

Columbia Township Planning Commission Minutes

Meeting Date: Tuesday September 10, 2019 7:00 pm

1. Call to order by Chairperson Mahr at 7:00
2. Pledge of Allegiance

Guests: Eric Kyser, Jim Knutson, Janet Knutson, Tom Knutson, Matt Shepler, Dean Gassert

Roll Call: Gaede, Briescke, McKay, Mahr, Jeffreys, Wanty Absent: Reynolds

2. Motion to approve the agenda made by McKay, support by Briescke, Ayes all
3. Motion by McKay support by Wanty to approve the minutes of September, 2019 Ayes all
Gaede asked to clarify meeting minutes from August 6, 2019 preferred meeting days for Planning Commission to be the first Tuesday of each month, to allow the information to be included in Township Board Package that month.
4. Purpose of the meeting: Columbia Township request for re-zoning property at 9957 Brooklyn Rd from C1 to C2, for the purpose of conducting used Automobile Sales.

5. Public Comments:

Eric Kyser-Attorney 405 S Jackson, Jackson, MI Representing Jim and Janet Knutson, neighbors to 9947 Brooklyn Rd. Mr. Kyser discussed the size of the lot ½ acre and the previous use of the property (Laundromat, Electronic Repair Shop). His clients oppose the rezoning from C1 to C2 for the following reasons.

1. Safety issue with line of sight issues with cars parked in State right of way blocking the view of oncoming traffic at 55 mph.
2. Trespass on the Knutson property by the owner and customers of the car lot.
3. Use of the lot is non-conforming-set back requirements of 35 feet minimum by ordinance.
4. The dealer has been in business since July 2019, which is non-conforming without the zoning change.

Tom Knutson-son of the property owners Address: 10570 Cady Rd Grass Lake, MI

His research showed the property was controlled/titled by Citizens against Corruption? The work appeared to be done under the cover of late night, questioned whether or not the proper building, excavating and electrical permits were pulled. The property is purportedly contaminated as a former Super Fund site. Excavation work near the wetlands and Raisin River headwaters had no silt fence to control erosion or contamination.

No other Public Comments.

Commission discussion ensued:

Wanty- questioned who requested the change? No Representative from the Township was present to discuss. This is purported to have been an error from 2008, where supposedly the Zoning was changed

from C1 to C2 and never recorded. No evidence to support this claim was presented. Gaede questioned whether there were County Records to support the claim. No information available. Gaede also feels we are not in compliance with Public Hearing procedures by not allowing General Public discussion during Commissioner's Discussion time.

Public discussion: Janet Knutson had been notified of tonight's meeting by First Class Mail, not registered mail. Questioned the lack of registered mail procedure. She also had not been notified in 2008 nor received any documentation on the supposed 2008 Re-Zoning.

Dean Gassert: Not registered to speak, spoke up from the back of the room and requested we postpone the Public Hearing to allow his Florida Lawyer to attend.

Chairperson Mahr pointed out we cannot postpone once it is underway, as it is a Public Hearing.

Motion made by Gaede supported by Mahr to deny zoning change from C1 to C2. The motion to deny was based on:

- A. No documentation was presented or procedure supplied to support 2008 supposed zoning error change.
- B. The property is surrounded by Ag 1 zoning and this would be spot zoning, non-conforming to current use.
- C. No Representative from the Township or Property owner was present to discuss or present documentation of zoning error. The current Zoning Map is legal document, shows C1.
- D. Section 7 Zoning Ordinance for Outdoor Sales, minimum setbacks not in compliance.

Roll Call Vote: Gaede-Aye, Briescke-Aye, McKay-Aye, Mahr-Aye, Jeffreys-Aye, Wanty-Aye
Motion Accepted to Deny Zoning change.

7. Re-Opened public Comments: Gassert went on to say he will not be slandered, his operation is perfect, he was promised the Zoning change by the Township Supervisor, he will not be shut down and will keep operating. He will sue the Planning Commission. His whole summer was on hold to get this operation up and running, no lake time, no racing. Gassert then left the hearing.

Public Comments closed at 7:40 PM

Old Business: None

New Business: None

Commissioner Comments: Chairperson Mahr attended a Community Meeting to review and discuss the emphasis on development of the Countywide Trail system for walking and riding bicycles. Great visual presentations were made. This is getting much public attention and support as a benefit for the communities throughout the county. Gaede discussed the effort to connect Manchester to Watkins State Park and to extend to Brooklyn. He also mentioned Region 2 Planning Group has not been asked to

quote revisions to the Master Plan, Mahr stated they will not be asked to quote, Land Plan will be doing the work, Region 2 will provide the Maps and Demographic information. The Board feels that Land Plan is a better resource, because they are not local. This was questioned by several members of the Commission as to the effectiveness of a non-local entity and loss of local input.

Meeting adjourned 7:50 PM

Respectfully submitted,

Todd Wanty

Todd Wanty, Secretary Pro-Tem