Regular Meeting  
Norwood Township Planning Commission  
AGENDA  
Monday, August 10, 2020  
7:00p.m.  
Norwood Township Hall

Call to Order/Pledge of Allegiance/Welcome

Roll Call

Approval of Agenda

Conflict of Interest

Public Comment

Consent Agenda

1. Planning Commission Minutes July 13, 2020

New Business

1. Cleland Special Use Permit
   a. Staff Report attached
2. Hiller application to combine two lots on Lake Shore Drive
3. Township Park Beach Access Control

Planning Commission Old Business

1. Master Plan
   A. Intent to Plan-coordinate with Planner
   B. Community Survey
3. Zoning Map from Charlevoix County
4. St. Mary's Tour
5. Recreation Committee
6. Property Maintenance Issue-Zoning Administrator

Other Business – Informational & Discussion

1. AM Manufacturing Traffic Complaint
2. Non-Conforming Use Complaint – Noirot/Charlevoix Home Town Rentals: Change of Use Issue

Public Comment:

Adjourn
A flurry of activity occurred in July, much of which was by way of inquiry rather than by submission of applications for Commission action.

7/2 Call from Jay Hillier re application to combine parcels.

7/3 Received e-mails regarding the lot at 2d Street and Lake Street — owners plan to take the lot back to 1850 standards.

7/3 Received documents from Sherm Chamberlain regarding Stillwagon lots on Lakeshore Drive and inquiring about what needed to be submitted to secure a zoning permit to build a barn on the lot east across Lake Shore Drive. Question arose regarding whether the ordinance provision prohibiting the building of an accessory building on a lot before a principle use building would apply because Stillwagon has the fee simple title to the roadway abutting his lots.

7/10 Received an application for combining two lots from Hillier.

7/10 Received an application for a lot split from the Joseph Crane Trust. Advised Mitt Lee, realtor and agent for Crane Trust that the application must be signed by the actual owner of the parcel to be split.

7/10 Question was put to Chamberlain about producing a deed or deeds showing ownership of the roadway in Stillwagon.

7/11 Hillier fee delivered to Lynn Smolenyak. Application mailed to Assessor for approval.

7/13 E-mail from Chamberlain re Stillwagon providing case law acknowledging ownership of roadways in the adjoining property owners.

7/15 Received AM Mfg docs from Shari Jones.

7/15 Received formal complaint from Alex Amstutz re truck traffic in and out of AM Mfg lot on US 31.

7/15 Phone call to Jeff Lobodzinski, DTE re traffic and use of AM Mfg lot — left message.

7/16 Phone call from DTE Project Manager regarding use of the AM Mfg lot. Natural gas line is being installed in the area and the AM Mfg lot is being used temporarily — into the fall — as the staging area. I requested letter or e-mail to that effect, but have not received anything.

7/18 Delivered Cleland SU Permit application documents to John Iacoangeli. E-mailed John offering my opinion that the application was complete and requesting that he forward the packet to the Commission members with a recommendation that the matter be set for public hearing in September.

7/18 E-mailed Hillier advising that taxes needed to be paid before the Commission could consider their application for lot combination.
7/18 Returned $250 check to Boyd Construction which had been submitted along with an application for variance. After reviewing the application, Chairman Kolka and I agreed that the application for variance was insufficient to secure a variance and the applicant was so advised.

7/21 Received an application for a zoning permit from Realtor Tina Pier on behalf of William Dotson. Advised Tina Pier that I needed the application fee and proof of ownership.

7/22 E-mail from Seth Railsback, realtor inquiring about the zoning class for Steve Achmidt’s property at US31 and Gennett.

7/25 Met with Sherri Jones and County Planner to clarify Zoning map issues. County Planner advised that regarding the Craig Wagner property, I as Zoning Administrator and the Commission, have the authority to proceed on our own initiative and should in order to rectify the situation.

7/28 Picked up Hillier application from Assessor Englebrecht in Petoskey. Consulted with Equalization Department about the Stillwagon road situation and process for approving lot splits/combinations.

7/31 Secured Lynn Smolenyak’s signature on the Hillier application and delivered the application packet to Chairman Kolka.

7/31 Received check and proof of ownership docs from Dotson.

Respectfully submitted,

Steve Overton
Zoning Admr

7/22 Prepared an addendum to the Cleland Application in answer to questions raised by Chairman Kolka.

Steve Overton
Date: 07.17.2020

From: John Iacoangeli, FAICP
To: Norwood Township Planning Commission
19759 Lake Street
PO Box 113
Charlevoix, MI 49720

Project: Cleland SUP Proposal

Remarks:
As referenced in the email from Steve Overton, Zoning Administrator, he has concluded that the application for a Special Use Permit (SUP) submitted by Sherry and Scott Cleland is complete.

As a result, I am recommending that the Norwood Township Planning Commission schedule a public hearing for September 14, 2020 to solicit public comment.

At the September 14, 2020 Planning Commission meeting, the Planning Commission will have the opportunity to review the application and findings in detail.

Suggested Motion
The Norwood Township Planning Commission will schedule a Public Hearing on September 14, 2020 at 7:00 PM to solicit public comment and review the application and findings for a wedding venue on Parcel ID# 15-011-133-007-00 and 15-011-113-008-00 under the provisions of Article VII Uses Subject to Special Approval and Supplemental Site Development Standards Section 7.03 Supplemental Site Development Standards.

Thank you.
Greetings John:

Thank you for meeting with me today and for your insights regarding the Cleland application for a special use permit.

I delivered to you what I consider to be a complete application for permit and understand that you will forward the complete package to the Commission members. I will request at the August meeting of the Commission that it set a date for a public hearing at its September meeting. I will be responsible for noticing the public as required, with the help of the Planning Commission Recording Secretary, Shari Jones.

Steve Overton  
Norwood Twp Zoning Admr
Name: Scott & Sherry Cleland
Address: 3133 US Highway 31 S. Charlevoix MI 49720
Telephone: 734-604-6688 Email: closer_1@hotmail.com

Landowners name, address and phone number:
Same as above

Parcel ID #: 15-011-113-009-00
Special Use being requested: Use of property and Barn for special events and up to 10 safari glamping tents and wedding tent.

Signature: Scott Cleland Sherry Cleland Date: 06/16/2020
Plot Plan or Site Plan Required: Provided

Planning Commission Action:
Approved: _________ Denied: _____________________ Approved with conditions: ______

Special Use Review Checklist:

3/2019 Special Use Permit Application – Norwood Township
NORWOOD TOWNSHIP

Addendum to

Application for Special Use Permit

Date: July 15, 2020

Applicants: Scott and Sherry Cleland

Address: 3133 US Highway 31 S; Charlevoix, Michigan 49720

Special Use Being Requested

We are requesting a special use permit under Section 5.01 of the Norwood Township Zoning Ordinance as amended by Ordinance Number 1 of 2020, to allow us to host weddings, wedding receptions and safari glamping. Our property is zoned agricultural and consists of 116.799 acres, 70 of which would be dedicated for this proposal. Permanent buildings already in existence consist of a house, barn, and three out-buildings, all near the highway. Agricultural use consists of hay and lavender propagation. Our proposal will include no new permanent buildings. Weddings and receptions will be facilitated by use of tents which we will rent as needed. A description and pictures of the tent we plan to use are attached. (Attachment A). Glamping facilities will be temporary structures that will be put up in the spring and completely dismantled at the end of the season in September. (Attachment B). The proposed use will have a minimal effect on environmental aspects of the property since no new buildings will be erected and the use limited in number during the summer. Portable toilet facilities will be provided per Health Department requirements based on the number of people expected to be in attendance at each event. These will be placed and removed for each event. Water and shower facilities will not be provided; glampers will have to provide for themselves. No excavating will be required to prepare the sites. There are no wetlands that will be affected. An existing gravel driveway will provide ingress and egress. The site plan shows a parking area that needs no special preparation. Neighbors are 1010 feet to the south, 1200 feet to the north, and directly across US 31 from the principal structure. The wedding tent would be situated some 571 feet from the highway. We will not be serving alcoholic beverages; each party with whom we contract will make their own arrangements in this regard. Hours of operation will comply with Section 1.e. of the Norwood Township Ordinance Number 1 of 2020, 10:00am-11:00pm.

Responses to Application Instructions

A. Pre Application Conference: We have had several meetings with the Zoning Administrator, Steve Overton, and attended the August 2019, meeting of the Planning Commission to offer a brief explanation of our plan
B. Application:
1. A site plan, aerial photo and survey are attached as Attachments C, D, and E.
2. Names and Address: Scott and Sherry Cleland; 3133 US Highway 31; Charlevoix, MI 49720.
3. Description of proposed use: See above.
4. Effect on the neighborhood will be minimal since the property will not be in continual use but only as contracted and operating within the hours of 10:00am and 11:00pm, a day at a time. Our contract for use of the premises will be specific as to allowable music loudness and proper behavior.
5. Fee has been paid.

C. Public Hearing: To be scheduled by PC.

D. Standards: Section 6.01F.
1. Name and Address – provided.
2. Site Plan – See attachment C.
3. Site Plan – see attachment C.
4. See Attachment A.
5. See Attachment E.
6. N/A.
7. N/A.
8. See Attachment C.
9. Zoning is agricultural. Neighboring properties are agricultural and rural residential.
10. See Attachment D; no additional landscaping anticipated.
11. See attachment C.
12. Utilities serve the principal dwelling; no other utilities are proposed for this use.
13. N/A
14. See Attachments A and B.
15. Proposed site is essentially flat.
16. No wetlands on the property.
17. Hours of operation will be between 10:00am and 11:00pm only on days of scheduled events.

E. Other Considerations. We believe that our proposed use will be consistent with Norwood Township’s purpose in creating a zoning ordinance and that the use will be compatible with adjacent land use. We believe that the impact on the surrounding neighborhood will be appropriately courteous and will not be disruptive in any way. We respect our environment and the proposed use will be protective of the natural beauty of the area.
RESPONSES TO ORDINANCE AMENDMENT REQUIREMENTS

   i. The facilities and structures utilized for the special use will be 
      accessory and subordinate to the agricultural use of 
      cultivating hay and lavender which operations are in effect as 
      of this date.
   ii. Charlevoix Equalization Department has classified the subject 
       property as agricultural, specifically 101.
   iii. Growing hay crops and lavender will continue.
   iv. Parking areas will be off-road and more than forty feet from 
       lot lines, and screened from neighboring property.
   v. Access will be over an existing drive.

b. No permanent toilet facilities will be provided. Portable toilets will 
   be positioned for each event as per Health Department guidelines 
   pertaining to the number of expected guests.

c. Hours of operation will be between the hours of 10:00am and 
   11:00pm.

d. Music will not be a primary event but rather secondary to the 
   wedding festivities and each contract for the use of the property for 
   weddings and wedding receptions will specify a limit of 70 decibels 
   at the property boundaries.

e. No artificial lighting is anticipated.

SUMMARY

We are delighted to be a part of the Norwood Township Community and believe that our 
proposal for a wedding and glamping venue will prove to be a positive addition to the 
Township’s development.

ATTACHMENTS

Attachment A – Tent Information and photos
Attachment B – Glamping photos
Attachment C – Site Plan
Attachment D – Aerial photo
Attachment E – Survey
Attachment F – Ordinance Number 1 of 2020 amending Norwood Twp Zoning Ordinance Sections 2 and 3.
Attachment G -
A. **Pre-Application Conference:** The applicant shall request a pre-application conference with the Zoning Administrator, Planning Commission Member and other Township representatives. While no formal action is taken, the conference will allow for the sharing of information and guidance in the preparation of the site plan. Applicants are encouraged to provide conceptual drawings/plans of the proposal. **Approximate Time Frame:** Generally, **Within 2 Weeks**

B. **Applications:** Applications are submitted to the Zoning Administrator and shall include:
1. Plan prepared under the requirements of Section 6.01 Plan Review (All Districts) - Site Plan Data Required.
2. Name and address of applicant and owner of the premises.
3. Description of proposed use, including parking facilities, if required, and any exceptional traffic situation the use may generate.
4. A statement by applicant appraising the effect on the neighborhood.
5. The application shall be accompanied by the fee. **Application shall be submitted at least 30 days prior to consideration of the Planning Commission.**

C. **Public Hearings:** A public hearing shall be held for all special approval requests. The notice shall describe the nature of the special approval request; indicate the subject property, state when and where the special approval request will be considered, and when and where the written comments will be received concerning the request. **Included In Above Timeframe.**

D. **Standards for granting Special approval:** Approval of a special approval proposal shall be based on the determination that the proposal, will comply with all applicable requirements of this Ordinance, including site plan review criteria set forth in Section 6.01 Plan Review (All Districts), applicable site development standards for specific uses set forth in Section 7.03 Supplemental Site Development Standards, and the following standards:

1. **Compatibility with Adjacent Land Uses:** The proposed special approval shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The design of the proposed special approval shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:
   a) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
   b) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
   c) The hours of operation of the proposed use. Approval of a special approval request may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
   d) The bulk, placement and materials of construction of the proposed use in relation to surrounding uses.
   e) Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as condition of the special approval.

2. **Public Services:** The proposed special approval shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, emergency services, drainage systems, water and sewage facilities and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special approval is established.

3. **Impact of Traffic:** The location of the proposed special approval within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:
a) Proximity and access to major thoroughfares.
b) Estimated traffic generated by the proposed use
c) Proximity and relation to intersections.
d) Adequacy of driver sight distances.
e) Location of and access to off-street parking.
f) Required vehicular turning movements.
g) Provisions for pedestrian traffic.

4. Detrimental Effects: The proposed special approval shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met consideration shall be given to the level of traffic noise, vibration, smoke, fumes odors, dust, glare and light.

5. Economic Well-Being of the Community: The proposed special approval shall not be detrimental to the economic well-being of those who will use the land or residents, businesses, landowners, and the community as a whole.

6. Compatibility with Natural Environment: The proposed special approval shall be compatible with the natural environment and conserve natural resources and energy.

7. Approval: The Planning Commission may deny, approve, or approve with conditions, requests for special approval, based on the standards above. The Planning Commission has the authority to impose reasonable conditions on any special approval granted, as per Section 8.03.

8. Inspection: The Zoning Administrator shall have the right to inspect any special approval use, to ensure continued compliance with the conditions of the special approval.

This Process will take approximately 2 months to receive a decision from the Planning Commission
ATTACHMENT A
Tent information

The Anchor's Aurora tent is the newest offering in our sheer top line-up, marrying the essence of the sailcloth's appeal with renowned quality and engineering expertise. The beautifully translucent, luminous fabric glows by day and radiates among its surroundings at night. But rest assured Anchor's Aurora is no "fair weather tent." For peace of mind, Anchor's renowned quality and engineering expertise provide enhanced protection and security. The patent-pending, revolutionary WeatherShield wall attachment technology eliminates gaps that let in wind and rain—without the need for a valance or other visual disturbance to disrupt the sleek, catenary eave line. Aurora gorgeously and uniquely provides protection from the elements.

Anchor raised the bar with Aurora, a sheer top tension tent that positively glows. The 32' wide single pole expandable Aurora is the newest offering in Anchor's sheer top line-up, which also includes Aurora in widths of 45' and 59' (twin pole expandable). Aurora marries the essence of the sailcloth tent's appeal with renowned quality and engineering expertise. The result is enhanced protection and security that give a rental company peace of mind and ecstatic clients. Leg spacing is 10' and aluminum or wooden side pole packages are available.
Aurora is more than a fair weather tent thanks to the ability to seal tent walls to the tent top. Our revolutionary, patent-pending WeatherShield™ wall to eave sealing technology, named a 2015 IFAI Innovation Award winner, eliminates the gaps that let in wind and rain without the need for a valence or any other visual disturbance to the characteristic clean, sharp catenary eave line. The WeatherShield seal requires the use of Anchor WeatherShield walls; however, all Aurora tents include a wall rope to allow the use of standard tent walls. The nautical touches of the tent are complete with flags offered in either blue or white rip-stop nylon.

Our tent will be 40 x 100 which allows for 266 person wedding but we are only allowing 225 person weddings.
ATTACHMENT B
ATTACHMENT D
March 19, 2012

DESCRIPTION FOR: KEITH ALESSI
Job No. SB-24140c-12

SURVEY DESCRIPTION:
In the Township of Norwood, Charlevoix County, Michigan,
BEGINNING at a rod in a monument box at the Southeast corner of
Section 13, Town 33 North, Range 9 West; thence along the South
line of said section, 'North 89°15'56" West 75.12 feet to a 3/4
inch pipe on the West line of Highway U.S. 31, as monumented;
thence continuing along said section line, North 89°15'56" West
2569.20 feet to a DNR Monument at the South 1/4 corner of said
section; thence continuing along said section line, North
89°25'19" West 1321.02 feet to a 1/2 inch rod on the West 1/8 line
of said section; thence along said 1/8 line, North 00°47'47" East
1327.12 feet to a 1/2 inch rod on the South 1/8 line of said
section; thence along said 1/8 line, South 89°23'59" East 1320.27
feet to a 1/2 inch rod on the North and South 1/4 line of said
section; thence continuing along said 1/8 line, South 89°19'17"
East 2113.77 feet to a 1/2 inch rod; thence parallel with the East
line of said section, South 00°39'14" West 330.00 feet to a 1/2
inch rod; thence South 89°19'17" East 456.12 feet to a 1/2 inch
rod on the West line of said highway, as monumented; thence
continuing South 89°19'17" East 71.88 feet to the East line of
said section; thence along said section line, South 00°39'14" West
999.19 feet to the Point of Beginning; being the Southeast 1/4 of
the Southwest 1/4 and part of the South 1/2 of the Southeast 1/4
of Section 13, Town 33 North, Range 9 West, and containing 116.799
acres.
Subject to the rights of the public and of any governmental unit
in any part thereof taken, used or deeded for street, road or
highway purposes.

John E. Ferguson, P.S. No. 24595
Norwood Township
Ordinance Number 1 of 2020

An Ordinance to amend the Norwood Township Zoning Ordinance Articles II and VII pertaining to special event facilities on agricultural land. The Township of Norwood Ordains:

Section 1. Article II Section 2.02 Definitions of the Norwood Township Zoning Ordinance is hereby amended to add the following definitions:

SPECIAL EVENT: A celebration, ceremony, wedding, reception, corporate function, private or nonprofit fundraiser, political gathering or similar activity at which 50 or more persons (including event staff) will be present at on a parcel in any 24-hour period for the common purpose of attending or servicing an event. Special events are activities held for the benefit of someone other than the property owner, are subject to a use agreement between the property owner and another private entity, and that may be held on a re-occuring basis. Uses that are accessory to single-family residential and agricultural activities including private parties, gatherings, and similar activities that are not subject to a use agreement between the property owner and another private individual or group are not defined as a special event.

SPECIAL EVENT FACILITY: Any structure or land where special events are permitted to occur. Special event facilities are subject to a use agreement between the facility owner and another private group or individual. The facility owner may or may not charge a fee for the use of the facility. Facilities may operate entirely within a structure, outside of a structure, or both inside and outside a structure.

Section 2. Article V District Regulations Section 5.01 (B) & (C) are hereby amended in their entirety as follows:

B. Permitted Uses: Except as otherwise provided, the use of all lands and premises, and the erection and use of all buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses:

1. Agriculture, including both general and specialized farming, tree farms, and forestry
2. Single family and two-family dwellings
3. Accessory Dwelling Units
4. Accessory uses to the buildings and uses customarily incidental to the above permitted uses
5. Artisans Gallery
6. Farm Stands
7. Home Occupations
8. Home-Based Businesses
9. Plant nurseries and greenhouses
10. Bed and Breakfast Inns
11. Farm-a-culture including tours, rides, shows, u-pick, special events and educational activities
12. Short-term residential rental – see General Ordinance No. 02 of 2018, Short-Term Rental Ordinance

C. Uses Subject to Special Approval: Shall be subject to the provisions of Section 7 Uses Subject to Special Approval:
1. Farm Markets
2. Sand and gravel extraction
3. Temporary sawmills
4. Public and private campground
5. Golf courses and country clubs
6. Private airports and landing strips
7. Public buildings, schools, and facilities
8. Places of worship and related religious buildings
9. Planned Unit Development (PUD)
10. Kennels, veterinary clinics and animal hospitals
11. Cemeteries
12. Cottage industries
13. Telecommunications and Wireless Communication Towers
14. Meteorological Towers, Anemometer Towers and Test Towers
15. Wine, beer, spirits and food services associated with vineyards, breweries and distilleries
16. Special Event Facilities
17. Accessory buildings and uses customarily incidental to these special approval uses

Section 3. Article VII Uses Subject to Special Approval and Supplemental Site Development Standards
Section 7.03 Supplemental Site Development Standards of the Norwood Township Zoning Ordinance is hereby amended to add Part (H):

H. Special Event Facilities

Purpose: The Township recognizes that Special Events Facilities may be a valuable land use in the Township and that Special Events Facilities may be located in agricultural zoning districts due to the scenic character of the area. The Township would like to encourage active agriculture and agricultural-related uses, while preserving neighboring property owners' enjoyment of their land. The Township recognizes that agricultural land, where Special Event Facilities are requested, may abut or be near residential areas and that noise, traffic and other impacts related to Special Events must be regulated to minimize adverse impacts. Special Events Facilities, which have been approved as a Special Land Use, shall also comply with the following requirements:

1. Special Event Facility Requirements. The following requirements shall be met:
   a. The appropriateness of proposed special events and activities for the size of the intended parcel shall be determined by the Planning Commission based on information provided by the applicant according to this section and the standards set forth in this ordinance.
   b. Facilities and structures utilized for special event facilities, shall be accessory and subordinate to the agricultural use. An agricultural use must be:
      i. In existence on the property before a Special Land Use application for a Special Events Facility can be filed
      ii. In existence on the property as a pre-condition for approval of the Special Land Use application and classified as agriculture by the County Equalization Department as either 101, 102, 110, 111, 120, 151 and/or 160. and;
      iii. Continued on the property as a condition of an approved Special Land Use for a Special Event Facility.
   c. Traffic Management.
NORWOOD TOWNSHIP
Ordinance No. _1_ of 2017

AN ORDINANCE TO ESTABLISH PARK AND PUBLIC PLACES
RULES AND REGULATIONS

THE TOWNSHIP OF NORWOOD ORDAINS:

Section 1. Purpose and Name:
An Ordinance to establish rules and regulations for the protection of the health, safety and welfare of the community and public utilizing public places in Norwood Township.

Section 2. Definition:
The words “Parks” and “Public Places,” shall be deemed to include all parks, beaches, grass plots, playgrounds, recreation areas, athletic fields, and other areas owned or managed by Norwood Township.

Section 3. General Use of Township Parks and Public Places:

A. Open 7 AM to 11 PM.
B. All trash and debris must be removed or disposed of properly.
C. Pet waste is considered trash.
D. Campfires are permitted in designated areas only.
E. Motorized vehicles are allowed in designated parking areas only.
F. Leashed pets are permitted.
G. Camping is prohibited.

Section 4. Penalty/Civil Infraction:
Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in PA 12 of 1994, amending PA 236 of 1961, being Section 600.101-600.9939 of Michigan Complied Lakes, and shall be subject to a fine of not more than one hundred (100) dollars.

Section 5. Severability:
Should any Section, Clause, or Provision of this ordinance be declared by the court to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared invalid.

Section 6. Previous Parks Ordinances:
All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 7. Effective Date:
This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Norwood Township

By: ____________________________

David Ridenour

Its: Supervisor

By: ____________________________

Dana Pajtas
Ordinance No. 1 of 2017 was adopted on the 16th day of October, 2017 by the Norwood Township Board as follows:

Motion by: D. Warner
Seconded by: M. Spilis

Yea: Solodowyk, Ridenoure, Warner, Spilis

Nay:

Absent: D. Paige

NORWOOD TOWNSHIP
Ordinance No. 1 of 2017

At their regular meeting October 16, 2017, the Norwood Township Board passed a resolution to adopt an Ordinance to Establish Park and Public Places Rules and Regulations. In summary:

Section 1. An Ordinance to establish rules for the health, safety and welfare of the public utilizing public places in Norwood Township.

Section 2. Definition Parks and Public Places owned or managed by Norwood Township.

Section 3. General Use:
A. Open 7 AM to 11 PM.
B. All trash and debris must be removed or disposed of properly.
C. Pet waste is considered trash.
D. Campfires are permitted in designated areas only.
E. Motorized vehicles are allowed in designated parking areas only.
F. Leashed pets are permitted.
G. Camping is prohibited.

Section 4. Penalty/Civil Infraction

Section 5. Severability

Section 6. Previous Parks Ordinances Repealed

Section 7. Effective Date: Thirty (30) days after this publication.

A complete copy of the amendments and Zoning Ordinance are available at Township Hall by appointment and on our website at:
http://www.norwoodtwp.org

Dana Paiges, Township Clerk
Sec. 1. - Title.

This ordinance will be known and cited as the Norwood Township "Park and Public Places Rules and Regulation Ordinance.

Sec. 2. - General provisions.

a. Purpose and policy. The purpose of this chapter is to establish rules and regulations for public parks and park facilities under the jurisdiction of the Norwood Township; to provide that violations of such rules and regulations will be civil infractions; to further provide civil infraction penalties for the violation thereof; and to authorize the enforcement of said ordinance by officers, employees, and representatives of the parks and recreation committee and by law enforcement officers.

b. Rule of construction. Any word or term not defined herein will be defined in accordance with the Code, or if not defined in the Code, will be in accordance with its common or standard definition.

c. Definition.

i. Motor vehicle mean any motorized vehicle, including all-terrain vehicles, golf carts, snowmobiles, motorbikes, mopeds, and motorcycles.

ii. Park means areas of land, with or without water, used for recreational purposes, including landscape tracts, picnic grounds, playgrounds, athletic fields, camps, foot paths, bicycle paths, facilities for boating, hunting, or fishing, and any recreational facilities for the use and benefit of the public, as such are located within the Norwood Township.

iii. Speed limit means ten miles per hour, unless otherwise posted.

iv. Written permission means a park permit, written notice, email, or letter signed by either the Supervisor or the Clerk of the Norwood Township, or by a member of the parks and recreation committee.

Sec. 3. - Park hours and use.

a. Park hours. Park hours are from 7AM to 11PM, or as posted, or as extended by written permission.

b. Public use. A park is available for public use by any person during park hours, unless the park has been closed, or if a person has been expelled from any park in the Norwood Township.
c. **Private use.** Any person may use specific areas or facilities of a park to the exclusion of others by written permission. Such written permission will be conditioned upon the following:

1. the applicant
   
   a. must be at least 18 years of age;
   
   b. accept full responsibility for compliance with all park rules and regulations and this chapter; and
   
   c. accept full responsibility for any damage to park property; and
   
   d. the park property must be left in the same condition as when reserved.
   
   e. if the purpose of the private use is for a youth organization, which includes any group with participants under the age of 18, the function must be supervised by adults with a minimum ratio of one adult for each 20 youths. Norwood Township Board or has the right to access reasonable fees and charges associated with the issuance of the written permission. Failure to abide by this chapter or pay any fees or costs associated with the written permission for private use will be grounds for revocation of the written permission.

Sec. 4. - **Prohibited activities.**

No person, while on park property, will:

1. Deposit or abandon any garbage, refuse, trash, waste, or other obnoxious materials except in receptacles specifically provided for such purposes.

2. Deposit or abandon in any way, any garbage, refuse, trash, waste, or other obnoxious materials originating outside the park property.

3. Engage in organized activities such as contests, shows, exhibitions, organized sporting or musical events, children's day camp, parades, or any other activity to the exclusion of others, without written permission.

4. Use a park area, structure, play area, or amenity for a use other than its intended or designed use.

5. Conduct any activity, including an authorized use, in any manner that unduly threatens the safety of any individual or threatens to damage or harm park property or the natural resources therein.

6. Occupy or use a park facility when that facility is reserved for private use in accordance with this chapter or any policy or procedure adopted by the parks and recreation committee.

7. Hinder, interrupt, or interfere with any authorized use or any use for which a permit or written permission has been granted, including for private use.

8. Build fires except in grills, fireplaces, fire rings, or other areas specifically provided and identified for that purpose, provided that, under no circumstances are charcoal grills permitted.
(9) Without written permission, sell or offer for sale any food or drink; peddle or solicit business of any nature whatever; distribute handbills or other advertising matter; post unauthorized signs on any lands, waters, structures, or other park property; or use park property for the purpose of commercial operations.

(10) Make use of any sound amplification device, loudspeakers, audio devices, or car stereos that produce sound that can be clearly heard 20 feet from the source, bothers or annoys other park users, park neighbors, or in any other way disturbs the peace and order of a park area, provided that the use of loudspeakers or public address systems is allowed, subject to written permission.

(11) Possess or discharge fireworks without written permission.

(12) Swim or wade in lake Michigan except at such times and places provided by and designated for such purpose as indicated by posted signs.

(13) Possess or discharge a firearm, gun, pistol, air gun, paintball gun, or any other instrument that discharges a projectile by air, explosion, or any other force except in strict compliance with the laws of the State of Michigan or any law enforcement officer authorized to carry a weapon in strict compliance with such authorization.

(14) Smoke or use a tobacco product, e-cigarette, or similar device or substance in any buildings or pavilions, or within 20 yards of a playground.

(15) Possess or consume alcohol or other intoxicating beverages.

(16) Conduct, play, or participate in games of chance.

(17) Destroy, damage, deface, or remove any property in the park, including trees, shrubs, flowers, or other vegetation.

(18) Bring, have, or keep any animal in the park except (a) on a leash no more than 12 feet long; and (b) under the constant and direct control of a competent person, provided that no vicious or dangerous animals are allowed, and no horses or riding animals are allowed, and all animal waste is removed and properly disposed of immediately and completely. Notwithstanding the foregoing, no animals are permitted in or around the ball fields during any baseball or softball games, including, but not limited to, the parking lot, walking trails, or spectator areas around the ball fields.

(19) Allow any person under the age of eight to use, enter, or be in a playground area without competent supervision.

(20) Parking in areas other than those designated for parking.
Sec. 5. – Penalties
Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in PA 12 of 1994, amending PA 236 of 1961, being Section 600.101-600.9939 of Michigan Complied Lakes, and shall be subject to a fine of not more than one hundred (100) dollars.

Sec. 6 - Severability:
Should any Section, Clause, or Provision of this ordinance be declared by the court to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared invalid.

Sec. 7 - Previous Parks Ordinances:
Ordinance 1 of 2017 is hereby repealed in its entirety.

Sec. 8 - Effective Date:
This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.
Over the past several months, the Norwood Township Planning Commission has been working with the Farmer Family and AM MFG USA LLC regarding a conditional rezoning for the property identified above. Please find attached the site plan, conditional rezoning contract, minutes from the PC Meeting, which included the public hearing, and the application.

We look forward to your recommendation. Should you have any questions or concerns, please feel free to contact me.
Norwood Township
19758 Lake Street, Village of Norwood
Mailing Address: P.O. Box 113
Charlevoix, MI 49720

Rezoning Application

Date Received __________________________ Hearing Date __________________________

Check Amount & Number __________________________

Owner/Applicant Information
Owner Name: Phillip D & Janice C Farmer, LE Dwayne, David & Darrin Farmer
Mailing Address: 05371 U.S. 31, S. City: Charlevoix State: MI Zip: 49720
Phone: (231) 547-4332 E-Mail: __________________________
Applicant (If different from owner) A.M. MFG USA, LLC
Mailing Address: 8855 Eastern Ave. City: Charlevoix State: MI Zip: 49720
Phone: (231) 437-3377 E-Mail: amitchell1@amomfg11c.com

Property Information
Tax ID #: 011-005-015-45 Zoning District: RR
Property Address: US 31, South, Charlevoix
Size of Lot: Front: 776.99' Rear: 700.00' Side 1: 615.16' Side 2: __________________________
Requested Zoning: I

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for Township Officials and/or Township Staff to conduct an on-site inspection.

Signature of Owner __________________________ Date 7-24-14

Signature of Applicant __________________________ Date 7-24-14

Required Attachments:
Legal description of the property proposed to be rezoned
Location Map
Statement indicating proposed request, including why request is consistent with the Master Plan The request to rezone from RR to Industrial on this parcel meets the spirit & intent of the Norwood Twp. Zoning Ordinance.

Planning Commission Action & Date __________________________

Charlevoix County Planning Commission Action & Date __________________________

Norwood Township Board Action & Date __________________________

2014 Form
CONDITIONAL REZONING AGREEMENT

SECTION 1-CONDITIONAL REZONING AGREEMENT
between
Phillip & Janice Farmer, (the applicant)
and the
Norwood Township (the township)
for the rezoning of property located at
05167 US 31 S, Charlevoix, MI 49720
Property Identification Number
Part of 15-011-005-015-45

SECTION 2 - PROPERTY AND PARTIES
THIS CONDITIONAL REZONING AGREEMENT is made of this ___day of October ______ 2014,
applicant and Phillip & Janice Farmer having the mailing address of 05731 US 31 S., Charlevoix, MI 49720
(herein after referred to as the applicant) being the property owner of certain property having the Property Identification Number Part of 15-011-005-015-45 and Norwood Township, PO Box 113, Charlevoix, MI 49720
(herein after referred to as the township).

SECTION 3 - REQUESTED ACTION
WHEREAS, The applicant being the owners of certain property located in Norwood Township, County of Charlevoix, State of Michigan, located at 05167 US 31 S, having the Property Identification Number: Part of 15-011-005-015-45 legally described on the attached Exhibit “A” which is incorporated herein by reference, have petitioned the Northwood Township Planning Commission for the rezoning of this property from the RR, Rural Residential Zoning District to I Industrial District Zoning District Classification as set forth in the Norwood Township Zoning Ordinance, being Section 5.07, as amended, for the purpose of light industrial use.

SECTION 4-STATUTORY AUTHORITY
WHEREAS, the applicant has requested the rezoning of the subject property to allow for the operation of steel fabrication by a site plan that stipulates the terms of and conditions for use, of the property under the authority of Section 405 of the Michigan Zoning Enabling Act, P.A. 110 of 2006 (MCL125.404).

SECTION 5 - TERMS AND CONDITIONS
NOW, THEREFORE, in consideration of the premises and rights reserved, herein, and in order to accomplish the forgoing purposes, the undersigned hereby agree:

AM MFG USA LLC operations include steel fabrication, and assembly of our Product lines. Operations usually consist of the laying out of the various type stock size angles, bars, rods, or sheets; the laying out of the pieces; and the cutting, sawing, drilling, punching, riveting, bolting, or welding of the pieces into the desired structural and non-structural products. Equipment which is used in our manufacturing process includes a CNC burn table, CNC press brake, roll forming machine and welding. Painting operations are also provided at our facility.

Our operations are clean and professional. Noise levels from our manufacturing process are very minimal. It is our wish to hire additional employee’s with good pay and a nice place to work.

Other operations include packaging, shipping, receiving, and the storage of raw materials and finished products. Additionally AM Manufacturing will be providing raw materials as structural angle, channel and I-Beams to local
home owners and contractors. At the present time, these items are only available from Traverse City, Michigan and Gaylord, Michigan.

AM Manufacturing’s hours of operation is 6:30AM to 3:00PM Monday through Friday. Overtime may be required from time to time which will extend the working day from 3:00PM to 5:00PM. Saturday hours would be rare, most likely from 8:00 am to 12:00 noon.

All trees planted in the buffer area shall be a minimum of 2 1/2" DBH at the time of planting.

A set of "As-Built" Drawings will be required prior to a Certificate of Zoning Compliance and Certificate of Occupancy being issued for the building.

**SECTION 6 - TERMINATION**
The approval action of the Norwood Township Board granting the I Industrial Zoning District Classification to the subject property shall remain in full force and effect upon the subject property, legal description which is attached and incorporated herein as “Exhibit A,” until such time that any amendments are applied for and approved for the Norwood Township Board.

**SECTION 7 - TRANSFERABILITY**
This agreement shall be transferable with application and approval to the Norwood Township Board with the exception of a transfer to AM MFG USA LLC, mailing address of 8855 Eastern Ave., Charlevoix, MI 49720.

**SECTION 8 - OTHER REPRESENTATIONS AND AGREEMENTS**
This agreement constitutes the entire agreement between the parties with respect to the matter set forth herein, and there are no representations, warranties, covenants, or obligations except as set forth herein. This Agreement supersedes all prior contemporaneous agreements, understandings, negotiations statements and discussion, written or oral, of the parties hereto, relating to the matters contemplated by the Agreement.

**SECTION 9 - VIOLATION AND ENFORCEMENT**
The failure of any party to complain or enforce of any act or omission on the part of another party, no matter how long the same may continue, shall not be deemed to be an acquiescence or waiver by such party of any of its rights hereunder. No waiver by any party at any time, expressed or implied, or any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision of this agreement. If any action by any party shall require the consent or approval of another party(ies), such consent or approval of such action shall not be deemed a consent to or approval of any other provision of this agreement.

**SECTION 10 - GOVERNING LAW**
This Agreement shall be governed by the laws of the State of Michigan.

**SECTION 11 - DELIVERY OF NOTICES**
Notice shall be deemed as given hereunder upon personal delivery to the addresses set forth below, or if properly addressed, one (1) day after depositing such notice, with postage prepaid, in a United States mailbox or one (1) day after depositing such notice in the custody of a nationally recognized overnight delivery service. Notice shall be deemed properly addressed if sent to the following addresses: Phillip & Janice Farmer, 05731 US 31 S., Charlevoix, MI 49720.
SECTION 12 - SIGNATURE BY FACSIMILE
The parties agree that this Agreement may be executed by facsimile or in counterparts, and that all counterparts together, with or without facsimile signatures, shall constitute one integrated agreement and be deemed an original document.

SECTION 13 - RECORDING WITH THE REGISTER OF DEEDS
This document shall be recorded with the Charlevoix County Register of Deeds Office.

SECTION 14 - PLANNING COMMISSION REVIEW AND PUBLIC HEARING
PLANNING COMMISSION REVIEW AND RECOMMENDATION
After proper public notice was given and a public hearing held on September 8, 2014, before the Norwood Township Planning Commission, a motion was duly made and approved as recorded in the minutes of the Planning Commission meeting of the same date recommending the Charlevoix County Planning Commission and Norwood Township Board approve this Conditional Rezoning Agreement.

SECTION 15 - SIGNATURE AND NOTARIZATION
IN WITNESS WHEREOF, the undersigned has executed this CONDITIONAL REZONING AGREEMENT for and on behalf of the on the date first above written.

Phillip Farmer

____________________________________________

Janice Farmer

____________________________________________

STATE OF MICHIGAN    )
                      )SS.
COUNTY OF CHARLEVOIX )

The foregoing instrument was acknowledged before me this _____ day of October, 2014 by Alex Mitchell.

___________________________________________
,Notary Public

_____________________________County, Michigan
My Commission Expires: _____________

Signed by:

____________________________________________
Norwood Township Planning Commission Meeting  
Meeting Minutes  
September 8, 2014 Draft  
Norwood Township Hall  

Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Kolka-present, Swanson-present, Vermeesch-present, Harig-present, Warner-present. Also present was Township Planner, Leslie Meyer

Approval of Agenda – MM by Warner to accept the Agenda as presented. 2nd by Kolka. Motion passed 5-0

Conflict of Interest – none noted.

Public Comment related to Agenda Items – None

Public Hearing opened @ 7:03 p.m. for the AM MFG USA, LLC Conditional Zoning Request-Parent Parcel #15-011-005-45.

John Ferguson from Ferguson & Chamberlain Associates spoke representing Alex Mitchell, AM MFG USA, LLC and Phillip D & Janice Farmer. Mr. Ferguson presented the Site Plan. Mr. Ferguson also stated that M-DOT was not in favor of the US-31 entrance for the property but did not disapprove the request. They felt the entrance on Block Road would be more appropriate but will continue to consider the US-31 entrance which Mr. Ferguson said may take some time before they will decide.

Mr. Alex Mitchell, Owner of AM MFG USA, LLC, gave a description of his business. He said he manufactures dust free loading equipment. He said this will be a light manufacturing business. Mr. Mitchell stated that when the construction is complete his building will not stand out but blend in with the landscape.

Public Comment pertaining to Public Hearing:

Alex Amstutz, 05572 Cedarview, Charlevoix, MI asked the PC if this plan was in line with the Master Plan. Vermeesch stated he felt it was consistent with the Master Plan. Mr. Amstutz asked if Spot Zoning was ok and Vermeesch stated that is really the reason for this process. Mr. Amstutz also asked what Conditional Rezoning was and Vermeesch explained that Conditional Rezoning is a state statute provision for zoning change requests that, on certain conditions, would automatically revert back to the previous zone if or when the requested land use ceases to exist or be in operation. Mr. Amstutz also stated he was concerned about the Industrial or Commercial zoning continually encroaching to the south. Mr. Ferguson stated the property to the south does not have much potential for development due to wetlands. Mr. Mitchell stated he does not have any intention to go further south with his plan.
Chris Rice, 05799 Cedarview, Charlevoix, MI inquired where the berms will be placed. Mr. Ferguson showed everyone where they are on the site plan. Mr. Rice also questioned the US-31 entrance and if M-DOT would eventually approve the entrance. Mr. Ferguson stated he was not sure at this time. He said it was their preference to access from Block Rd but that is not the final decision.

Chairman Vermeesch read a letter in support of the Conditional Zoning from John Haggard of Haggard’s Plumbing and Heating.

Public Hearing Closed at 7:22 p.m.

Approval of August 11, 2014 Meeting Minutes – MM by Warner to approve minutes as presented, 2nd Harig. Motion Carried to Approve Minutes 5-0.


New Business – AM MFG USA, LLC Conditional Rezoning Consideration by the PC

Warner stated only one letter that was sent out to neighbors was returned. Vermeesch stated that all PC Members have copies of the Rezoning Application, Memo from Planner regarding the Site Plan Review and the Conditional Rezoning Agreement. Planner Meyers commented on the concerns of the Public that was present. She read from the Memo that was presented to the PC. She felt it was a “Good Buffer” from the intense Mining situations to the North and to the East.

Vermeesch had Mr. Ferguson point out again where the Block Road entrance would be. Kolka asked about the trees that were on the site plan and if the number was accurate and Mr. Ferguson said they were and are as suggested. Meyers stated the trees should be at least high @ 2.5” in diameter and at breast height (DBH). Kolka said he felt all presented seems to be in order.

Meyers said if AM MFG ends then new owner must come back to PC for approval for new use.

All PC members discussed the Conditional Rezoning Agreement that the Planner presented.

Kolka began to make a motion but retracted since there needed to be further discussion on the Property Owners, The Farmers and transferring the Agreement to AM MFG USA, LLC upon the sale of the property, the “As Builts” and also further discussion on the look of the building.

MM by Kolka to recommend to the Charlevoix County Planning Commission and the Norwood Township Board the approval of the Conditional Rezoning Agreement and the Site Plan for the current Property Owners, Phillip D & Janice Farmer and AM MFG USA, LLC as modified including adding the Farmers on the Agreement as the owner with conditions of the “As Builts” pertaining to the drainage, entrance changes and Septic System and the transferability from the Farmers to AM MFG USA, LLC. Also, adding the requirement of the Diameter (2.5”) at Breast Height (DBH) for the planted trees for the surrounding buffer. The Conditional Rezoning Agreement shall be signed upon approval by the Township Board. Motion 2nd by Warner. Motion carried and approved 5-0.
Old Business- Master Plan Discussion-
PC discussed Draft Goals and Land Use pertaining to Agricultural uses. Further Master Plan discussion at the next PC meeting.

Announcements & Correspondence –
Charlevoix City and Charlevoix Township Commissioners sent out a letter suggesting that someone from the Charlevoix School System should be appointed to the Charlevoix County Planning Commission.

Next PC Meeting Monday October 13, 2014 @ 7:00pm Norwood Township Hall.

Public Comment – None

Meeting adjourned at 9:16 p.m.

Submitted by Shari M. Jones, Recording Secretary
Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Kolka-absent, Swanson-present, Vermeesch-present, Harig-present, Warner-present.

Approval of Agenda – Chairman Vermeesch stated that ZA Bob Dutcher is going to be late for meeting so he wanted the ZA report to be moved down on the agenda and give report when he arrives. MM by Warner to accept the Agenda as amended. 2nd by Harig. Motion passed 4-0

Conflict of Interest – none noted.

Public Comment related to Agenda Items –
Kurt Velting, Owner of Northwest Stone, asked if there were going to be any mining issues discussed at the meeting that may pertain to him. Vermeesch stated there will only be a short discussion on Old Business that has to do with the Zoning Ordinance outside the M.I.R.D. Mr. Velting also asked if his S.U.P. application is grandfathered or if he will need to resubmit a new application since the ordinance was updated. Vermeesch stated if application remains the very same then it might be grandfathered but if the application changes then it would have to comply with the updated ordinance. Vermeesch stated that it will all depend on the courts action from the appeal. Mr. Velting asked about the discussion on the Zoning Ordinance outside the M.I.R.D. and Vermeesch stated this will only be a review with Planner Meyers because the Ordinance has already been completed and passed on to the Township Board.

Approval of September 8, 2014 Meeting Minutes – MM by Warner to approve minutes as presented, 2nd Swanson. Motion Carried to Approve Minutes 4-0.

New Planning Commission Business – None

Old Business –
The PC received a letter from the Charlevoix County Planning Department regarding the request for Conditional Rezoning for A.M. Manufacturing USA, LLC and Phillips & Janice Farmer. The PC reviewed and discussed the letter received. MM by Warner that the Norwood Township Planning Commission has reviewed the Charlevoix County Planning Commission’s comments and affirms our original motion of September 13, 2014 to send the request for the Conditional Rezoning to the Norwood Township Board for approval as presented. 2nd by Harig. Motion carried 4-0.
Zoning Administrator Report – September Report read to PC by ZA Robert Dutcher. Report is also available online.

Old Business, cont.
Review of the Township Board’s comments regarding the Zoning Ordinance outside the M.I.R.D. The two changes that were recommended by Supervisor Hamilton are to modify the Hydrological study section to include requirements for the minimum number of wells that must be drilled in order to determine the water table depth and flow direction (7.03.11(D)) and the ability for the PC to require opacity measurement/testing should they see the need (final paragraph of the Approval Procedures)
These additions came from Supervisor Hamilton’s discussions with St. Mary’s Cement staff. If the Township Board agrees it would be appropriate to adopt the ordinance modifications.

Master Plan Discussion regarding the Background, Goals and Future Land Use Sections. Vermeesch asked that the PC totally review the updated Master Plan Draft and bring changes and/or comments to the November PC meeting so there could be a possible Public Hearing for the Master Plan at the December PC meeting.

Announcements & Correspondence –
Next PC Meeting Monday November 10, 2014 @ 7:00pm Norwood Township Hall.

Public Comment – None

Meeting adjourned at 8:14 p.m. Submitted by Shari M. Jones, Recording Secretary
Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Kolka-present, Swanson-present, Vermeesch-present, Harig-present, Warner-present. Also present was Township Planner, Leslie Meyer

Approval of Agenda – MM by Warner to accept the Agenda as presented. 2nd by Kolka. Motion passed 5-0

Conflict of Interest – none noted.

Public Comment related to Agenda Items – None

Public Hearing opened @ 7:03 p.m. for the AM MFG USA, LLC Conditional Zoning Request-Parent Parcel #15-011-005-45.

John Ferguson from Ferguson & Chamberlain Associates spoke representing Alex Mitchell, AM MFG USA, LLC and Phillip D & Janice Farmer. Mr. Ferguson presented the Site Plan. Mr. Ferguson also stated that M-DOT was not in favor of the US-31 entrance for the property but did not dis-approve the request. They felt the entrance on Block Road would be more appropriate but will continue to consider the US-31 entrance which Mr. Ferguson said may take some time before they will decide.

Mr. Alex Mitchell, Owner of AM MFG USA, LLC, gave a description of his business. He said he manufactures dust free loading equipment. He said this will be a light manufacturing business. Mr. Mitchell stated that when the construction is complete his building will not stand out but blend in with the landscape.

Public Comment pertaining to Public Hearing:
Alex Amstutz, 05572 Cedarview, Charlevoix, MI asked the PC if this plan was in line with the Master Plan. Vermeesch stated he felt it was consistent with the Master Plan. Mr. Amstutz asked if Spot Zoning was ok and Vermeesch stated that is really the reason for this process. Mr. Amstutz also asked what Conditional Rezoning was and Vermeesch explained that Conditional Rezoning is a state statute provision for zoning change requests that, on certain conditions, would automatically revert back to the previous zone if or when the requested land use ceases to exist or be in operation. Mr. Amstutz also stated he was concerned about the Industrial or Commercial zoning continually encroaching to the south. Mr. Ferguson stated the property to the south does not have much potential for development due to wetlands. Mr. Mitchell stated he does not have any intention to go further south with his plan.
Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Kolka-absent, Swanson-present, Vermeesch-present, Harig-present, Warner-present.

Approval of Agenda – Chairman Vermeesch stated that ZA Bob Dutcher is going to be late for meeting so he wanted the ZA report to be moved down on the agenda and give report when he arrives. MM by Warner to accept the Agenda as amended. 2nd by Harig. Motion passed 4-0

Conflict of Interest – none noted.

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Approval of September 8, 2014 Meeting Minutes – MM by Warner to approve minutes as presented, 2nd Swanson. Motion Carried to Approve Minutes 4-0.

New Planning Commission Business – None

Old Business –
The PC received a letter from the Charlevoix County Planning Department regarding the request for Conditional Rezoning for A.M. Manufacturing USA, LLC and Phillips & Janice Farmer. The PC reviewed and discussed the letter received. MM by Warner that the Norwood Township Planning Commission has reviewed the Charlevoix County Planning Commission’s comments and affirms our original motion of September 13, 2014 to send the request for the Conditional Rezoning to the Norwood Township Board for approval as presented. 2nd by Harig. Motion carried 4-0.
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Announcements & Correspondence –
Next PC Meeting Monday November 10, 2014 @ 7:00pm Norwood Township Hall.

Public Comment – None

Meeting adjourned at 8:14 p.m. Submitted by Shari M. Jones, Recording Secretary
Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance – by all present

Roll Call – Kolka-present, Swanson-present, Vermeesch-present, Harig-present, Warner-present. Also present was Township Planner, Leslie Meyer

Approval of Agenda – MM by Warner to accept the Agenda as presented. 2nd by Kolka. Motion passed 5-0

Conflict of Interest – none noted.

Public Comment related to Agenda Items – None

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Chairman Vermeesch read a letter in support of the Conditional Zoning from John Haggard of Haggard’s Plumbing and Heating.

Public Hearing Closed at 7:22 p.m.

Approval of August 11, 2014 Meeting Minutes – MM by Warner to approve minutes as presented, 2nd Harig. Motion Carried to Approve Minutes 5-0.


New Business – AM MFG USA, LLC Conditional Rezoning Consideration by the PC

Warner stated only one letter that was sent out to neighbors was returned.

Vermeesch stated that all PC Members have copies of the Rezoning Application, Memo from Planner regarding the Site Plan Review and the Conditional Rezoning Agreement.

Planner Meyers commented on the concerns of the Public that was present. She read from the Memo that was presented to the PC. She felt it was a “Good Buffer” from the intense Mining situations to the North and to the East.

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Kolka began to make a motion but retracted since there needed to be further discussion on the Property Owners, The Farmers and transferring the Agreement to AM MFG USA, LLC upon the sale of the property, the “As Builts” and also further discussion on the look of the building.

MM by Kolka to recommend to the Charlevoix County Planning Commission and the Norwood Township Board the approval of the Conditional Rezoning Agreement and the Site Plan for the current Property Owners, Phillip D & Janice Farmer and AM MFG USA, LLC as modified including adding the Farmers on the Agreement as the owner with conditions of the “As Builts” pertaining to the drainage, entrance changes and Septic System and the transferability from the Farmers to AM MFG USA, LLC. Also, adding the requirement of the Diameter (2.5”) at Breast Height (DBH) for the planted trees for the surrounding buffer. The Conditional Rezoning Agreement shall be signed upon approval by the Township Board. Motion 2nd by Warner. Motion carried and approved 5-0.
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Announcements & Correspondence –
Charlevoix City and Charlevoix Township Commissioners sent out a letter suggesting that someone from the Charlevoix School System should be appointed to the Charlevoix County Planning Commission.

Next PC Meeting Monday October 13, 2014 @ 7:00pm Norwood Township Hall.

Public Comment – None

Meeting adjourned at 9:16 p.m.

Submitted by Shari M. Jones, Recording Secretary