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## PLANNING COMMISSION MINUTES December 4th, 2019

The Leoni Township Planning Commission held a meeting Wednesday, December 4th, 2019 @ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:30 pm

Members Present: V. Beckwith, J. Southworth, L Maurer, D. Helmlinger, B. Lester, J. Spencer and K.

Cole

Members absent: 0

Persons in attendance: 38

Purpose of Planning Commission read by J. Spencer

Motion by V. Beckwith supported by K. Cole to approve the Agenda with the change to move New Business item before Old Business item.

Motion adopted by voice vote

Motion by L. Maurer and supported by D. Helmlinger to approve the November 20th minutes as written. **Motion adopted by voice vote** 

Public Comment: Open at 6:34 pm.

Closed at 7:10 pm.

**Ted Christoff:** I live adjacent to the neighborhood. I believe it would be a mistake to approve this rezone. The neighbors are here to speak on declining this request. We did not receive notification until 24 hours prior to this. It should be an ethical duty of the township to inform the residents of the neighborhood. Believe the rezone would reduce the property values over time and the property values have just starting recovering over the last few years. Protect that residential zoning and the people. Decline the zoning.

**Pam Christoff:** I would ask that you decline the rezone and revisit the rezone notices.

**Robert Kubish:** I am speaking on behalf of the Seffernick family that is requesting the rezone. I don't understand about it being too close to the neighborhood. We aren't within 300 feet. Consumers Power plant is 250 ft wide and it is zoned Industrial. The property to the north of this

property is owned by Tenneco and that is zoned industrial. Nobody is going to build a house there, no one is going to do residential there. We were approached by Chris Bahoora from Real Estate One and he said the only way to sell it is to zone it Light Industrial. This is our first go round in trying to sell this. We are trying to liquidate it and get out from underneath it.

**Kasi Carr:** I have been a homeowner in that neighborhood for the last 10 years. In the summer our kids ride their bikes around the neighborhood and I am worried about the traffic and the safety of our kids.

**Ron Burke:** Just heard about this a couple of hours ago. The Seffernick's sold me this property last year. I own the property on the other side. I understand the Board is going to do what the Board needs to do. I understand the Seffernick's are trying to sell the property. I understand both sides, and I would like to encourage the Board to come up with a way to only offer an approach to the property from the rear and away from the residents.

Carl Rice: What I have here is the Master Plan section 42-242 Light Industrial ML and I would like to read this. The light industrial district is composed of those areas of the township whose principal use is and ought to be light manufacturing and other limited industrial uses. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive and radioactive hazards, and other harmful or obnoxious matter. This district has been located within the township to permit the development of these industrial uses, to protect adjacent agricultural, residential, and commercial areas against the encroachment of incompatible uses, and to lessen congestion of public streets and highways.

Going to have outside lighting. Think about outside lighting at night. We all know it is a public nuisance. At this point it is land locked and we don't know where it is going to go.

**Kim Dean:** I want to speak about the Master Plan. Why were the surveys not sent to the all the townships residents. I hear that only 79 people participated in the survey and we sat in meetings and volunteered to stuff envelopes to help send to all the residents. That is this Boards responsibility and it didn't happen. It's all about transparency and that is what the residents want. Why didn't it occur?

## **NEW BUSINESS:**

000-09-30-151-007-01 Elizabeth Seffernick Trust Rezone from RS to ML.

Public Comment: Open at 7:11 pm. Closed at 7:53 pm.

**Nancy Stewart:** Just want to sell the land. We need to have something done. I am really sorry about the neighbors.

**Discussion:** 

**John Spencer:** We need to have someone represent the Seffernick Trust.

**Robert Kubish:** I'm just the husband of one of the Trust members.

**John Spencer:** There has been some questions about the property being land locked and what side they will access that property and one of them is the neighborhood.

**Robert Kubish:** Sold property to Ron Burr and it has been farmed for the last five years by Danny Hammond. Right of way by the cell tower. Northern border has, I don't know, 600 ft from Tenneco. Tenneco has a 60 ft right of way back by the cell tower, which we still own the land that the cell tower sits on. Land on three sides is connected to Industrial property.

**K. Cole:** What I would like to know from Joe is Tenneco and the cell tower both zoned Light Industrial?

**Robert Kubish:** They are zoned as Light Industrial.

**K. Cole:** Want to know from Joe what is Tenneco zoned?

**J. Chambers:** Light industrial. On that paperwork that was just brought to me, the rider. The last paragraph where it talks about the 60 ft. Did not find anything with 25 years in it.

**Robert Kubish:** That 25 years was in reference to the deed that was set up for the cell tower for the easement back to the land.

**J. Spencer:** We want to be as clear as possible on all these matters.

Carl Rice: Everyone on the board has this letter. This E-mail comes from Grant Baumann and Steven Duke and they are both planners for Region II and they both understand the Master Plan and they stated that this rezone is not consistent with the Master Plan and they are both well respected in my opinion. I asked should this land be rezoned for commercial use and the response I got was quote unquote in no terms should this land should be rezoned for commercial use.

There is also question about whether there was legal notification. We heard from people who believe they should have received notification and didn't and if that is so then this is not a legal meeting.

Motion by J. Spencer supported by K. Cole to deny the request for a rezone on parcel #000-09-30-151-007-01 due to traffic increase in a residential neighborhood.

Roll call vote: <u>7</u> Ayes, J. Spencer, K. Cole, D. Helmlinger, B. Lester, L. Maurer, J. Southworth and V. Beckwith 0 Nays

**Motion Carried** 

Adjourn 8:35 pm.

Next meeting: December 18, 2019