

GARFIELD TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Tuesday, October 4, 2011

Garfield Township Hall

1138 W. Erickson Rd, Linwood MI 48634

MINUTES

The meeting was called to order by Bill Pelton the Chairperson at 6:35 P.M.

The Pledge was said in unison. Public attendance was ten. Also attending was Township Board member Betty Monsion and Zoning Administrator Leroy Day.

Roll call: Chairperson-Bill Pelton, Vice Chairperson-Bruce Bodrie, Secretary-Karen Snyder, Trustee-Joe Boudreau were present, Trustee-Jim Herber excused sent notes for the next sections to be reviewed.

Joe Boudreau recorded the meeting.

Reading, corrections and approval of last meeting minutes: Motion made by Bruce Bodrie/Joe Boudreau to approve September 13, 2011 meeting minutes, vote four yes. Motion carried.

Zoning Administrator Report: none

Communications: Jim Herber sent email with all comments for review of ordinances. Jim Dubay will be at the meeting to answers questions from the prior meeting. Joe Boudreau asked to have three items added to the agenda (Carter Rd. and 1677 Newberg sand pits and Wolverine access driveway onto Garfield Rd).

Motion made to open Public Comment, Joe Boudreau/ Bruce Bodrie, vote four yes. Motion carried.

Public Comment: Sherri Protasiewicz wanted to clarify that her statement at last month's meeting did not mean she was in favor of the adult entertainment; she was only commenting that if we have to allow it then it should be located outside of the town of Crump.

Lenard Gorgol, 1832 W. Anderson Rd, stated that a large group of the community attended the meetings for the first review of the ordinances earlier this year and thought the process was finished. Now while none of the public is in attendance the ordinances are being reviewed again. He is concerned that the people that were here are being underhanded and items are now being revised that should not be. He is mainly concerned with the sections on animals and wood burners. He wants the board to be

sure to consider the personal property rights of the residents, he thinks the additional review is intrusive to the property rights and is in violation of our individual rights. He does not like the way property owners are being challenged or that or individual rights are being taken away. [REFERRED TO JOE BOUDREAU BY NAME](#)

Kathy Silvernail, 1716 W Erickson Rd. does not agree with Lenard Gorgol, she believes that if we don't have rules we then have more problems and neighbors will fight. She feels there will be fewer lawsuits if the township has the proper regulation.

Joe Boudreau commented that if we don't govern ourselves the state will step in. He says that there have been problems in Fraser, Mt Forest and Kawkawlin and we should try to avoid the same in our township. He said if the Health Department gets complaints about animals they will come in and shut down the individuals from having the animals and they will be sited by the Department of Agriculture. If we do nothing we will be in trouble, wood burners need to be Phase II, to allow individuals to manufacture their own or build stoves for others is no fair to manufactures, we are stepping on businesses and taking away jobs.

Bruce Bodrie stated the County and State are going to step in no matter what we do. Bruce believes if we over regulate wood burners then we will open the township to problems.

Lenard Gorgol wanted to know what is wrong with neighbors helping each other and if one can build a stove and helps their neighbor that this is a good thing it is not taking away jobs. He noted that this is the first year he raised pigs and he was instructed by farmers how to properly care for them. He talked to his neighbors and keeps the animals clean. His neighbors have no issues with his animals. He feels we need to promote more of this type of behavior, not neighbor against neighbor as seems to be the theme in our township.

Connie Fantozzi, 1685 W. Erickson Rd. asked Joe if he is against individuals starting businesses in our township.

Motion made to close Public Comment, Bruce Bodrie/Karen Snyder, vote four yes.
Motion carried.

Motion made to open Unfinished Business, Joe Boudreau/Bruce Bodrie, vote four yes.
Motion carried.

Unfinished Business: Reviewed the information that Jim Herber sent via email about the pond section. He wrote that ponds over an acre and within 500' of a city drain need to go to soil erosion. Joe disagreed he said 500' should be 50'. Motion to change ponds as follows: Bruce Bodrie/Bill Pelton, Section 3.17 Ponds (will change to 3.16 due to removal of 3.14 above) #3 should reference 4.24. Change C (2) to read *Evidence shall also be presented at the time of application that all local and state permits were received*, delete all other text. Remove C (3) page 38 remove D (5-11) page 39, vote 3 yes 1 no Joe Boudreau, motion carried.

Review of questions from the September 13th meeting to the Township Board, board member not available to answer questions.

Motion made to close Unfinished Business, Joe Boudreau/Bruce Bodrie, vote four yes. Motion carried.

Motion made to open New Business, Karen Snyder/ Joe Boudreau, vote four yes. Motion carried.

New Business: Discussion was opened about sand pits and Wolverine access road. Leroy Day said that the Carter Rd pit is closed. The 1677 Newberg Rd pit permit was issued on Dec 6th 2005 for one year per the permit and five years per the minutes. Joe said it should be closed. The security bond expired after one year and the general restrictions stated no foreign material was to be hauled in. Joe Boudreau said that there are piles of cement on the property, he was not sure if it came from the house that was removed or it was hauled in? The question was asked who was in charge of enforcing the renewal of the permits. Leroy Day said that the Township Supervisor is in charge. The Planning Commission recommended the issue be turned over to the township.

In the Wolverine permit it was required that they have an access driveway onto Garfield Rd. Leroy Day said he has a letter from the Road Commission that states they do not want a driveway onto Garfield due to traffic issues. Joe Boudreau requested a copy of the letter.

The Planning Board's vote to eliminate tents from section 3.10 accessory building was questioned; it was believed to violate the Anti-Blight Township Ordinance. Bill Pelton stated that it was reviewed and we did not believe it violated the Anti-Blight. Sherri Protasiewicz asked how we came up with that decision. The Chairman said that Karen Snyder reviewed the Anti-Blight Ordinance and that it did not say anything about tents for storage. The decision was challenged and stated that we did not have the knowledge to make that determination, the subject needed to be reviewed by the township attorney (in writing). Karen Snyder stated she disagreed; we should not spend the extra money to look into the subject. Bill Pelton said he will look into tents and put it on the agenda for the next meeting.

Review of Zoning Ordinances: Section 3.22 Outdoor Wood-Fired Boilers: Discussion of differences from Wade Trim version and Fraser Township version presented by Joe Boudreau. Karen Snyder asked about the different types of stoves in the Fraser Township version. Joe Boudreau said he had no comment and went on to state that other members of the board did not do their homework on this topic.

Some additional heated discussion was exchanged between board members, Karen Snyder made the motion to adjourn the meeting and everyone on the board and in the audience go home and come to the next meeting with the intentions to work together as adults. No second to adjourn was offered. Motion did not carry.

Bill Pelton instructed the Board that we will continue on with the meeting.

Bruce Bodrie comments about his research of the many different kinds of burners that are out there and they would be very hard to regulate because they all are different. Some are forced air, which require being very close to the building while others are boilers. There are many different ways to build the interior of the stove that changes the need for stacks.

Jim Dubay arrived to the meeting during the discussion of wood burners and made a comment as a community member that we do not need to write the ordinance with all the extra regulations because it is the job of the building inspector to tell the individual what is required to install their stove.

The New Business was suspended to have the questions asked from the last meeting. Jim answered as follows:

Township Ordinances are available Kim Day re-typed them so they available in electronic form. Jim said that if anyone wanted a copy they could make an appointment with the Clerk and she would provide them for a fee to make the copies. The Planning Commission requested a copy to have available for reference.

Should the outdoor furnace ordinance be a Township Ordinance or Zoning Ordinance? Jim is checking into this.

How does Wade Trim charge the township for the changes? Jim thinks it is a one-time fee but he will check to be sure.

Discussion was continued on Section 3.22 Outdoor Wood-Fired Boilers. Motion made by Bill Pelton to only asked for the necessary permit to meet building codes. No second was offered. Motion not carried.

Some discussion that insurance companies will tell the property owners what they need to do to install an outdoor stove.

Motion made to rewrite the Outdoor Wood-Fired Boilers section to include the first page of the Fraser Township ordinance through the definitions and section E (4) and (7), Karen Snyder/Bruce Bodrie, vote three yes one no (Joe Boudreau). Motion carried.

Ended at Section 4.16, page 60.

Motion to close New Business, Joe Boudreau/Bruce Bodrie, vote four yes. Motion carried.

Next Planning Board Meeting: Tuesday, October 11, 2011 @ 6:30 P.M.

Motion to adjourn Bill Pelton/Bruce Bodrie, vote four yes. Motion carried.

Adjourned 8:35 P.M.

Minutes by: Karen Snyder

