

**HANDY TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING MINUTES
THURSDAY, AUGUST 6, 2020**

The special meeting of the Handy Township Planning Commission was held electronically via Zoom pursuant to Executive Order 2020-154 and called to order by Chairman Redinger at 7:00 p.m. Members present: Elliott, Towns, Limonoff, and Eisele. Absent: None. Also present: Township Attorney –Homier, Township Zoning Administrator-Call, Assistant Zoning Administrator-Flanery, John Enos-Carlisle-Wortman, Attorney John Gormley, Gordon Munsell-Handy Township Trustee, Alchin Disposal-Corey Alchin, Victoria, Sue & Steve Alchin and a few people who did not identify themselves but listened in.

Approval of Agenda

MOTION ELLIOTT SUPPORT EISELE TO APPROVE THE AGENDA AS PRESENTED. ROLL CALL VOTE. ELLIOTT-AYE, EISELE-AYE, TOWNS-AYE, LIMONOFF-AYE, REDINGER-AYE. MOTION CARRIED.

Open Public Hearing

7:00 p.m.

Re-Zoning Request from Alchin Disposal, Inc. From NSC & AR to I-2, Industrial Parcel Nos. 4705-09-300-065 & 4705-09-300-070

MOTION EISELE SUPPORT TOWNS TO GO OUT OF REGULAR BUSINESS SESSION AND OPEN THE PUBLIC HEARING FOR PUBLIC COMMENT ON THE RE-ZONING REQUEST FROM ALCHIN DISPOSAL, INC. FROM NSC & AR TO I-2, INDUSTRIAL, PARCEL NOS. 4705-09-300-065 AND 4705-09-300-070 AT 7:02 P.M.. ROLL CALL VOTE TOWNS-AYE, LIMONOFF-AYE, ELLIOTT-AYE, EISELE-AYE, REDINGER-AYE. ABSENT-0, ABSTAIN-0, AYES-5, NAYS-0. MOTION CARRIED.

Township Planner, John Enos, reviewed the report he submitted to the Planning Commission with regard to the re-zoning request. Due to the fact that it is not compatible with Handy Township's Master Plan, he recommended denial.

Cory Alchin, Alchin Disposal, Inc., spoke about the history of the company in the community, the reasons for the request to re-zone and gave a presentation of future development that he would like to pursue.

Clerk Eisele publicly entered a letter received from Joe Raica, a neighbor, expressing his concerns for the type of development that Alchin's are considering. She also entered a letter against re-zoning of the property from Scott and Connie Pratt. There were **58** signatures on the petition attached to the letter, signed by neighbors, who also opposed the re-zoning of the property. See attached.

Public Hearing, continued:

A letter dated 8-6-2020, received from John Gormley, Attorney at Law, representing Alchin's Disposal, Inc., was presented to the Commissioner's for consideration of conditional zoning. Mr. Gormley was given an opportunity to address his letter for conditional zoning with the Commissioners. See attached.

The public was invited to speak. The Commissioners received comments from the public that were both in favor of the re-zoning and against the re-zoning of the parcels.

Close Public Hearing

MOTION ELLIOTT SUPPORT LIMONOFF TO CLOSE THE PUBLIC HEARING FOR THE PUBLIC COMMENT ON THE RE-ZONING REQUEST FROM ALCHIN DISPOSAL, INC. FROM NSC & AR TO I-2, INDUSTRIAL, PARCEL NOS. 4705-09-300-065 AND 4705-09-300-070 AND RETURN TO REGULAR BUSINESS SESSION AT 7:47 P.M. ROLL CALL VOTE. LIMONOFF-AYE, TOWNS-AYE, EISELE-AYE, ELLIOTT-AYE, REDINGER-AYE. ABSENT-0, ABSTAIN-0, AYES-5, NAYS-0. MOTION CARRIED.

Brief Public Comments

No further comments from the public.

Matters Pertaining to the General Citizenry

1. Business Session

A. Planning Commission Meeting Minutes of 7-30-20

MOTION ELLIOTT SUPPORT EISELE TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF 7-30-2020 AS PRESENTED. ROLL CALL VOTE EISELE-AYE, TOWNS-AYE, LIMONOFF-AYE, REDINGER-AYE, ELLIOTT-AYE .MOTION CARRIED.

2. Old Business

3. New Business

A) Re-Zoning Request from Alchin Disposal, Inc. From NSC & AR to I-2, Industrial Parcel Nos. 4705-09-300-065 & 4705-09-300-070

- The Commissioners discussed the following items with regard to the request to Re-Zone the parcels:
- Zoning history of the parcels
- Industrial Zoning of the area surrounding the parcels. The township owns parcels close by that are currently zoned I-2 Industrial.
- The benefits of Conditional Zoning.

- The conditions set forth in the letter received from John Gormley, Attorney for Alchin's Disposal, Inc. Conditions being that the general public would not be permitted to use the proposed solid waste transfer facility. Use of the facility would be commercial. Only one new building would be allowed to be constructed on the property allowing only for transfer of garbage from trucks to semi-trucks for more efficient disposal of trash. No new curb cuts onto Grand River would be allowed, just the current access that is currently used for the existing facility. All solid waste to be contained inside the new building. No waste to accumulate outside the building on the grounds.
- The impact that this type of development would have on the surrounding businesses and residential area and the parcels
- That the conditions go with the property.
- How the trash would be handled at the facility and if there would be any overnight trash stored for the next day.
- Concerns that Joe Raica, neighbor, raised in his letter to the Commission.
- Locations of such facilities. Livingston County only allows development of this type to be built on roads that can handle heavy truck traffic. Handy Township has only one road, which is Grand River.
- Concerns with the proposed project not being compatible with the Master Plan. However, the Master Plan is a living document that lends itself to change every 3 to 5 years.
- The Township will begin looking at the Master Plan next year. They could take that type of zoning for the Alchin's property into consideration at that point.
- What the cleanliness of the facility would be.
- Township ability to regulate as set forth in the ordinance.
- Conversation with the Attorney with respect to the site plan and adding conditions to address any issues the Commissioner's may have.
- What if Alchin's is no longer the owner of the business? How would the property be kept then, with respect to the I-2 Industrial zoning?
- Concerns over all of the uses that would be allowed in I-2 Industrial. May not be suited well for that site.
- Discussions about sunset clauses and time periods.
- If property is sold, can the re-zoning revert back to original zoning? Most likely.

Discussion of the possibility of revoking the Special Use Permit if the conditions warranted that.

Clerk Eisele expressed concerns about not having time to consider the conditional zoning that was offered. The following motion was offered.

MOTION EISELE SUPPORT TOWNS TO POSTPONE ANY DECISION ON THE RE-ZONING REQUEST FOR ALCHINS DISPOSAL, INC. FROM NSC TO I-2 INDUSTRIAL PARCEL NOS. 4705-09-300-065 AND 4705-09-300-070 TO THE NEXT REGULAR HANDY TOWNSHIP PLANNING COMMISSION MEETING ON AUGUST 27, 2020 ROLL CALL VOTE. LIMONOFF-AYE, TOWNS-AYE, ELLIOTT-AYE, EISELE-AYE, REDINGER-AYE. MOTION CARRIED.

4. Communications

- a. Commissioner Towns requested the Township Planner, John Enos, to look into the Class A Road requirement for the type of facility that is being proposed and be prepared to clarify at the next meeting.

5. Reports:

- a. Zoning Administrator Call reported that the update for the Master Plan is scheduled to begin in January 2021.
- b. He also reported that there will be a public hearing coming up for some properties located on the south side of the I-96 expressway, Camper Trailer Repair is bringing forth a re-zoning request for their property, Fowlerville Test Track is looking to add on to their facility and will be submitting another site plan, the Township Board is requesting a re-zoning of property on the corner of W. Grand River and Nicholson Rd, and MICA plans to request approval for an amended site plan.

Adjournment

**MOTION TOWNS SUPPORT EISELE TO ADJOURN AT 8:47 P.M.
MOTION CARRIED.**

Respectfully Submitted,

Pamela J. Hibbard
Recording Secretary