

Baroda Township Planning Commission
Minutes
November 13th, 2023

On November 13th, 2023 the Baroda Township Planning Commission met in the Municipal Buildings Meeting Room at 9091 First Street., Baroda. Present were, Commissioners Christina Price, Dean Schmaltz, Tom Shafer, Tom Lippert, Barbara Sukys and Peter Van Vooren acting as Chairman. Absent was Chairman David Schultz. There were 6 audience members.

Peter Van Vooren called the meeting to order at 6:30 p.m.

The minutes of the October 9th, 2023 meetings were reviewed. Tom Shafer made a motion to accept the minutes seconded by Tom Lippert. Vote – all Yes. Motion Carried.

Building and Zoning Report- Commissioners Reviewed the Building and Zoning Report.

Unfinished Business –

- Master Plan Survey Postponed

New Business

- It was mentioned that Fluck Farms annual SLUP renewal was coming up. After brief discussion the Planning Commissioner found no reason to not approve it for another year. Justin Fluck knows to let the new buyers contact the Township.

Meeting Closed at 6:40pm

Public Hearing Opened for 10515 Hills Rd

Applicants Comments – Karyn Schultz was present to discuss the plan for 10515 Hills Rd property. She mentioned that this is a family home and they would like to keep it that was but in the meantime use it as a Tourist Home.

Audience Comments –

- Bill and Greta Hurst mentioned that they spoke with David and Karyn about their concerns and wrote a letter for desired conditions of the joint properties. Michelle and Matt Booth were also present and part of this agreement.

Closed Public Hearing

Reopened Regular Meeting

Deliberation and Action by Planning Commissioners

There was discussion about the concern of the emergency services being able to cross over a wooden bridge to get back to the property, mainly the Fire Department. It was also discussed by the Zoning Administrator that smoke alarms, carbon monoxide alarms and a handrail will need to be installed before final approval.

General Standards-

1. The special land use shall be designed, constructed, operated and maintained in a manner compatible with the character of adjacent land uses. **By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.**
2. The special land use shall be consistent with the intent and purpose of the Baroda Township Zoning Ordinance and Master Plan. **By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.**

3. The special land use shall be compatible with the natural environment of the site.
By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.
4. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety and welfare of persons or property through the production of traffic, noise, smoke, odor, fumes or glare.
By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.
5. The special land use shall be compatible with the capacities of public services and facilities affected by the land use.
By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.
6. The special land use shall comply with applicable Township, County, State and Federal regulations.
By Roll Call Vote – Voting Yes; Tom Shafer, Christina Price, Dean Schmaltz, Pete VanVooren, Barbra Sukys, Tom Lippert. Voting No none.

Conditions-

1. The Township Planning Commission may impose reasonable conditions with the approval of a special land use application and site plan which are necessary to ensure compliance with the standards for approval stated in this section and any other applicable Township ordinances and regulations. Such conditions shall be considered an integral part of the special land use permit and approved site plan and shall be enforced by the Zoning Administrator.
2. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
3. The Planning Commission, at its discretion, may require greater setbacks than otherwise established for the district in which the proposed special land use would be located where it is determined that one or more of the following conditions exist:
 - a) the proposed use will create noise, light, odor or similar potential nuisances affecting adjoining properties, the effects of which could be reduced or eliminated by increasing the separation from those uses;
 - b) adjacent property, even if vacant, is zoned Residential and the compatibility of the proposed special land use with existing or future dwellings could be substantively improved by increasing the setback for the special land use along the Residential property line;
 - c) due to the nature of the special land use, there is the potential threat to the health, safety or welfare of adjoining properties because of traffic, litter, trespassing or similar impacts that could be reduced or eliminated by increasing the separation from those uses; or
 - d) natural features, such as a significant vegetative screen, wetlands or topographic

variations that would moderate the impacts of the special land uses could be preserved by modifying the setback requirement.

Performance Guarantee-

In authorizing a special land use permit, the Township Planning Commission may require that a cash deposit, certified check, or irrevocable bank letter of credit be furnished by the developer to ensure compliance with an approved site plan and the special land use permit requirements. Such guarantee shall be deposited with the Township Clerk at the time of the issuance of the special land use permit. In fixing the amount of such performance guarantee, the Township shall limit it to reasonable improvements required to meet the standards of this Ordinance and to protect the natural resources or the health, safety and welfare of the residents of the Township and future users or inhabitants of the proposed project or project area including, but not limited to roadways, lighting, utilities, sidewalks, screening and drainage. The term "improvements" does not include the entire project which is the subject of zoning approval nor to improvements for which a performance guarantee has been deposited pursuant to Act No. 288 of 1967, as amended. The Township and the project developer shall establish an agreeable procedure for the rebate of any cash deposits required under this section, in reasonable proportion to the ratio of the work completed on the required improvements as work progresses. Said agreement shall be written as an element of the conditions surrounding the approval of the special land use permit.

Did not vote on this.

Peter VanVooren announced that the Motion was Approved with Conditions listed below for the SLUP at 10515 Hills Rd.

Conditions: Upon Approval from the Zoning Administrator for handrail, Carbon Monoxide and Smoke protectors. Approval from Fire Chief on the access to the home.

Audience Comments- None

The meeting was adjourned by 7:36p.m. The next regular meeting is scheduled for December 11th, 2023

Christina Price
Baroda Township Planning Commission Secretary