

**HANDY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
OCTOBER 28, 2010**

The regular Handy Township Planning Commission meeting was called to order by Chairman Hummel at 7:30 p.m. in the Handy Township Board Room. Members Present: Krebs, Frazier, Elliott and Redinger. Absent: None. Also Present: Attorney Kehoe, Zoning Administrator Call, Supervisor Vaupel, Trustee Munsell, and the following from the public: Bob Grover, Len and Debra Roberts, Elizabeth Pierce, Jim Mayhew, Charles Mayhew, Mark Mayhew, Tom Cooling, Teresa and Ronnie Errer, Lawrence and Deborah Vorce, Cyril Wolbert, John Tyler, Kathy Newberry, Kevin McDunnough, Chris Stage, Jamie and Mike Dolan, Robert and Stacey Lauer, and 2 people who did not print legibly enough to read.

Approval of Agenda:

Chairman Hummel reported he received a letter from Dave Culver, Culver Excavating, Inc., asking the Planning Commission to postpone any decision on his site plan and special use permit until the November regular Planning Commission meeting.

MOTION ELLIOTT SUPPORT KREBS TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED.

Public Hearing:

Handy Township Zoning Ordinance
Zoning Amendment-Special Event Signs, Section 15.3 (G) Signs
7:30 p.m.

**MOTION ELLIOTT SUPPORT REDINGER TO GO OUT OF BUSINESS SESSION AND OPEN THE PUBLIC HEARING FOR ZONING AMENDMENT SPECIAL EVENT SIGNS, SECTION 15.3(G),SIGNS, AT 7:30 P.M.
MOTION CARRIED.**

Gordon Munsell expressed concerns about auction and garage sale signs. Chairman Hummel explained that this part of the ordinance does not apply to auction and garage sale signs. Inquiries about the fee charged for temporary signs and how many sign permits could be issued during a calendar year. No further comments from the public.

**MOTION ELLIOTT SUPPORT FRAZIER TO CLOSE PUBLIC HEARING FOR ZONING AMENDMENT SPECIAL EVENT SIGNS, SECTION 15.3(G) AND RETURN TO REGULAR BUSINESS SESSION AT 7:45 P.M.
MOTION CARRIED.**

Matters Pertaining to the General Citizenry:

A few residents inquired about Culver Excavating, Inc. moving their site plan and special use permit to the November agenda. They asked if they could make a motion to move it to December as most of them would be out of town for deer season.

Chairman Hummel explained to them that they don't have the right to make any motions and that they had their say during the public hearing that was held on September 23, 2010 at 7:30 p.m. He further explained that the reason for the postponement was that the applicant was unable to meet the October meeting deadline for requested materials.

Mr. James Mayhew commented he was not notified in a timely manner of the public hearing which didn't allow him enough time to collect data that he wished to submit to the planning commission for review before they voted on the site plan and special use permit for Culver Excavating, Inc. **Chairman Hummel granted Mr. Mayhew permission to submit his information to the Commissioners and asked that it be stated in the official minutes.** Mr. Mayhew went on to make a few more comments about the proposed gravel pit along with a few of the neighbors that were present. The comments were as follows:

1. the other gravel pit Mr. Culver owns is noisy, especially the pulverizer.
2. silt will get on trees and kill them
3. questions the Commissioners should be asking themselves
 - a. environmental impact study
 - b. hydro geo study
 - c. proposed depth of quarry
 - d. test well aquifer
 - e. does depth of quarry exceed aquifer
 - f. can they pump water from quarry themselves
 - g. turbidity of lake
 - h. air quality
 - i. in residential areas- will they be free of silica
4. concerns about the wetlands, rivers and lake being put in jeopardy
5. the lake is very tranquil at this point and they'd like to see it left that way
6. please find another site for the gravel pit

No further comments.

Business Session:

A) Handy Township Regular Planning Commission Meeting Minutes of 9-23-2010
MOTION ELLIOTT SUPPORT FRAZIER TO ACCEPT THE MINUTES OF SEPTEMBER 23, 2010 AS PRESENTED. MOTION CARRIED.

Old Business

A) Culver Excavating, Inc. Final Site Plan Review & Special Use Permit
Item postponed to the November regular Planning Commission meeting.

(Old Business, continued)

B) Master Plan Update (discussion on latest version)

Attorney Kehoe reported that its time to send out the Letters of Intent to update the Master Plan to the surrounding governmental agencies and utilities.

The Commissioners briefly discussed the most current draft of the master plan. One change on Page 34, to add item E.

MOTION REDINGER SUPPORT ELLIOTT TO DIRECT THE CLERK TO SEND THE APPROPRIATE NOTICES AS REQUIRED BY THE PLANNING ACT NOTIFYING OF THE INTENTION TO AMEND THE HANDY TOWNSHIP MASTER PLAN AND TO REQUEST THEIR INPUT. MOTION CARRIED.

New Business

A) Zoning Amendment-Special Event Signs

MOTION ELLIOTT SUPPORT KREBS TO RECOMMEND APPROVAL OF THE SPECIAL EVENT SIGNS ZONING AMENDMENT #2010-2 TO THE LIVINGSTON COUNTY PLANNING DEPARTMENT AND THE HANDY TOWNSHIP BOARD OF TRUSTEES. MOTION CARRIED.

B) Bylaws Amendment

Chairman Hummel explained that he would like to have the ability to change the agenda so that site plan reviews and special use permits can be voted on before moving on to the next agenda item.

MOTION ELLIOTT SUPPORT FRAZIER TO AMEND THE BYLAWS FOR THE HANDY TOWNSHIP PLANNING COMMISSION, SECTION 3 (D) AS PRESENTED. MOTION CARRIED.

C) First Amendment to Handy Township Sidewalk Plan

Attorney Kehoe explained that the first amendment to the sidewalk plan changes the width of the sidewalk from 5 foot to 6 foot because you have to be at 6 foot anytime you connect into a Village sidewalk.

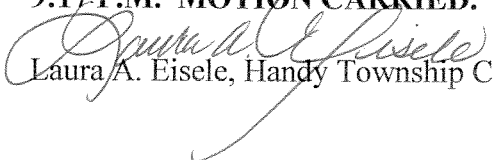
MOTION FRAZIER SUPPORT REDINGER TO ACCEPT THE FIRST AMENDMENT TO THE HANDY TOWNSHIP SIDEWALK PLAN AS PRESENTED. MOTION CARRIED.

Communications:

Brief discussion about a medical marijuana ordinance. If the ordinance doesn't provide for it then it's not allowed. It's not a principal use. Law is still too vague. No desire to move forward at this time.

Call to the Public: No comments.

MOTION FRAZIER SUPPORT REDINGER TO ADJOURN THE MEETING AT 9:17 P.M. MOTION CARRIED.


Laura A. Eisele, Handy Township Clerk