

ATTICA TOWNSHIP
MINUTES OF THE
PLANNING COMMISSION
JANUARY 22, 2015

At a regular meeting of the Attica Township Planning Commission held on the 22nd day of January, 2015, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairperson Penzien at 7:02 p.m. The following members were PRESENT: David Penzien, Kent Gierman, Phil Madeline, Bud Fackler and Mark Ochadleus. ABSENT: Berry and Stockwell. ALSO PRESENT: Planner Dave Birchler, Attorney Gildner and the public per the attached sheet.

REVIEW MINUTES:

The Board having reviewed the minutes of the December 4th, 2014 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

MOTION by Gierman, seconded by Fackler to approve the December 14th, 2014 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: Two (Berry and Stockwell). **MOTION CARRIED.**

INTRODUCTION: New Planning Commission member Mark Ochadleus was introduced and welcomed.

PUBLIC HEARING: None.

OLD BUSINESS:

1. **Andrew Wagner Special Land Use.**

Secretary Fackler spent over an hour with Andrew Wagner on January 8th going over the information that was needed for his Special Land Use application to be complete. Mr. Wagner was instructed to have the required paperwork into the township by the following Monday, January 12th. Mr. Wagner has not returned the completed Special Land Use application as directed and has not made any attempt to contact Secretary Fackler or the township office, Supervisor Ochadleus conveyed that since Andy Wagner is in non-compliance, as directed from the previous Planning Commission meeting, he recommends Attorney Gildner be directed to file suit for injunctive relief and ordinance compliance. There was discussion.

MOTION by Fackler, seconded by Gierman to deny Andrew Wagner's Special Land Use request due to the fact that Mr. Wagner did not submit the requested complete Special Land Use application after every effort was made by

Secretary Fackler to assist him in filling out the required application and the fact that Mr. Wagner has made no attempt to contact Secretary Fackler or the township office. A vote was taken. Ayes: All. Nays: None. Absent: None.
MOTION CARRIED.

NEW BUSINESS:

1. Election of Officers: Chairperson, Vice-Chairperson, Secretary.

MOTION by Fackler, seconded by Madeline to nominate David Penzien as the Chairperson of the Attica Township Planning Commission for the year 2015 and moved further by Gierman seconded by Madeline that the nominations be closed and a unanimous ballot be cast. A vote was taken. Ayes: All; Nays: None. Absent: Two (Berry and Stockwell).
MOTION CARRIED.

MOTION by Fackler, seconded by Madeline to nominate Kent Gierman as the Vice-Chairperson of the Attica Township Planning Commission for the year 2015; and moved further by Fackler seconded by Penzien that the nominations be closed and a unanimous ballot be cast. A vote was taken. Ayes: All; Nays: None. Absent: Two (Stockwell and Berry).
MOTION CARRIED.

MOTION by Penzien, seconded by Madeline to nominate Bud Fackler as the Secretary of the Attica Township Planning Commission for the year 2015; and moved further by Penzien and seconded by Madeline that the nominations be closed and a unanimous ballot be cast. A vote was taken. Ayes: All; Nays: None. Absent: Two (Stockwell and Berry).
MOTION CARRIED.

2. Schedule Public Hearing for Starr Aggregates.

Zoning Administrator Bud Fackler, Planner Dave Birchler, Associate Planner Sheila Starks, Supervisor Al Ochadleus, Attorney Mike Gildner, Township Engineer Mike Carpenter, Township Staff Maureen Lemons, Starr Aggregates Engineer Wally Phillips, Starr Aggregates Operator Phil Starr, Sr. and Starr Aggregates Operator Phil Starr, Jr. held a meeting January 14, 2015 at the Attica Township Hall to discuss the permit for and progress at the Starr Aggregates Newark Road Operation. Planner Birchler discussed the meeting and distributed a report of the meeting to the Planning Commission members. Planner Birchler indicated that a Public Hearing notice needs to be provided to the newspaper by March 4th, therefore Starr Aggregates must submit plans for review prior to March 4th or the Public Hearing will be cancelled. There was discussion.

MOTION by Fackler, seconded by Gierman to set a Public Hearing

for March 26th, 2015, for Starr Aggregates for a Special Land Use for mining at the Newark Road site. The Public Hearing is subject to receiving a complete site plan from Starr Aggregates by March 4th, 2015. A vote was taken. Ayes: All; Nays: None. Absent: Two (Stockwell and Berry). **MOTION CARRIED.**

3. Updated Cell Antenna Colocation Ordinance.

Planner Birchler distributed copies of the updated Cell Antenna Colocation Ordinance to the Planning Commissioners to update their personal copy of the Zoning Ordinance. The Attica Township web site will be updated as soon as possible.

COMMUNICATIONS AND SECRETARY REPORT:

- a) Secretary Fackler reported that his term and Gerry Berry's term on the Planning Commission expire in March, he would like to let Clerk Herpolsheimer know so that the Township Board can reappoint them.
- b) There was discussion regarding tires being stored in a dumpster at Jim's Tires, located at the corner of Lake Pleasant Road and Imlay City Road. Secretary Fackler will follow up on this.

PUBLIC TIME: None.

ATTORNEY REPORT & CONSULTANTS REPORT: Planner Birchler distributed his review of an application for an accessory building submitted by Mike Dean and discussed potential problems with the building site.

There being no further business before the Planning Commission, **MOTION** by Gierman seconded by Madeline to adjourn the meeting at 7:31 p.m. A vote was taken. Ayes: All. Nays: None. Absent: Two (Stockwell and Berry). **MOTION CARRIED.**

Bud Fackler, Secretary of the
Attica Township Planning Commission

Valerie Schultz, Recording Secretary

