

HOLLY TOWNSHIP
PROPOSED AGENDA
PLANNING COMMISSION

January 15, 2018 6:30 PM
Holly Area Schools Board Room – Karl Richter Community Center
920 E. Baird St., Holly, Michigan 48442

CALL TO ORDER – PLEDGE OF ALLEGIANCE

ROLL CALL: T. Engelberg R. Kerton L. Kernen G. Mitchell
 P. Feeney A. Alrey S. Steckley

AGENDA APPROVAL

PUBLIC COMMENT – For Items on the Agenda Only.

PUBLIC HEARINGS: Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-145 Maintenance of Animals (Chickens).

APPROVAL OF MINUTES – December 4, 2018.

COMMUNICATIONS:

OLD BUSINESS

1. Blight Ordinance – Dumpsters.
2. Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations, Section 32-145 Maintenance of Animals (Chickens).

NEW BUSINESS

1. Election of Officers.
2. Recognition for Ted Gurski.

REPORTS

PUBLIC COMMENT

ADJOURNMENT

NEXT REGULAR MEETING: TUESDAY: February 5, 2019 at 6:30 p.m.

Holly Township
Planning Commission – Regular Meeting
Minutes of December 04, 2018

Call to Order: Chairman Engelberg called the regular meeting of the Holly Township Planning Commission to order at 6:30 p.m. At the Karl Richter Community Center, Holly Area Schools Board Room, 920 E. Baird St, Holly Michigan.

Pledge of Allegiance

Roll Call:

Members Present:

Tony Engelberg, Chairman
Pat Feeney, Commissioner
AC Alrey, Commissioner
Lloyd Kernen, Commissioner
Glen Mitchell, Commissioner
Stacey Steckley, Commissioner

Others Present:

Mike Deem, Township Planner

Members Absent:

Ted Gurski, Commissioner

- **Commissioner Steckley made a motion to excuse the absence of Commissioner Gurski. Commissioner Mitchell supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 5/0 vote.**

Agenda Approval:

- **Commissioner Steckley made a motion to approve the agenda, as is. Commissioner Mitchell supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 5/0 vote.**

Public Comment – Agenda Items Only: N.A.

Commissioner Alrey arrived at 6:32 p.m.

Public Hearings: Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations: Add Section – Wind Energy Conversion Systems (WECS) Ordinance.

- **Commissioner Alrey made a motion to open the public hearing on Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations: Add Section – Wind Energy Conversion Systems (WECS) Ordinance. Commissioner Kernen supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**
- **Commissioner Alrey made a motion to close the public hearing on Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations: Add Section – Wind Energy Conversion Systems (WECS) Ordinance.**

Commissioner Kernen supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.

Approval of Minutes – November 8, 2018.

- **Commissioner Mitchell made a motion to approve the minutes of November 8, 2018. Commissioner Steckley supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

Communications:

1. Notice dated October 11, 2018 from Tyrone Township re: Notice of Intent to Update Master Plan.

Old Business:

1. **Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations: Add Section – Wind Energy Conversion Systems (WECS) Ordinance.**

Mike Deem, Township Planner, reviewed the current draft of the ordinance.

- **Commissioner Alrey made a motion to approve the Proposed Code of Ordinance Amendment to Chapter 32 Zoning, Article IV Supplementary Regulations: Add Section – Wind Energy Conversion Systems (WECS) Ordinance. Commissioner Steckley supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

2. **Blight Ordinance - Dumpsters.**

Mike Deem, Township Planner, reviewed the language for the Commercial dumpsters.

- **Postponed until next meeting.**

3. **Amendment to Animal Ordinance – Class 3 Animals, which includes Chickens.**

A Public Hearing for the Amendment to the Animal Ordinance – Class 3 Animals, which includes Chickens, is scheduled for the next Planning Commission meeting – January 15, 2019.

- **Commissioner Steckley made a motion to set a Public Hearing for the Amendment to the Animal Ordinance – Class 3 Animals, including Chickens, is scheduled for the next Planning Commission meeting – January 15, 2019. Commissioner Kernen supported the motion. A voice vote was taken, all those present voted yes; the motion carried by a 6/0 vote.**

New Business:

1. **Annual Planning Commission Report.**

The Township Planner put together a brief history of the events that were covered over the past year – 2018.

Reports:

Commissioner Alrey questioned the Commissioners on where they were at with a farewell certificate being made for Ted Gurski. Amy Fowlkes will discuss this with Supervisor Kullis and email everyone. He thinks the Planning Commission should do something special for Ted, in addition to the Township. Chairman Engelberg will add this to the agenda for their next meeting.

Commissioner Feeney reported that he would like the Board to come up with goals or hot topics for 2019 to add to the Commission Report that Mike Deem is working on.

Commissioner Mitchell reported he would like clarification of the definition of “Permitted Use” is. Does this mean, with a permit, or an allowed use of an area in general? Maybe you could re-word it to instead say something such as “Use with Permit”?

Chairman Engelberg reported he was upset to hear that a five-person committee sent a proposal to Lansing saying that Cities, Townships and Villages do not have the right to protect their woodlands, rather that the State of Michigan should be put in charge of the decision. The Commission works well together, debates discussion and has fun. He thanks everyone for their hard work and input throughout the year.

A reminder that the next meeting is January 15, 2019 at 6:30 pm.

Public Comment: N.A.

Adjournment

Chairman Engelberg, hearing no other business; adjourned the meeting at 7:40 pm.

Courtney Scian
Recording Secretary

**HOLLY TOWNSHIP
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Holly Township Planning Commission will hold a public hearing on:

DATE: January 15, 2019
TIME: 6:30 PM or as soon as possible thereafter
PLACE: HOLLY AREA SCHOOLS BOARD ROOM
KARL RICHTER COMMUNITY CENTER
920 E. BAIRD ST.
HOLLY, MI 48442
PHONE: 248-634-9331 Ext. 301

The purpose of the public hearing will be to consider the proposed amendments to the Township of Holly Code of Ordinances to:

**CHAPTER 32 ZONING, ARTICLE IV SUPPLEMENTARY REGULATIONS,
SECTION 32-145 MAINTENANCE OF ANIMALS (CHICKENS).**

The hearing is open to the public to voice their views and/or to submit written comment. Citizens are encouraged to attend and participate in the hearing. The Holly Township Planning Commission will consider any public comments received at this time. Written comments may be submitted prior to the hearing by writing to: Clerk at 102 Civic Dr., Holly, Michigan 48442.

A copy of the proposed ordinance revisions may be reviewed at the Clerk's office at the above-mentioned address during regular business hours Monday through Friday 9:00 A.M. to 4:00 P.M. except holidays.

Handicap persons needing assistance to attend or participate in this hearing are asked to contact the Township Clerk at 248-634-9331 x 301 or by writing to the above-mentioned address at least 5 business days prior to the meeting.

Karin S. Winchester
Clerk/Zoning Administrator

Print: Tri-County Times
December 30 , 2018



MCKENNA

Memorandum

TO: Holly Township Planning Commission
FROM: Mike Deem, AICP
SUBJECT: Waste Receptacle Standards
DATE: November 27, 2018

At the last meeting, the Planning Commission requested standards to review for commercial dumpsters. Our recommendation for dumpsters is below.

Waste Receptacles (Dumpsters)

- (A) **Location.** Waste receptacles (i.e. dumpsters) may be located in a rear or side yard setback, but shall not be located in front of the front building line. Dumpsters shall not encroach into a parking or circulation area, and shall be clearly accessible to servicing vehicles.
- (B) **Accessibility.** Waste receptacles shall be conveniently accessible for servicing vehicles.
- (C) **Base design.** The base for waste receptacles shall be at least ten (10) feet wide by twenty (20) feet deep, constructed of six (6) inches of 3500 P.S.I. concrete with air entrainment containing 4 x 4 inch ten (10) gauge welded wire mesh. The base shall extend ten (10) feet beyond the dumpster pad or gate to support the front axle of a refuse vehicle.
- (D) **Screening.** An enclosure of sufficient height to completely screen the dumpster is required on three sides of the waste receptacle with a solid gate on the fourth side. The height of the enclosure shall be not less than six (6) feet or at least one (1) foot above the height of the dumpster, whichever is greater. Enclosures shall meet the following standards:
 - (1) The enclosure shall be a berm, or constructed of brick or decorative concrete material which matches or complements the principal building or structure.
 - (2) Enclosures shall be set back a minimum of twenty (20) feet from any residential district.
- (E) **Bollards.** Bollard (concrete filled metal posts) or similar protective devices shall be installed at the opening to prevent damage to the screening wall or fence.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.OOH

Communities for real life.



- (F) **Maintenance.** All dumpsters shall have a lid, which shall be remain closed. The dumpster shall be regularly emptied, and shall be maintained in accordance with all Township ordinances.

- (G) **Planning Commission Approval.** The location and method of screening of dumpsters shall be shown on all site plans and shall be subject to the approval of the Planning Commission.

VILLAGE OF HOLLY

§ 157.036 WASTE RECEPTACLES.

(A) (1) Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the standards of this section.

(2) Waste receptacle location and details of construction shall be shown on site plans.

(B) A change in receptacle location or size shall require modification to the enclosure, as warranted by this section.

(1) *Location.*

(a) Waste receptacles shall be located in the rear yard or non-required side yard, unless otherwise approved by the Planning Commission and/or Zoning Commission, as required, shall be as far as practical, and in no case be less than 20 feet from any residential district, and in such a way that they are not easily damaged by the refuse device.

(b) The location and orientation of waste receptacle and enclosure shall minimize the potential for the waste receptacle to be viewed from public street or adjacent residential districts.

(2) *Access.* Waste receptacles shall be easily accessed by refuse vehicles without potential to damage the building or automobiles parked in designated parking spaces.

(3) *Base design.*

(a) The receptacle base shall be at least ten feet by six feet, constructed of six inches of reinforced concrete pavement.

(b) The base shall extend six feet beyond the waste receptacle pad or gate to support the front axle of a refuse vehicle.

(4) *Enclosure.*

(a) Waste receptacles shall meet the following standards. Each waste receptacle shall have an enclosing lid or cover.

(b) Waste receptacles shall be enclosed on three sides with a gate on the fourth side. The gate must be maintained in operable and sanitary condition.

(c) The enclosure shall be a berm or constructed of brick, decorative block, or decorative pre-cast panel with brick effect or of the same material as the principal building with a maximum height of six feet or at least one foot higher than the receptacle, whichever is higher, and spaced on three sides at least three feet from the receptacle.

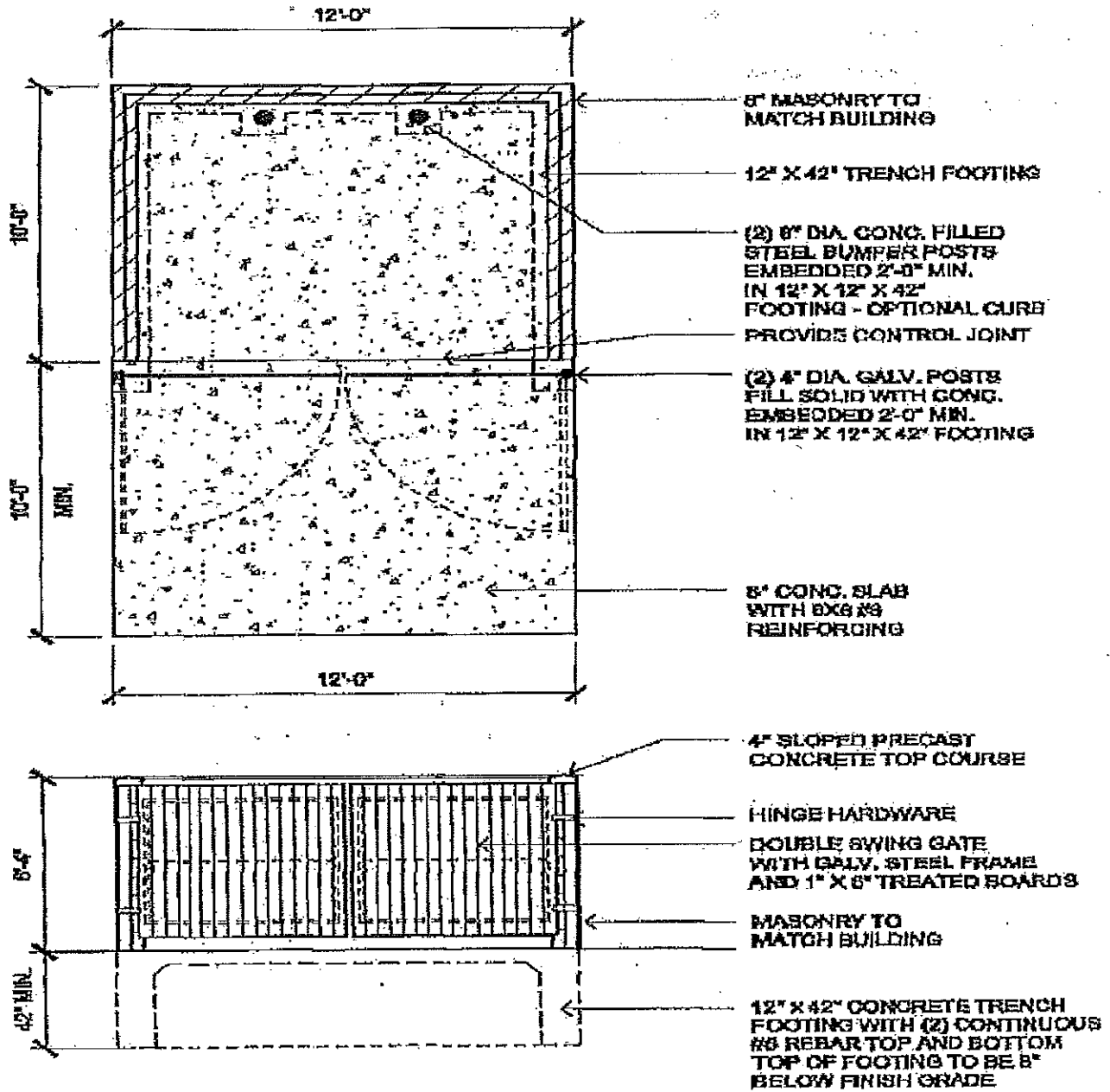
(d) Bollards or similar protective devices shall be installed at the opening to prevent damage to the enclosure.

(e) Two bollards shall be located at the front corners of the receptacle as shown on the sketch below. Two bollards or a concrete curb shall be located at the rear of the enclosure, behind the receptacle.

(g) The gates shall be constructed of wood or metal and shall be opaque so the receptacles are not visible when the gates are closed.

(h) In locating trash enclosures, primary consideration shall be given to access for service, minimizing on-site traffic congestion and minimizing visibility or other effects on those utilizing the site or adjoining properties.

(i) The Planning Commission and/or Zoning Commission, as required, may modify or waive the required enclosure or its construction standards when it determines that no significant negative effects will result from the waiver.



MASONRY DUMPSTER ENCLOSURE

SCALE: 3/16" = 1' - 0"

(5) *Receptacle and enclosure required.*

(a) All nonresidential uses shall have access to a dumpster enclosure on site or on a nearby property. The dumpster may be shared by two or more businesses.

(b) All newly created nonresidential sites shall be required to have an exterior trash receptacle and enclosure included in their site plan proposal.

(c) All existing nonresidential sites shall construct and utilize a proper enclosure within five years from the adoption date of this chapter. This provision shall be removed from this chapter at the end of the fifth year.

(Ord. 259, passed 10-24-1995; Ord. 349, passed 1-30-2002; Ord. passed 2-1-2012)

**TOWNSHIP OF HOLLY
CODE OF ORDINANCE AMENDMENT
CHAPTER 32 ZONING, ARTICLE IV SUPPLEMENTARY
REGULATIONS, SECTION 32-145 MAINTENANCE OF ANIMALS.**

AN ORDINANCE TO AMEND THE HOLLY TOWNSHIP CODE OF ORDINANCES
CHAPTER 32 ZONING, ARTICLE IV SUPPLEMENTARY REGULATIONS, SECTION 32-
145 MAINTENANCE OF ANIMALS.

THE TOWNSHIP OF HOLLY ORDAINS:

SECTION 1 – AMENDMENTS:

Sec. 32-145. - Maintenance of animals.

C. Class III animals may be maintained in the AGRE, SR and RE districts, subject to the following conditions:

~~(1) The minimum lot area required to maintain Class III animals shall be 2½ acres. Ten Class III animals shall be permitted for the first 2½ acres. Thereafter, one additional Class III animal shall be permitted for each full one quarter acre in excess of 2½ acres.~~

(2) There shall be adequate fencing, or other restraining device, for the purpose of maintaining animals within the restricted areas provided for in this chapter. Fenced areas shall be located no nearer than 25 feet from any dwelling which exists on an adjacent lot.

(3) Structures housing Class III animals shall be located no nearer than 100 feet to any dwelling which exists on an adjacent lot and no nearer than 50 feet to any adjacent lot line.

(4) The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.

(5) All feed and other substances and materials on the premises for the maintenance of animals shall be stored so as to not attract rats, mice, or other vermin.

SECTION 2 - INVALIDITY

If any word, clause, sentence, paragraph, or section of this Ordinance is held to be unconstitutional, illegal or otherwise unenforceable, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 3 - EFFECTIVE DATE

This ordinance shall become effective fifteen (15) days after publication as prescribed by law.

SECTION 4 - REPEALING CLAUSE

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5 - ADOPTION