

**Ash Township
Special Meeting
Zoning Board of Appeals
Proposed Meeting Minutes
August 22, 2011**

Held on: Meeting was called to order by Chairman Stumpmier on Tuesday, August 22, 2011 at 7:30 p.m. at the Ash Township Hall, 1677 Ready Rd., Carleton, MI.

Members Present: Sid Stumpmier, Ace DeVillez, Ron Keilman, Robin Carmack and Bev Malvitz.

Members Absent: None.

Others Present: Jim Vaslo – Twp. Manager, and 11 citizens

Chairman asked if everyone received a copy of the July 5, 2011, minutes and if there were any additions or corrections?

Motion #42 Motion to Approve Minutes.

Motion by Malvitz supported by DeVillez to approve the Zoning Board of Appeals meeting minutes of July 5, 2011.

Voice vote taken. Motion carried.

Motion #43 Agenda Approval.

Motion by Keilman supported by Carmack to accept the agenda as presented.

Voice vote taken. Motion carried.

Old Business:

None

New Business:

1. A **Public Hearing** for Parcel # 5801-034-018-20, owned by Brian Shelton and commonly known as 9295 Telegraph Rd., Carleton, MI 48117, who is requesting a variance to Article 18, Section 18.02.8 (Pavement Requirements) and Article 14, Section 14.04.2 (Outside Storage), of the Ash Township Zoning Ordinance 7C.

Motion #44 Open the Public Hearing.

Motion by Malvitz supported by Keilman to open the Public Hearing for Parcel #5801-034-018-20. Voice vote taken. Motion carried.

Board Members questioned the applicant on several site related matters, reviewed the application request and listened to comments from the applicant and audience.

Motion #45 Close the Public Hearing.

Motion by Malvitz supported by DeVillez to close the Public Hearing for Parcel #5801-034-018-20. Roll Call: 5-yes 0-no. Motion carried.

The Chairman instructed the commission that there would be three (3) separate Finding of Fact's, screening, pavement and outside storage will be decided individually.

Motion #46 Open the Finding of Facts.

Motion by Keilman supported by Malvitz to open the finding of facts for screening requirements. Voice vote taken. Motion carried.

- Fact- Devillez- That the existing tree line to the south is proposed to serve as a screen and/or buffer instead of a masonry wall or fence. Supported by Malvitz.
- Fact- DeVillez-The existing tree line is not adequate for the screening of noise. Supported by Stumpmier.
- ~~Fact-~~ DeVillez- In winter conditions the existing tree line will offer litter in the way of noise suppression for adjoining properties. **No Support.**
- Fact- Stumpmier- No practical difficulties exist there for screening along telegraph should be required. Supported by Malvitz.
- Fact- Malvitz- Screening should be provided at the south west corner of the property along the residential homes. Supported by DeVillez

Motion #47 Close the Finding of Facts.

Motion by DeVillez supported by Keilman to close the finding of facts. Roll Call: 5-yes 0-no. Motion carried.

Motion #48 Approve Screening Variance.

Motion by Stumpmier supported by Keilman to approve a screening variance for Parcel # 5801-034-018-20 for its southern property line and require only screening from Telegraph Rd. Roll Call: 2-Yes, 3-No (Carmack, DeVillez, Malvitz). **Motion failed.**

Motion #49 To Deny Screening Variance.

Motion by DeVillez supported by Malvitz to deny all screening variances for Parcel # 5801-034-018-20 as applied for and refer back to planning commission. **Motion rescinded**

Motion #50 Approve Screening Variance.

Motion by DeVillez supported by Carmack to approve the screening variance for Parcel # 5801-034-018-20 conditioned on the applicant using stored materials piles as sound and sight barriers between the crushing operation and the residential properties to the southwest. Storage piles must maintain six (6) feet in height.

Amendment offered to include a required landscaped berm along the Telegraph Road frontage. Accepted by DeVillez and supported by Carmack.

Roll Call: 5-Yes, 0-No. Motion carried.

Motion #51 Open the Finding of Facts.

Motion by Stumpmier supported by Malvitz to open the finding of facts for pavement requirements.

Voice vote taken. Motion carried.

- Fact- Devillez- That the applicant reports that there will be only two to three employees on site. Supported by Malvitz.
- Fact- DeVillez-This type of operation by nature is a temporary and that the equipment is mobile. Supported by Carmack.

Motion #52 Close the Finding of Facts.

Motion by DeVillez supported by Malvitz to close the finding of facts.

Voice vote taken. Motion carried.

Motion #53 Approve Pavement Variance.

Motion by DeVillez supported by Carmack to approve a variance for Parcel # 5801-034-018-20 from the required hard surface parking and travel lanes requirement and approving the use of asphalt millings instead.

Roll Call: 4-Yes, 1-No (Stumpmier). Motion carried.

Motion #54 Open the Finding of Facts Outside Storage.

Motion by Keilman supported by DeVillez to open the finding of facts for outside storage requirements.

Voice vote taken. Motion carried.

- Fact- Devillez- That the screening requirements have been waved in place of the stock piles to be used as screening. Supported by Carmack.
- Fact- Stumpmier-The applicant reports that the crushing operation is limited to a height of 42 feet. This type of operation by nature is a temporary and that the equipment is mobile. Supported by Carmack.

Motion #55 Close the Finding of Facts.

Motion by DeVillez supported by Keilman to close the finding of facts.

Voice vote taken. Motion carried.

Motion #56 Approve Outside Storage Variance.

Motion by Stumpmier supported by DeVillez to approve a variance for Parcel # 5801-034-018-20 for the height of materials stored outside. The stock piles of material can not exceed 42 ft.

Roll Call: 5-Yes, 0-No. Motion carried.

Motion #57 Adjournment.

Motion by DeVillez supported by Malvitz to adjourn. Voice Vote taken. Motion approved.

Respectfully Submitted,
Jim Vaslo
Township Manager