

SUMMIT TOWNSHIP PLANNING COMMISSION

October 16, 2007

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Gordon Heins, Township Board Liaison; Patrick Dunigan, Natalie Stopyak, Recreation Planning Commission Liaison; Stephen Artz, and John Worden, Summit Township Zoning Administrator.

MEMBERS ABSENT: Dennis Hackett, Secretary; Richard Erhardt, Zoning Board of Appeals Liaison; George Gancsos

The meeting was called to order by R. McQuillan, Chairman, on Tuesday, October 16, 2007 at 7:00 pm in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by S. Artz, supported by P. Dunigan, to appoint N. Stopyak acting Secretary for the Tuesday, October 16, 2007 meeting. The motion carried unanimously.

A motion was made by G. Heins, supported by S. Artz, to approve the August 21, 2007 minutes of the Planning Commission as written. The motion carried unanimously.

Case # 07-10-0013 – Zoning Change – Highway Commercial Contract (C-3) to Agricultural (AG-1) – 3700 block Spring Arbor Rd Township – Owner Shaun Macchia and Art Bruemmer – Applicant Summit

A public hearing was held on the request of Summit Township, of 2121 Ferguson Road, to revert the Highway Commercial (C-3) contract zoning to original zoning of Agricultural (AG-1).

J. Worden explained the application by the Township to reverse the contract zoning, originating in October 2005, with the following: This was the first and only contract zoning that the Township has entered into. The contract was not signed by the applicant, Art Bruemmer, and no site plan had been created in the past twenty four (24) months (Ordinance 8.3.9). Further, ownership of the property was transferred to Art Bruemmers' wife, Shaun Macchia, and the Township Board is requiring an action be taken by the Planning Commission.

Owner, Shaun Macchia, of 3167 Rockingham Way, responded as to the contract not being signed as an oversight by her husband who thought the contract was signed. There was one inquirer by a realtor, but no sale took place. Additionally, she requested an extension of the contract.

R. McQuillan, Chairman, responded that an extension could not take place tonight, as the action before the Planning Commission is whether the original zoning is appropriate or not, and he felt that it was. The Township and the applicants' husband have always acted as though the contract was signed. Further, R. McQuillan, Chairman, believes that the economy has been a factor in the lack of action taken by the owner. Also, the Planning Commission is not stating that the Township would never do another zoning contract.

J. Worden spoke with Art Bruemmer on the phone on October 16, 2007 and he related that Art Bruemmer acknowledged that the contract was not signed because he was not able to produce the bond that the contract required.

P. Dunigan stated that nothing can be done at this time for the owners extension request, but they should bring a new contract rezoning before the board at a later time.

R. Simmons inquired on the conditions of a site plan and a bond for the next contract zoning request.

P. Dunigan expressed an interest in these two conditions being expressed in the next contract zoning.

S. Artz supported R. Simmons request and added the applicant should have a specific number of days to obtain the requested site plan and bond.

J. Worden explained once the contract is signed it is recorded with the Register of Deeds.

R. McQuillan, Chairman, added that this action with the Register of Deeds does not transfer ownership of the land, just the zoning of the land.

Owner, S. Macchia, expressed that she understood the process.

Public Comment: None

Correspondence: None

Motion was made by P. Dunigan, supported by G. Heins, to recommend to the Township Board to return parcel #000-13-07-401-008-00 (3700 block of Spring Arbor Road) to the original zoning district of Agricultural (AG-1) zoning from the current zoning of Highway Commercial (C-3) contract. The motion carried unanimously.

A motion was made by S. Artz, supported by G. Heins, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Natalie Stopyak, Acting Secretary
Summit Township Planning Commission