

RIVES TOWNSHIP PLANNING COMMISSION

JANUARY 27, 2020

To: Rives Township Board (TB)

From Rives Township Planning Commission (PC)

Re: **2019 Annual Report Summary**

Planning Commission (PC) members

1. Chairman- Mr. Roger DeCamp
2. Vice-Chairman- Mr. Dwight Carmer
3. Secretary- Mr. Jim Lindstrom
4. Ex-officio member from TB (with full voting rights) - Mr. Cliff Herl. Passed away after March meeting.
5. Ex-officio member from TB (with full voting rights) –Mrs. Debbie Miller. 1st meeting is May 20, 2019
6. Member Mr. Adam Williams. 1st meeting is March 4, 2019.

2019 Goals

1. Conduct conditional use permit (CUP) review – completed 1-27-2020.
2. Conduct Industrial District review – in process.
3. Establish Zoning Ordinance definitions – on going.
4. Have 2 workshops with Township Board to foster communication – had 1 workshop.
5. Achieve MP approval by Township Board – completed.
6. Conduct new member training – on going.
7. Consider language for Renewable Energy Ordinance (added at 2-4-19 meeting) – started and in process.
8. Consider definition for “accessory buildings.” (added at 2-4 19 meeting) – completed.

January 7, 2019 Regular Meeting

1. Mrs. Pitmon-member position is vacant. TB will appoint replacement.
2. TB will send some comments for consideration by the PC for the Master Plan (MP) approval process.
3. Mr. Carmer and Mr. Lindstrom reported on the GLREA (Great Lakes Renewable Energy Association) conference they attended in December.
4. 11 people gave public comments. Some topics a) PC wasn't addressing MP tonight because the TB ideas for consideration had not been given to PC yet, b) nonresident offered to give PC citizen comments that had been given to TB, c) non-resident stated in her opinion solar arrays could be

sited so that they are less noticeable than say a power plant, d) Chairman stated that the MP progress stage is now dealing with comments from the TB and that public comment stage has been completed, e) several citizens asked regarding the MP process going forward, f) citizen expressed concern that room capacity in Township office had probably been exceeded for this meeting.

5. Election of 2019 PC officers was conducted.
6. 2019 Regular meeting dates established as 1st Monday of each month.
7. Approved 2019-2020 PC budget request at annual \$21,400.
8. 2019 PC Objectives approved as listed above under 2019 Goals.
9. Code of Ordinances book check was completed.
10. 7 Guidelines for Public Comment at PC meetings was approved.
11. Discussion among members about canceling February PC meeting. After discussion it was concluded due to the tasks and goals established for 2019 to follow the 2019 meeting schedule established in this meeting.

Length of meeting – 2 hours 44 minutes

11 people gave public comment – 0 hours 33 minutes

February 4, 2019 – **Regular Meeting**

1. Report from Township Board that MP review by TB resulted in 3 topics for further consideration are sent back to PC.
2. 12 people gave public comments. Some topics: a) citizen stated gratefulness for PC members still serving, b) citizen questioned FLU Map and industrial site labeling on past maps, c) questioning of some specific wordage in MP, d) discussion of time limit on temporary signs, e) citizen asked PC to work on updating Industrial district language.
3. The members discussed and considered in sequence the 3 topics the TB sent to the PC. a) Consider complete removal of Industrial on Broughwell Rd. known as Hacker Machine location on the FLU Map. After much discussion concluded “this request is not supported by any factual Planning or Zoning criteria stating why the Board finds reason to consider removing this property’s real zoning from the 2019 FLU Map.. The PC finds no valid reason stated to have it removed.” b) consider removal of commercial from Berry Rd. and State Rd. on the FLU Map, as it has been commercial since 1977, yet never developed. After discussion that request is supported by factual planning and zoning criteria the “PC agrees with the TB for reason to remove form the 2019 FLU Map the proposed commercial Land Use from the Berry Rd. and State Rd. corner.” c) Consider changes to language on Light Industrial per a document provided by an attorney. There were 6 inserts or word changes considered to the MP draft page 3-4. After discussion by roll call vote 4 changes were accepted and 2 were declined.
4. The process of moving forward the MP review and resubmitting to the TB was discussed. A Public Hearing for receiving public comments regarding these 3 topics addressed above was scheduled for March 4, 2019.
5. The members reviewed and discussed the 2019 PC Goals and steps to accomplish. To the goals listed in the 1-7-19 meeting minutes, the goals of considering language for Renewable Energy and consider the definition of “accessory buildings” are added.

Length of meeting – 2 hours 25 minutes

12 people gave public comment – 0 hours 48 minutes

March 4, 2019 – **Public Hearing**

A public hearing was held regarding the “3 Master Plan topics related to page 3-4 and the Future Land Use (FLU) Map referred from the Township Board for consideration by the PC.”

1. The secretary read a) the referral from the TB, b) the notice of Public Hearing posted in Salesman, c) pointed out updated FLU map and handout of page 3-4 for attendees, d) read letter of compliment regarding MP, e) mentioned that 9 page letter from attorney had been given to members minutes before Public Hearing, f) read from 2-4-19 PC minutes regarding topics discussed, discussion among members and reasons the PC came to their conclusions, g) and confirmed that updated changes were posted on Township website.
2. This is first meeting for newly appointed PC member Adam Williams.
3. 9 people gave public comment. Some topics a) some citizens found changes on website, some didn't, b) challenged industrial use in section 7, and c) questioned what the newly received attorney letter said.
4. PC members deliberated on the topics from the public hearing and the 2-4-19 meeting and conclusions and reasons for the decision on the 3 topics the TB asked to be considered,
5. Chairman stated the PC authority for drafting and reviewing a Master Plan is given by MZEA and the MPEA.
6. The decision to adopt the 2019 MP and send to the TB for approval was tabled and will be taken up at the next regular PC meeting.

Length of meeting- 1 hour 12 minutes

9 people gave public comment- 0 hour 38 minutes

March 4, 2019-**Regular meeting**

1. Report from TB a) a joint TB/PC meeting will be held 3-5-19, b) a joint Fire Board meeting held regarding pay, repairs and purchases,
2. 5 people gave public comments. Some topics a) questioned Hacker Machine FLU map, b) wanted to know what attorney letter provided at Public Hearing said, c) citizen challenged that Resolution to Adopt the MP had been prepared prior to public hearing. Chairman stated that it is each PC member's responsibility to come to each meeting prepared to respond to the agenda items, d) resident wants to be appointed to an advisory committee for industrial zone language.
3. Decision made to conduct regular meeting for remainder of 2019 on 4th Monday of each month to be held at Lansing Ave. fire station.
4. PC approved after discussion to appoint an advisory committee to take on the temporary task of developing suggested language for a solar energy ordinance for the Township.
5. Approved Resolution 2019 No. PC 2019-1 which is Planning Commission Resolution to Adopt Master Plan.
6. Rezone research was reported that 5-22-1973 meeting of TB approved rezone of 53 acres in Section 7 from agriculture to light Industrial zone.
7. 3-5-19 joint meeting TB/PC topics were discussed and for PC members to come prepared to contribute to discussion.

Length of meeting- 1 hour 15 minute

5 people gave public comment – 0 hour 16 minutes

April 22, 2019-Regular Meeting

1. Long time PC member Cliff Herl passed away since last meeting. NO replacement has been appointed yet.
2. Secretary reported that Resolution to Adopt Master Plan has been sent to TB and that “entities” had been given letters informing them of same.
3. 17 people gave public comments. Some topics a) GLREA has offered to speak to Rives Township citizens regarding renewable energy, b) citizen alleged improper land split in Section 7 allowed housing on industrial use and multiple challenges to Hacker Machine land, c) questioned PC annual legal expense, d) asked that internet access be made priority, e) comments regarding solar ordinance language and conditions.
4. Solar Power Advisory Committee of Debbie Miler and Michael Buiten discussed the voluntary work they had done. They submitted a 12 page summary labeled 4-22-19 Draft Ordinance for the PC consideration. The sources of their submission were Google search, GLREA, 7-8 local township ordinances, and Region 2.
5. Discussion regarding CUP history review. Secretary stated that in past, township attorney had given opinion that CUP renewal is not required. Decision approved to give CUP list to zoning administrator to vet list as to “current” activity and to prepare a list of active CUP’s.
6. Meeting was abruptly adjourned when citizen refused to abide by Guidelines of public comment and persisted in making personal attacks on 3 of the PC members.

Length of meeting – 2 hours 2 minutes

17 people gave public comments – 1 hour 16 minutes

May 20, 2019 – **Regular Meeting**

1. Mrs. Debbie Miller was appointed by TB as the ex-officio member from the TB. This is her 1st PC meeting.
2. Chairman DeCamp absent due to death of his mother.
3. Report from TB a) tasting room permit approved for Chateau Aeronautique Winery was approved, b) 2019 township road improvement map supplied by JCRC, c) upgrade for township website approved, d) Steve Burnett approved as Zoning Enforcer, e) Rick Baldwin appointed as Collection Site Manager, f) Rescue Truck purchase approved.
4. PC members discussed conduct and guidelines for public comment. Mr. Williams suggested that if the public is desirous of responses to old business that they provide the issue prior to the meeting so research by the PC can provide a response.
5. CUP history vetting was reviewed. Attorney opinion given in 12-17-2003 PC minutes states that CUP permit only dissolves after 6 months of inactivity. Zoning Enforcer given task to determine which CUP’s are active and which have been abandoned.
6. PC authorized the Solar Ordinance advisory committee to update the Draft Solar Ordinance. Mr. Sarver of GLREA will conduct power point presentation of Solar Power electric generation for the citizens on June 17, 2019 at the Rives Banquet Center.

7. PC authorized the appointment of 2 citizens for the temporary task of researching and reporting on the ways and costs for Rives Township to obtain high speed internet service.
8. Vice chairman advised PC to review the Code of Ordinance for future discussion on the Commercial and Industrial Districts. Discussion included permitted and conditional uses.
9. 11 people gave public comments. Some topics a) citizen stated that Novi Energy is conducting a MISO electric energy study that may affect Rives Township, b) comments regarding high speed internet service, c) comments regarding restricting fossil fuel plant and water use restriction on same, d) citizen questioned threat of violence made at last meeting and questioned why public comment was restructured to one session, e) comments regarding draft Solar Ordinance.

Length of meeting 1 hour 29 minutes

11 people gave public comments 0 hours 33 minutes

June 17, 2019 – **Special Information Meeting**

A public meeting was provided by the PC for a presentation by a Board member of the Great Lakes Renewable Energy Association (GLREA) regarding solar energy.

June 24, 2019 – **Regular meeting**

1. Report from the TB a) approval of retroactive pay for new collection site manager ,b) changes made to design of rescue truck purchase, c) report of proposed 2019 road work, d) reported that TB was presented with a written “actions requested of the TB” of 6 items.
2. 31 people gave public comment. Some topics a) multiple comments opposing a power plant and concerns about it, b) citizen thanked the TV station that sent a reporter to the meeting, c) several citizens suggested a 6 month moratorium placed on natural gas power plants, d) citizens want to make sure that Essential Services language is not used to allow a power plant.
3. Township zoning enforcer, Steve Burnett, reported he has started his review of past conditional use permits (CUP). He is reviewing a list provided to him from dates of 1969 – 2015. He will continue his review and plans to prepare a form letter to be sent to each property where the permitted use has been “abandoned” and no longer in effect on the property.
4. Mrs. Miller reported that the proposed draft language for the Solar Ordinance has been updated in response to the prior discussion by the PC.
5. Chairman validated that the member books had all the MP inserts.
6. After considerable discussion among the PC regarding the Industrial district and Essential Services language presented to the PC at this meeting, the PC voted to refer to the township attorney for review and comparison to the Code of Ordinance for legal interpretation with special attention to pages 57,65,71,72, and 73.

Length of meeting 2 hours and 31 minutes

31 people gave public comment 0 hour and 45 minutes

July 22, 2019 – **Regular Meeting**

1. Report from the TB a) Board approved moratorium on power plant consideration, b) Fire Department is being sued regarding death after rescue efforts, c) consent order settlement for fire

issue, d) Azalea Dr. water issue may require special assessment, e) clerk will get training through MTA.

2. Secretary read correspondence from citizen regarding Essential Services and Industrial district. Discussion whether correspondence properly received through the Clerk needed to be read aloud or just acknowledge receipt. Chairman will get legal opinion.
3. PC Public Comment Guidelines were reviewed and amended to include a sign-up sheet for comment.
4. PC members plan to attend MTA meeting August 20 on “hot topics in Planning and Zoning.”
5. TB Resolution 2019-06 regarding Moratorium was discussed.
6. Chairman reported township attorney legal opinion that “Essential Services” ordinance language does not require a power plant to be built to provide energy.
7. Chairman presented information regarding Carlisle Wortman Associates (CWA) skills, experience and professional help that they could provide to the PC to economically and efficiently help with the tasks the PC has ahead. A written cost proposal to provide specific service related to Industrial district will be requested of CWA. Chairman expressed confidence that a professional team of Lucas Law and CWA will serve the PC, Township and citizens well with the issues in the immediate future.
8. 6 people gave public comment. Some topics a) several citizens approved of professional planner use by the PC, b) comment about sign-up sheet and reading aloud correspondence, c) citizen offered attorney prepared language for section 17.55 of the Ordinance, d) asked that PC use MSU service reportedly offered prior.

Length of meeting 1 hour 45 minutes

6 people gave public comment 0 hour 14 minutes

August 19, 2019 – **Regular Meeting**

1. Report from TB a) Phillip Ferraro appointed to Board of Review, b) TB approved CWA hire for specific task regarding PC help with Industrial ordinance, c) TB approved expenditure for remodel upgrade at Lansing Ave. Fire station, d) an engineer has been hired to assist with Azalea Dr. water problem, e) refinancing of the sewer loan is being reviewed.
2. CWA principal, John Enos was introduced and discussed the professional planning service his company can provide. They exclusively represent government units. He discussed the importance of the MP, the MZEA and the MPEA as foundation for decisions. Questions were taken from the attendees. Chairman gave CWA specifics to review and consider including in the draft to be given to PC. Mr. Enos thought he could have a draft for October meeting.
3. Chairman discussed legal advice given to PC by Lucas Law regarding a) “essential services” doesn’t require a “power plant” to provide same, b) correspondence not required to be read aloud, c) conduct of public comment to follow guidelines set and to address PC business items.
4. 12 people signed-up to give public comment. Some topics a) several citizens support the use of CWA and thanked PC for hiring CWA and allowing public discussion during meeting, b) several citizens gave opinion MSU help should be allowed, c) citizen challenged PC that it hadn’t followed suggestion of supervisor to use MSU or GLREA, d) Mr. Enos acknowledged receipt of letter from CKRR.

Length of meeting 2 hour 14 minutes

12 people signed up to give public comment 0 hour 28 minutes

September 23, 2019 – **Regular Meeting**

1. Report from TB stated that no meeting had been conducted since last PC meeting.
2. Chairman reported that he has former member Herl's file and will sort out to retain as appropriate.
3. Member commented on usefulness of 8-20-19 MTA training received.
4. Steve Burnett, Township Zoning Enforcer reported on review of the 79 Conditional Use permits (CUP). He reported that of the list provided to him that 13 CUP's are still in affect and active. He has more properties to review. He will update the review from June 2015 to current and add this to list and review.
5. Chairman lead discussion on zoning discrepancies on 3 properties: Williams Aero Estates, industrial land with residence in area of Easton Rd and Berry Rd., and Wolverine Boiler property.
6. Discussion among PC members of CWA work to be offered at October meeting.
7. Several members expressed their desire to move ahead and conclude solar ordinance that has been worked on and reported to the PC by the Advisory Committee.
8. 5 people signed up to give public comment. Some topics a) comments regarding Wolverine Boiler zoning and Williams Aero Estate consent order, b) suggested that more information is needed to develop solar ordinance.

Length of meeting 1 hour 43 minutes

5 people gave public comment 0 hour 28 minutes

October 28, 2019 – **Regular Meeting**

1. Report from the TB a) sewer refinance is being evaluated, b) CWA is being considered to prepare Rives Township recreation plan, c) TB trying to resolve resident consent agreement violation, d) sewer system is having problems, e) Supervisor reported that Novi Energy verbally stated that they do not plan to build a power plant here, f) July 3, 2019 CUP application has been withdrawn.
2. Chairman presented report from Zoning Enforcer that through 6-2-15 there are 19 active CUP's.
3. Member reported on research of the Wolverine Boiler property zoning that on 11-14-89 the TB approved the rezoning of the property to commercial.
4. Discussion among the PC members regarding draft 1 language submitted by CWA of section 17.55 Light Industrial district. CWA wasn't present to make presentation/answer questions. Edits to draft 1 will be given to CWA. PC concluded that CWA representative will present draft 2 at November meeting. PC would also request CWA suggested language to cover escrow, restoration and guarantees by developers of projects.
5. 8 people gave public comments. Some topics a) multiple citizens made positive comments regarding points covered in PC discussion and that industrial ordinance draft should support rural character and protect water resources, b) citizen offered attorney prepared language and requested review of sections 17.23 and 17.01.

Length of meeting 2 hours 59 minutes

8 people gave public comment 0 hours 19 minutes.

November 25, 2019 – **Regular Meeting**

1. Report from TB a) approval for work to upgrade street lights in village, b) approval granted to hire legal help with sewer bond refinance, c) approval of GIS Aerial imagery of township, d) approval of upgrade to rescue truck, e) approval to hire help for grant writing for defibrillator.
2. CWA representative, Chris Atkins, presented draft 3 (dated November 12, 2019). This is language updates related to Light Industrial district. After much discussion among the PC members and Mr. Atkins, edits / changes were made to prepare draft 4 which will be presented at the next PC meeting. It is decided that it is not necessary for CWA to be at December meeting. CWA was also asked to submit suggested conditions for each of the final list of conditional uses.
3. 4 people gave public comment. Some topics a) questions regarding height restriction in industrial district, pharmaceutical preparation, and truck terminal use, b) citizen offered that is helpful to have CWA representative present at PC meeting, c) citizen thankful for performance guarantee language being considered.

Length of meeting 2 hours 24 minutes

4 people gave public comment 0 hours 8 minutes

December 16, 2019 – **Regular Meeting**

1. Nothing to report from TB.
2. Member reported that owner of one residential property in “non-compliance” in industrial zone is in favor of changing his zoning to agricultural to achieve compliance.
3. CWA update to draft 4 was offered and discussed. After much discussion among the PC members edits/ changes and confirmation were approved and will be provided to CWA to prepare draft 5 for the January meeting.
4. Secretary stated that once the final draft is approved by the PC, the guidelines of the MZEA sections 125.3306, 3307 and 3308 will be followed to conduct at least 1 public hearing.
5. 4 people gave public comment. Some topics a) citizen had contacted CWA to get copy of draft to be reviewed tonight, b) several citizens asked when final draft would be available, c) citizen questioned method of preparing draft and reviewing.

Length of meeting 2 hours 18 minutes

4 people gave public comment 0 hours 19 minutes

Summary of length of Meeting and length of Public Comment

Date	type	meeting length	Public Comment length
January 7, 2019	regular	2 hour 44 minutes	0 hour 33 minutes
February 4, 2019	regular	2 hour 25 minutes	0 hour 48 minutes
March 4, 2019	CUP public hearing	1 hour 12 minutes	0 hour 38 minutes
March 4, 2019	regular	1 hour 15 minutes	0 hour 16 minutes
March 5, 2019	joint TB/PC		
April 22, 2019	regular	2 hour 2 minutes	1 hour 16 minutes
May 20, 2019	regular	1 hour 29 minutes	0 hour 33 minutes

June 17, 2019	special information		
June 24, 2019	regular	2 hour 31 minutes	0 hour 45 minutes
July 22, 2019	regular	1 hour 45 minutes	0 hour 14 minutes
August 19, 2019	regular	2 hour 14 minutes	0 hour 28 minutes
September 23, 2019	regular	1 hour 43 minutes	0 hour 28 minutes
October 28, 2019	regular	2 hour 59 minutes	0 hour 19 minutes
November 25, 2019	regular	2 hour 24 minutes	0 hour 8 minutes
December 16, 2019	regular	2 hour 18 minutes	0 hour 19 minutes
Total	all	27 hour 1 minute	6 hour 9 minutes