

ATTICA TOWNSHIP  
MINUTES OF THE  
PLANNING COMMISSION  
February 23, 2017

At a regular meeting of the Attica Township Planning Commission held on the 23<sup>rd</sup> day of February, 2017, 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, Phil Madeline, Mark Ochadleus, Kent Gierman and Maureen Lemons. ABSENT: Two (Berry and Stockwell). ALSO PRESENT: Planner Jason Bibby, Attorney Gildner and the public per the attached sheet.

**REVIEW MINUTES:**

The Board having reviewed the minutes of the January 26, 2017 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

**MOTION** by Gierman, seconded by Lemons to approve the January 26, 2017 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

**PUBLIC HEARINGS:**

- 1) **Public Hearing for Dryden Mold conditional rezoning from AG agriculture to L-1 light industrial located on East Sutton Road:**

Chairperson Penzien opened the Public Hearing at 7 p.m.

Sal Pansera stated that his parents own the parcel across the street from Dryden Mold and stated that he plans on developing the property across the street and is concerned that if the conditional rezoning is granted it may turn into a full blown machine shop and will make his parent's property worthless. Mr. Pansera asked that the minutes reflect that he requested a decision on the rezoning be tabled so that he can obtain legal counsel.

The owner of the property, Greg Eastin, explained that his business has been operating at the site for twenty-five years and he has never received a complaint. Mr. Eastin went on to explain that he is teaching young people a trade.

Douglas Chrivia lives next door to Mr. Eastin's property and stated that he has no problem with the proposed conditional rezoning.

Supervisor Ochadleus asked Mr. Eastin to explain his business. Mr. Eastin said he is trying to help young people make a living and that he has three

employees. Mr. Eastin went on to state that he will not change the building except to paint, reside and landscape it.

Planner Bibby clarified the proposed rezoning and stated that the company has been operating on the site since the 1980's. Planner Bibby went on to explain that the applicant submitted the following conditions as part of the conditional rezoning request: 8 employees maximum, 9 a.m. – 5 p.m. hours of operation, product distributed elsewhere, no visitors or customers on site, no expansion of the building or parking lot, no signage and all areas for parking will be screened from view by landscaping.

Attorney Gildner explained the critical difference between conditional rezoning and straight rezoning.

There was discussion.

Chairperson Penzien closed the Public Hearing at 7:18 p.m.

2) **Public Hearing for site plan/special land use review for A2Z Storage:**

Chairperson Penzien opened the Public Hearing at 7:18 p.m. and there being no comments closed the Public hearing at 7:19 p.m.

3) **Public Hearing to amend section 5.7 of the sign ordinance:**

Chairperson Penzien opened the Public Hearing at 7:19 p.m. and there being no comments closed the Public hearing at 7:20 p.m.

4) **Public Hearing to amend sections 2.2 and 5.17 of the zoning ordinance pertaining to keyhole or funnel waterfront access:**

Chairperson Penzien opened the Public Hearing at 7:20 p.m. and there being no comments closed the Public hearing at 7:21 p.m.

**OLD BUSINESS:**

1. **Motion to approve conditional rezoning from AG agriculture to L-1 light industrial at Dryden Mold on East Sutton Road:**

**MOTION** by Gierman, seconded by Lemons to recommend the Attica Township Board approve the conditional rezoning of the Dryden Mold Shop, located at 2998 Walker Road, from AG agriculture to L-1 Light Industrial as supported by the amendment standards attached. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

2. **Motion to approve site plan/special land use review for A2Z Storage:**

Planner Bibby explained that A2Z Storage was previously approved for rezoning but there have been substantial changes to the site plan requiring it to be reviewed again. There was discussion.

**MOTION** by Lemons, seconded by Madeline to recommend the Attica Township Board approve the updated site plan and Special Land Use for A2Z Storage, located at 440 N. Lake Pleasant Road, provided all the conditions of the site plan review are met. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

3. **Motion to approve the amendment of section 5.7 of the sign ordinance:**

Planner Bibby discussed the legal reasons for removing content based language from the sign ordinance and requested Attorney Gildner look at the draft of to amend the sign ordinance. Attorney Gildner explained how the courts look at sign ordinances and will look at the amendment and discuss it with Planner Bibby.

**MOTION** by Lemons, seconded by Gierman to table a decision to amend the Attica Township sign ordinance until the March 23<sup>rd</sup> Planning Commission meeting. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

4. **Motion to approve the amendment of sections 2.2 and 5.17 of the zoning ordinance pertaining to keyhole or funnel waterfront access:**

Planner Bibby explained keyhole access and the amendment to remove it from the ordinance.

**MOTION** by Lemons, seconded by Ochadleus to recommend the Attica Township Board amend Section 2.2 and 5.17 of the Attica Township Zoning Ordinance as attached. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

5. **Review the draft for solar energy ordinance:**

Planner Bibby discussed solar electric systems and to protect the township recommended being proactive with putting an ordinance in place for possible requests to place solar farms in the township in the future. There was discussion.

**MOTION** by Gierman, seconded by Lemons to set a Public Hearing for the March 23<sup>rd</sup> Planning Commission

meeting to adopt an ordinance for Solar Energy Systems in Attica Township. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

**NEW BUSINESS:** None.

**COMMUNICATIONS AND SECRETARY REPORT:** Planning Secretary Lemons reported:

- a) The owner of R.Y.O. Distribution, Andy Shango, brought a revised business plan to the February Township Board meeting.
- b) The board postponed a decision on adopting a resolution authorizing the Planning Commission to develop an ordinance pertaining to medical marijuana to give the board more time to investigate the cost of developing the ordinance and to receive more information.

**PLANNER'S REPORT:** Planner Bibby stated he will be at the MTA meeting in April.

**PUBLIC TIME:** None.

**ATTORNEY REPORT & CONSULTANTS REPORT:** Attorney Gildner stated that he will also be at the MTA meeting in April.

There being no further business before the Planning Commission, **MOTION** by Gierman seconded by Ochadleus to adjourn the meeting at 7:40 p.m. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

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Maureen Lemons, Secretary of the  
Attica Township Planning Commission

Valerie Schultz, Recording Secretary