



# Dexter Township

## planning commission

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John Shea, Chair  
Ken Tappe, Vice Chair  
Marcia Ottoman, Secretary  
Mary Adams  
Jim Dempsey

Kim Jordan,  
Recording Secretary

"A Community For All Seasons"

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### REGULAR MEETING OF THE PLANNING COMMISSION Tuesday, October 23, 2007 7:00 PM

Present: John Shea, Chair; Ken Tappe, Vice Chair; Marcia Ottoman, Township Board Representative & Secretary; Mary Adams and Jim Dempsey.

Also present: Patrick Sloan, Director of Planning and Zoning and Pat Kelly, Supervisor.

Absent: None

The meeting was called to order at 7:06 PM.

**I. Approval of Agenda** - Motion by Tappe, supported by Dempsey, to approve agenda as submitted. **Carried 5-0.**

**II. Approval of the Minutes** - Motion by Dempsey, supported by Tappe, to approve the minutes of October 2, 2007 as submitted. **Carried 5-0.**

### III. Public Comment –

**Kathy Bakula, 12694 Oak Hill Dr., Dexter-** Acting president and spokes person for the Oak Hill association informed the planning commissioner's that the sound levels from the ITC expansion that has recently been completed have increased. She was here tonight not only to keep the commissioners abreast of the situation but to also verify that the township remains diligent at staying on top of the issue.

Mrs. Bakula handed out an e-mail correspondence, dated October 11, 2007, between herself and Jamie Kryscynski, Community Relations Representative for ITC. A copy of the correspondence is on file with the approved ITC final site plans.

Sloan commented that he was in the process of coordinating a meeting with Bruce Whitney, ITC's noise expert, and will contact Ms. Bakula when a date and time is set, so that she could attend.

**Bart Brilliu, 12540 Oak Hill Dr., Dexter-** Commented that the township ordinance is vague and questioned if the sounds levels could fall under a "nuisance ordinance" verse a "noise ordinance". Additionally, he stated issues with ITC trucks constantly being left parked on the ITC lots.

Shea pointed out that the planning commission dealt with site plan applications and the township board enacts and enforces noise and nuisance ordinances. He stated that the final site plan resolution for ITC did not address noise specifically and maybe it should have. However, it did address buffer issues, appearance, and compliance to the ordinance. Shea said that he was confident that township officials will do their best to enforce and regulate the noise and nuisance issues.

Adams suggested the Oak Hill association call the sheriff's office regarding the parked vehicles on ITC lots.

No further comments.

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**IV. Action Items –**

Shea suggested, in consideration that Mr. Scott Padden was present to set the public hearing for Inverness Inn, that item two be moved up to item one.

Commissioners concurred with Shea.

**1) Set Public Hearing for Inverness Inn, Special Land Use -**

Sloan informed the commissioners that on October 9, 2007, the Zoning Board of Appeals granted approval, with conditions, for the sale/transfer of three (3) parcels from Mathew Hintzen to Inverness Inn, LLC. Sloan said, that all the issues with the nonconforming lots have been addressed and that they are ready to set a public hearing.

Motion by Ottoman, supported by Dempsey to set public hearing for Inverness Inn, Site Plan/Special Land Use, November 27, 2007. **Carried 5-0.**

**2) Wetland Protection Ordinance Discussion -**

At its May 22, 2007 meeting, the Planning Commission recommended a Wetland Protection Ordinance for approval to the Township Board. At its June 19, 2007 meeting, the Township Board voted to reject the proposed Wetland Protection Ordinance. At its August 21, 2007 meeting, the Township Board voted to direct the Planning Commission to continue work on the proposed Wetland Protection Ordinance, taking into consideration of the written comments and concerns of the Board members that were submitted in writing to the Planning Commission prior to tonight's meeting

Commissioners had discussed and reviewed the written comments from the Township Board at its October 2, 2007 meeting. The commissioners agreed to further discuss the consideration to take up the Wetland Protection Ordinance at its October 23, 2007 meeting. They extended an invitation to the township board so that they could exchange comments and get a better sense of their views with regard to taking up and moving forward with the proposed draft.

Pat Kelly, Township Supervisor; Harley Rider, Township Clerk; Carl Lesser, Township Trustee and Jamie Gornelfo, former Planning Commission member, were present and available to discuss the matter of the re-consideration of the proposed Dexter Township Wetland Protection Ordinance.

Shea asked the commissioners and the board members, which were present tonight, how they thought they could better facilitate communication between all interested parties? He said, that the township board needs to better direct and guide the planning commission on matters that are governed by them.

Lesser said, he is opposed to the Wetland Ordinance and commented that the percentage of acreage that applies is small. He came to listen this evening.

Rider apologized to the planning commissioner's for personally not being more eininvolved and for the lack of communication of the Township Board. Rider said, he was here tonight to listen and hear what the planning commissioners had to say. Rider did however; state two (2) questions he felt should be addressed.

- 1) Do we need to have our own police powers that exceed State and/or Federal laws? And If so, Why?
- 2) What is it we specifically need to do with the wetland ordinance?

Shea stated that at its last joint meeting, the discussion to opt to be more pro-active was addressed, which included water quality for one, and it was the consensus to more forward with a Wetland Ordinance. He said, that literature suggests that we are depleting water quality in vast quantities due to development not farming. He said, we do not want to waste our resources needlessly.

Lesser said he has been involved with two (2) farms with water issues and that more data is needed to

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delineate a Wetlands Ordinance.

Shea commented that less than five (5) acres is worth policing and that the State gives us that power to do so.

Rider commented that more robust communication between the Zoning Board of Appeal, Planning Commission and Township Board needs to happen.

Gorenflo commented that, the concept of protection was sound and worth pursuing. However, the concept was lost in the translation and enforcement. He stated that the small percentage of acreage may have been extreme and that the language was confusing in several areas of the draft.

#### **IV. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary-**

Ottoman reminded the commissioners about up-coming MTA seminars and the December 18, 2007, deadline to notify the Township Board if they are interested in attending.

Sloan informed the commissioners that Hanover Glen, requested an extension of their approved final site plan and would like to be put on the November 6, 2007 agenda.

#### **VI. Public Comment – None**

#### **VII. Future Agenda Items -**

##### Tuesday, November 6, 2007

- 1) Public Hearing for Zoning Ordinance Amendments 34-5
- 2) Extension of Approval for Hanover Glen, Final Site Plan
- 3) Review of the General Development Plan

##### Tuesday, November 27, 2007

- 1) Public Hearing for Inverness Inn, Site Plan/Special Land Use

#### **VIII. Adjournment – Shea, Chair, declared meeting adjourned at 9:09 PM**

**Respectfully submitted,**

**Kimberly Jordan, Recording Secretary**

**Marcia Ottoman, Secretary**