township therefore another ordinance may not be necessary. The only question that Supervisor Ochadleus had a question regarding the Michigan Dangerous Animal Act. MCL 287.321 et seq. Planner Bibby will obtain a copy of the act.

Attorney Gildner discussed a dog bite incident in Attica Township that occurred several years ago and advised the Planning Commission of their options dealing with dangerous dogs.

Attorney Gildner and Planner Bibby will put together a draft ordinance dealing with dangerous dogs for the next Planning Commission meeting.

**3. Discuss Medical Marijuana Act:**

Planner Bibby discussed the Michigan Medical Marijuana Act and reviewed the memo his firm put together for all of their clients regarding the September 2016 amendment to the Michigan Medical Marijuana Act.

Attorney Gildner explained the Medical Marijuana Act and the options that Attica Township has to regulate medical marijuana.

There was discussion. The Michigan Medical Marijuana Act will be put on the November Planning Commission meeting agenda for further discussion.

**4. Noise Ordinance-Define Two Consecutive Hours:**

Resident Sharon Baker of 5881 Reynolds Road stated that a new neighbor has put in a motocross track on their property and she is living with almost non-stop noise of high performance quads. Ms. Baker feels that there is nothing in the noise ordinance to protect her from the noise. Supervisor Ochadleus asked for clarification on the meaning of "two consecutive hours" in the current noise ordinance which was adopted in May 2016. There was discussion. Attorney Gildner and Planner Bibby will have a recommendation for modifying the noise ordinance at the next Planning Commission meeting.

**NEW BUSINESS:**

**1. Priehs Paving Site Plan Review:**

Planner Bibby discussed his review of T.G. Priehs Paving Company's Site Plan for proposed site improvements including an accessory pole building and septic field located at 8 Mountain Drive. The property is zoned I-1, Light Industrial District.

Applicant Travis Priehs was in attendance as was his engineer Cory Mabery of Davis Land Surveying and Engineering, P.C.

Planning Commission members reviewed the site plan and there was discussion. Planner Bibby recommended approval of the site plan.

**MOTION** by Berry, seconded by Stockwell to approve T.G. Priehs Paving Company, Site Plan for proposed site improvements including a 4,480 square feet accessory pole building and septic field located at 8 Mountain Drive, Attica, MI. Property zoned I-1, Light Industrial District. A vote was taken. Ayes: All (7). Nays (0): Absent: None. **MOTION CARRIED.**

**2. Discussion to Draft Amendments to Waterfront Properties and Natural Features Setback:**

Planner Bibby reviewed his prepared zoning amendments draft pertaining to Waterfront Properties and Wetlands and Watercourses Protection. Attica Township Supervisor Ochadleus recommended amending the ordinance.

**MOTION** by Berry, seconded by Gierman set a Public Hearing for the November 17, 2016 Planning Commission meeting to present the attached zoning amendments pertaining to Waterfront Properties and Wetlands and Watercourses Protection. A vote was taken. Ayes: All (7). Nays (0): Absent: None. **MOTION CARRIED.**

**3. Carports:**

Planning Secretary Lemons stated that a resident would like to put up a double carport on her property on Sunset Lane and there is nothing in the ordinance regarding carports.

Planner Bibby will look into this and have something for the next Planning Commission meeting regarding carports.

**COMMUNICATIONS AND SECRETARY REPORT:** Planning Secretary Lemons reminded the Planning Commission that due to the Thanksgiving holiday the Planning Commission is scheduled for one week earlier on November 17<sup>th</sup>.

**PLANNER'S REPORT:** Planner Dave Birchler informed the Planning Commission that he is retiring November 30<sup>th</sup>, 2016. Planner Birchler stated that Attica Township was the first client he obtained on his own and he has consecutively served the township since 1978. Planner Birchler went on to state that he sold his company to Giffels/Webster because they didn't have a planning department therefore he could transfer his staff and that it is an excellent company. Planner Birchler informed the Planning Commission that Attica Township will always be his favorite and he will miss everyone.

**PUBLIC TIME:** None.

**ATTORNEY REPORT & CONSULTANTS REPORT:** Attorney Gildner said how much

he's enjoyed working with Planner Dave Birchler and that he will be missed.

There being no further business before the Planning Commission, **MOTION** by Berry seconded by Stockwell to adjourn the meeting at 7:54 p.m. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

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Maureen Lemons, Secretary of the

Valerie Schultz, Recording Secretary