

Rutland Charter Township Planning Commission Meeting

Wednesday, December 6, 2023 at 7pm

Roll Call Members Present:

Larry Haywood, Marti Mayack, Brenda Bellmore, Steve Pachulski, Dan King

Others Present:

Larry Watson, Gene Hall, Stacey Graham, Nickie Haight

Approval of Agenda:

Motion by Haywood, seconded by Pachulski to approve the agenda for December 6, 2023. All ayes. Motion passes.

Meeting Minutes:

Motion by King, seconded by Pachulski to accept the November 1, 2023 Meeting Minutes. Roll Call Vote: Haywood: Yes, Bellmore - Yes, King - Yes, Pachulski - Yes, Mayack - Yes. Motion passes.

General Public Comment:

Joshua Stephens tells the PC that he lives in RCT and did not know he was not zoned to own chickens and roosters. He says that a neighbor complained about his roosters and Zoning Enforcement Officer Argo visited to tell them they cannot have roosters. He says they do not have roosters right now but might have them in the future. He does not like that RCT has changed its ordinance.

Guests: None

Zoning Administrator's Report:

Graham has provided her report to the PC and all the items will be covered under New Business.

New Business:

Set 2024 Planning Commission Meeting Schedule by Resolution

Motion by King, seconded by Bellmore to approve the PC Meeting Schedule for 2024 as presented. Roll Call Vote: Haywood- Yes, Bellmore - Yes, King - Yes, Pachulski - Yes, Mayack - Yes. Motion passes.

Elect 2024 Planning Commission Officers

Motion by Bellmore, seconded by King to reelect the existing Planning Commission Officers. Existing officers are Marti Mayack - Chair, Dan King - Vice Chair, Steve Pachulski - Secretary. Roll Call Vote: Haywood - Yes, King - Yes, Bellmore - Yes, Mayack - Yes, Pachulski -Yes, Motion passes.

Public Hearing; Special Land Use for the Keeping of Livestock on a Non Commercial Basis in the Country Residential District, Joshua Stephens, 3409 Heath Road, Hastings

Stephens addresses the PC again. He says that when he built his chicken coop, he followed the CDC guidelines that says the coop needed to be 50 feet from the well. He did not know there was a township ordinance that says it needed to be 200 feet from the well.

He also says that he wants the last change to the ordinance reversed. Pachulski explains that the only change made in recent months was lowering the fee from \$550 to \$125 hoping to help 4H kids. Stephens says he has court scheduled with Zoning Enforcement Officer Argo soon. He says his chicken coop is 450 feet from the closest neighbor's property.

Mayack asks for more public comment and there is none so he closes the floor to public comment. Mayack asks the PC for discussion. King asks if Stephens got a building permit when he built the coop. Stephens says he did not know he needed to. Graham will look into it. Stephens leaves the meeting.

The PC members agree that they cannot approve this special land use without undermining the ordinance. They question where the 200 feet requirement came from. Haywood and Bellmore think it was from the Health Department. Several PC members comment that chicken waste will not permeate the groundwater 200 feet away.

Graham shares that Attorney Rolfe says the ZBA cannot turn over the PC decision unless there is an exceptional reason. The consensus is that the applicant either needs to go to the ZBA or move his chicken coop.

Motion by King, seconded by Pachulski to deny the Special Land Use application for the Keeping of Livestock on a Non Commercial Basis in the Country Residential District by Joshua Stephens, 3409 Heath Road, Hastings. Roll Call Vote: Haywood - Yes, King - Yes, Bellmore - Yes, Mayack - Yes, Pachulski -Yes, Motion passes.

Graham will notify Stephens. The PC members want to see the research on the 200 foot rule and think it needs to be changed. Graham says she will contact Matt Hill at the Health Department and get more information. Bellmore says it should be the same requirements as the septic.

Set Public Hearing for January 3, 2024 for Two Zoning Map Amendments

Graham explains that two airport parcels were omitted and/or incorrectly classified when ordinance #2023-190 was approved in September, 2023. Motion by King, seconded by Bellmore to set the Public Hearing for Two Zoning Map Amendments, at the January 3rd Planning Commission meeting. Roll Call Vote: Haywood - Yes, King - Yes, Bellmore - Yes, Mayack - Yes, Pachulski -Yes, Motion passes.

Set Public Hearing for January 3, 2024 for Zoning Text Amendments related to the Institutional/Public Use (I/PU) District and Mixed Use District (MUD)

Graham reports two text amendments are needed for the recently created Institutional/Public Use (I/PU) District and to correct one typo in the Mixed Use District (MUD). Motion by King, seconded by Bellmore to set the Public Hearing for Zoning Text Amendments related to the Institutional/Public Use (I/PU) District and Mixed Use District (MUD), at the January 3rd Planning Commission meeting. Roll Call Vote: Haywood - Yes, King - Yes, Bellmore - Yes, Mayack - Yes, Pachulski -Yes, Motion passes.

Old Business: None

Open Comments: None

Adjournment:

Motion by Bellmore, seconded by Pachulski to adjourn.
Meeting Adjourned. Submitted by Nickie Haight, Recording Secretary

PROPOSED