

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A MEETING HELD MARCH 28, 2019**

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**Agenda**

**PUBLIC HEARING: AGRITOURISM ORDINANCE  
CONSIDERATION OF A NEW ORDINANCE TO REGULATE AGRITOURISM AS  
CONDITIONAL AND SPECIAL USES WITHIN THE TOWNSHIP**

**OLD BUSINESS**

a. **LIGHTING ORDINANCE – DRAFT REVIEW**

**ANY OTHER BUSINESS**

a. **MAPLE HILL SOUTH OVERLAY ZONE – DRAFT REVIEW**

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A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, March 28, 2019, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT:                    Bruce VanderWeele, Chair  
   Ollie Chambers  
   Keisha Dickason  
   Dusty Farmer, Secretary  
   Mary Smith, Vice Chair

ABSENT:                                    Ron Commissaris  
   Micki Maxwell

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, Martha Coash, Meeting Transcriptionist, and five other interested persons.

**Call to Order and Pledge of Allegiance**

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. and invited those present to join in reciting the “Pledge of Allegiance.”

**Agenda**

The Chair asked if there were changes to the agenda. Hearing none, he let it stand as published.

## **Public Comment on Non-Agenda Items**

Chairperson VanderWeele determined no one in the audience wished to address the Board on non-agenda items.

## **Approval of the Minutes of March 14, 2019**

Chairperson VanderWeele asked if there were any additions, deletions or corrections to the Minutes of March 14, 2019. Hearing none, he asked for a motion.

Ms. Farmer made a motion to approve the minutes of March 14, 2019 as presented. Ms. Dickason supported the motion. The motion was approved unanimously.

## **PUBLIC HEARING: AGRITOURISM ORDINANCE CONSIDERATION OF A NEW ORDINANCE TO REGULATE AGRITOURISM AS CONDITIONAL AND SPECIAL USES WITHIN THE TOWNSHIP**

Chairperson VanderWeele moved to the next agenda item and asked Ms. Johnston for her review.

Ms. Johnston presented the most up-to-date draft of the Agribusiness/Agritourism Ordinance for Planning Commission review and public hearing consideration. She suggested any final changes be made before forwarding the Ordinance to the Township Board with a recommendation of approval.

She explained the Ordinance is designed to provide those who either produce an agricultural product or live in the rural area and meet certain criteria, the opportunity to generate some additional revenue on their property. The objective is to offer additional options for these property owners without impeding the enjoyment of the rural character of the area. It is not the intent to allow commercial operations within the rural area of the Township and therefore, some uses, like special events, have been limited.

It is also intended that this Ordinance will assist in implementing the Township's Master Plan. During the public meetings of the 2017 Master Plan update, residents in the rural areas indicated a desire to preserve property, but needed a source of revenue to assist with this preservation. In addition, those that produced an agricultural product wanted other opportunities that would help to support their farming operations.

She walked through the definitions and requirements for the three categories allowed in the Agribusiness/Agritourism Ordinance for the AG and RR districts.

Chairperson VanderWeele asked for clarification on the required square footages for building floor areas delineated in Section 48.

Ms. Johnston explained the total building area housing regular agribusiness operations, such as stock storage, is a maximum of 2000 square feet. Of the 2000 square feet, the maximum allowed for use for agribusiness sales is 600 square feet.

There were no further questions from Commissioners; the Chair opened the meeting for public comment.

Mr. Larry Mallory, ML Avenue, owner of VerHage's Farm Market, expressed his disagreement with requirements and expense required to install a septic system for a restroom at his business by the Health Department, said the Market has been in business for 60 years and should be grandfathered. He was opposed to the proposed Ordinance.

Attorney Porter noted this was a time for comment on the Ordinance only.

Mr. Mallory said he thinks the Ordinance is wrong and will fight it.

There being no other persons wishing to address the Board, Chairperson VanderWeele closed the public hearing and moved to Board Deliberations.

Ms. Farmer acknowledged the work by Staff over the last year to develop the Ordinance as well as public comment received during the process, said she feels it will open up use for property owners in a positive way that residents in RR did not have before, and said she was in support.

Chairperson VanderWeele suggested page 8, K. regarding restrooms and facilities should include language to meet ADA requirements.

It was agreed Ms. Johnston should add ADA compliant language related to restroom facilities throughout the document as appropriate.

Hearing no further comments from Commissioners, Chairperson VanderWeele asked for a motion.

Ms. Farmer made a motion to recommend the Agritourism Ordinance as presented, with the addition of ADA language as noted, to the Township Board for approval. Mr. Chambers supported the motion. The motion was approved unanimously.

Ms. Johnston noted the Township Board will hold their first meeting, a work session, on this topic on April 9<sup>th</sup>, followed by two readings of the ordinance, which will provide opportunity for further public comment.

## **OLD BUSINESS**

### **a. LIGHTING ORDINANCE – DRAFT REVIEW**

Chairperson VanderWeele moved to the next agenda item and asked Ms. Johnston for her presentation.

Ms. Johnston provided the most up-to-date draft of the Lighting Ordinance for review. All the approved language based on the February 14 discussion by the Commissioners was included. She noted there was still language needing additional clarification. Mr. Dan Cunningham, Operations Manager at Circuit Electric, Inc., was unavailable to attend the meeting but provided input; he may be able to attend in April. She provided articles related to lighting ratios and averages, to help with discussion.

There was discussion regarding what time lighting should be required to be reduced in the evening, particularly at restaurants for outdoor dining. It was agreed requirements should be consistent, and after discussion, that reduction of lighting for outdoor dining areas was reasonable at 11:00 p.m.

Ms. Johnston pointed out there is currently no outdoor dining ordinance; something may need to be drafted. She said ADA access can be an issue for wheelchair patrons if tables and chairs are located on sidewalks.

The Board tabled this item until Mr. Cunningham is able to attend a meeting to provide assistance to Commissioners regarding lighting ratios and other questions.

Chairperson VanderWeele moved to the next item on the agenda and asked Ms. Johnston for her presentation.

## **ANY OTHER BUSINESS**

### **a. MAPLE HILL SOUTH OVERLAY ZONE – DRAFT REVIEW**

Ms. Johnston provided a first draft of the Maple Hill South Overlay Zone in response to the Maple Hill South Sub-Area Plan, which was developed as part of the 2017 Master Plan update. The Overlay Zone is an optional ordinance, providing flexibility to property owners to either develop utilizing the requirements of the Overlay Zone or by applying the existing underlying zoning, which is R-2: Residence District. The Overlay Zone is intended to mirror the goals of the Sub-Area Plan, providing regulations for these goals.

She expects review over several months to consider the draft page by page, and asked for general thoughts on the Ordinance, as well as the review process from Commissioners.

Chairperson VanderWeele thought the draft was a good start and agreed it should be reviewed page by page beginning with the next work session of the Board. The Lighting Ordinance will be considered first with the assistance of Mr. Cunningham.

Ms. Johnston suggested at some point a public input meeting should be held, particularly inviting those who participated in the Maple Hill work sessions.

There was a brief discussion of building height restrictions, setbacks, resulting traffic increases, and the desire to prevent urban sprawl and provide green space buffers adjacent to the single-family homes to protect neighbors, as was promised. The goal is to move forward in a good, productive way.

### **PLANNING COMMISSIONER COMMENTS**

There were no comments from Commissioners.

### **ADJOURNMENT**

Hearing no further comments, Chairperson VanderWeele adjourned the meeting at approximately 7:00 p.m.

Minutes prepared:  
March 29, 2019

Minutes approved:  
April 11, 2019