

Public Planning and Commissioning Meeting
August 11, 2022

Planning and Commissioning meeting was filmed by an Owl camera and streamed live via YouTube.
(https://www.youtube.com/watch?v=5LmOcz_tsKc)

Chairperson Jennifer Sherburn called a meeting at 7:00 pm.

Pledge of Allegiance

Roll Call

Jennifer S. present
Jay P. present
Mike R. present
Rick R. present
Wayne F. present
Brian S. present
Mary H. absent

6 Members Present.

Approval of Agenda

Motion by Wayne F. Support by Rick R. Passed 6-0.

Approval of Minutes from Public Meeting

Motion by Rick R. Support by Brian S. to accept the meeting minutes from the April 14, 2022. Passed 6-0.

Public Comments

No public comments were offered.

Communications

Jennifer S. presented information on a seminar by MTA titled: Hot Topics in Zoning and Planning. Times and dates were offered to the PC members for voluntary attendance.

Jennifer S. received a letter from Mr. Draper regarding Class A and B Marihuana permits.

Old Business

Sign Ordinance Review Update – No work has been done due to vacations schedule conflicts. Possibly done before September PC meeting.

Zoning Ordinance manual revisions and legal council update – No work has been done due to an effort to repeal the ordinance. Communications to MSU Citizen Planner by Jay P. for possible consultants to assist. Steve M. offered the name of Lindsay Hagar at the Fremont Area Foundation.

Planning Commission By-laws – Amanda H. stated that she couldn't do the email addresses because of a lack of security and policies. She stated that she is checking out companies to accomplish this task

but offered no names or timelines for completion. Modified By-laws will need to be updated on the website.

New Business

High Tower Bar and Grill (HTB&G) Entertainment License application. Jon Sauser, owner of HTB&G, presented his case for the application.

Discussion between Mr Sauser and the Planning Commission followed his presentation.

Jennifer S. question why the Noise Ordinance was in the Public Safety Ordinance and Steve M. explained why it was removed from the Zoning Manual and placed in the Public Safety Manual. Mr Sauser commented that the application was for Saturdays he does anticipate possible days other than wSaturdays due to Holidays and Special Events.

Wayne F. stated that we couldn't revoke his State Entertainment License. Jay P. stated that the tenets of Zoning allows municipalities to have tighter regulation than the State or County. Rick R. stated the over-regulation of Liquor establishments given his experience as a bar owner.

Jon Sauser stated that his establishment was the only business that required an entertainment license. He was corrected by Jay P. that the American Legion would require one. Jon Sauser asked if the Legion had a license and consensus was no and no one knew if they ever got one.

Brian S. gave his concerns about the ordinance and excessive sound as a nuisance.

There was discussion between Jon Sauser and the PC regarding indoor and outdoor events and when they would conclude. Jon Sauser stated that indoor event end at midnight instead of 11:00 pm and that he has never had any complaints regarding indoor events.

Jay P. stated that there are 45 PRE (primary residence exception, aka primary residence) homes on Hightower Lake with 9 directly across the lake from HTB&G. None of the 9 were present nor did any other residents make a public complaint about the noise from outdoor events.

Brian S. stated that he did get complaints on July 3rd, but those affected didn't want to complain publicly and Brian felt they should have a voice, albeit anonymously. Jennifer S. recited ordinance 16.11 regarding the safety and well being of township residents.

Brian S. tried to establish the template for an acceptable noise level for bands.

Wayne F. asked if we were here to change the ordinance or approve (recommend) the license application. It was confirmed we were there to make a recommendation on the license application to the Township Board.

Motion by Jennifer S. Support by Brian S. With the following changes of Thursday to Sunday with a maximum of 20 outdoor events. Rick R. abstained. Passed 5-0.

More PC board discussion ensued. It was determined that certain Holidays wouldn't be covered.

The motioned was revised to state that any day an event can occur. Motion by Brian S. Support by Jennifer S. Passed 6-0.

Zoning Administrator comments

Steve had nothing to offer.

Other Planning Commission Discussions

Mike R. recommended we work on Special Use Permits at the September meeting.

Jay P. stated that we need to look at the setbacks on AR-1 now that we allow two acre splits. Residents should have the same setbacks in both R-1 and AR-1. Also he reached out to MSU Citizen Planner group for recommendations for consultants to revise our whole zoning ordinance.

Brian S. would like to cap the number of cannabis facilities to five. He was informed that this was not the time to make changes to the ordinance. It was conveyed that any changes to our ordinances needed to be an agenda item and that it required a public hearing. It will be added as an agenda item in September.

Recommendation to the Township Board

Recommend the license application for Jon Sauser with the following changes: Events can happen any day of the week and outdoor events are capped at 20 events.

Adjournment

Motion by Brian S. Support by Wayne F. to adjourn at 7:59 pm. Passed 6-0.

Jay Peasley – recording.