

SUMMIT TOWNSHIP PLANNING COMMISSION  
November 17, 2015

**MEMBERS PRESENT:** Raymond McQuillan, Chairman; Jack Shelby, Secretary & Zoning Board of Appeals Liaison; Todd Emmons, Township Board Liaison; Stephen Artz; George Gancsos Jr.; Allan Hooper; Richard Erhardt, John Worden, Summit Township Zoning Administrator

**MEMBERS ABSENT:** Natalie Stopyak

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The meeting was called to order by Raymond McQuillan, Chairman, on Tuesday, November 17, 2015 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

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A motion was made by G. Gancsos, supported by J. Shelby, to approve the minutes of the Thursday, October 20, 2015 as corrected. The motion carried unanimously.

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Case #15-11-0026 – Rezoning from Urban Residential (RU-1) to Light Industrial (I-1) – Lots 304, 305, 306 in the 500 block of 19<sup>th</sup> Street – William Bullinger Jr./Applicant – William Bullinger Jr. (Bull Investment) Owner.

A public hearing was held on the request of applicant William Bullinger Jr, of 4083 Spring Arbor Road for the rezoning of lots 304-305-306 in the 500 block of 19<sup>th</sup> Street from Urban Residential (RU-1) to Light Industrial (I-1) to allow building an indoor storage facility for equipment and vehicles of his Heating and Air Conditioning business, AJAX Heating and Air Conditioning, of 530 19<sup>th</sup> Street. The structure will be a sixty-four (64) by forty (40) pole barn, and will be placed on the parcel in an area that was cleared of cotton wood trees. The applicant presented the commission with a site plan for review

Raymond McQuillan, Chairman, asked if the pole barn would have water and sewer

The applicant, William Bullinger Jr., responded, "No"

J. Worden asked if the pole barn would be fenced in

The applicant, William Bullinger Jr., responded the pole barn is bordered with white pine trees so he would not be installing fencing.

S. Artz, asked what type of storage will the pole barn be used for

The applicant, William Bullinger Jr. responded the pole barn would be utilized for storage of equipment and vehicles that is currently been stored outside on pavement. He added no hazardous materials would be stored.

R. Erhardt, questioned if the pole barn would have a permanent floor.

The applicant, William Bullinger Jr., responded he is initially going to bring in some millings, due to financial reason, but it has been planned as a future enhancement to pave the entire structure.

J. Worden added township ordinance requires parking to have consistent zoning, approving this application would satisfy those requirements.

A motion was made by S. Artz, supported by A. Hooper, to recommend to the Township Board approval of the rezoning of Lots 304, 305, 306 in the 500 block of 19<sup>th</sup> Street from Urban Residential (RU-1) to Light Industrial (I-1). The motion carried unanimously.

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Case #15-11-0027 - Amendments to the Zoning Ordinance Zoning Code Subchapter 150.006 Definitions and 150.145 Permitted and Conditional Uses

The requested amendment would remove the permitted uses of Bathing Establishments, Massage Establishments and Massage Establishment, Auxiliary from General Commercial (C-2) and place them in Highway Commercial (C-3). Definitions were provided to the commission.

S. Artz inquired how an applicant would obtain a conditional use

J. Worden explained the process and noted the process can also be found online in the Township Zoning Ordinance.

Public Comment:

Peter Bormuth, of 142 West Pearl Street and is not a Summit Township resident expressed opposition to the application because the Township enforcing religious morality, using the Ordinance to control the Township residents and wasting taxpayers money.

Dr. Jon Abbey, of 2038 Spring Arbor Road, expressed support of the application and thanked the Planning Commission for their definition of clubs and social, appreciates the townships safeguard. I have questions on the Master Plan for the Township and buffer zones from commercial and residents

Questions or Discussion from the Planning Commission:

T. Emmons expressed his hesitation on the application and stated that whether he approves or condones a behavior of a business, Summit Township does not have the right to change the Ordinance to bar an applicant from doing business in the township.

J. Worden explained in 1997 Bathing Establishments, Massage Establishments and Massage Establishment, Auxiliary were listed as conditional uses in Highway Commercial (C-3) in the Summit Township Zoning Ordinance. But, in 2006 Region 2 revised the formatting of the Zoning Ordinance and these items were inadvertently placed in Local Commercial (C-1), General Commercial (C-2) and Highway Commercial (C-3) as permitted uses. Due to the fact that the Township readopted the entire Zoning Ordinance in 2006 has made it necessary to adopt the above proposed permitted and conditional uses as they existed originally in the Ordinance.

Raymond McQuillan, Chairman, clarified the task of the Planning Commission is to review the application and make a recommendation to the Township Board. If the recommendation affects a specific project it will be up to the attorneys and judge to decipher.

R. Erhardt requested confirmation that this was in fact a mistake that fell through the cracks.

J. Worden stated there was a mistake made in the adoption of the Zoning Ordinance.

A. Hooper mentioned the mistake has gone unnoticed since 2006, and inquired if any other mistakes had been located in the Ordinance

J. Worden responded the Zoning Ordinance is being reviewed and no other anomalies have been found so far. Raymond McQuillan, Chairman, clarified the application is not directed towards a specific project, instead it is rectifying the ordinance modification that was codified in 2006.

T. Emmons stated that this application creates a Zoning Ordinance draft document that will be reviewed by the Jackson County Planning Commission, then it will go before the Township Board.

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A motion was made by A. Hooper, supported by R. Erhardt, to recommend to the Township Board the approval of the Amendments to the Zoning Ordinance Zoning Code Subchapter 150.006 Definitions and 150.145 Permitted and Conditional Uses. The motion carried unanimously.

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James Gillmore, of 3404 Belgium Circle, addressed the Planning Commission requesting the vacant units be removed from the condominium master deed, because condominium laws states they have to be removed or they become common property. He purchased the development where he currently resides from the original developer in bankruptcy.

R. Erhardt asked how does this affects the applicant.

Applicant, James Gillmore, responded he wants to see the "must be built" developments proceed as planned by the original developer, but the areas that are vacant will become common ground in 2016 and he will not be able to build on those areas.

T. Emmons questioned the ten (10) year period

Applicant, James Gillmore, responded the wording in the Cherry Hill Condominium Master Deed, that was signed February 2006, states the developer or his successor has ten (10) years to develop the property or it will revert back to common ground.

T. Emmons asked which are "must builds"?

Applicant, James Gillmore, responded originally there were eighteen (18) units, but ten (10) units are "must builds". Two sites have water, sewer and utilities, but the road is not finished.

R. Erhardt inquired if the ten (10) "must builds" will be built to the original developers specifications.

Applicant, James Gillmore, responded he was in negotiations with a builder from the Jackson area.

G. Gancsos asked the total acreage of the development.

Applicant, James Gillmore, responded sixty-seven (67) acres total, of that condominiums cover fourteen (14) acres.

Raymond McQuillan, Chairman, asked applicant what he was requesting the Planning Commission to recommend to the Township Board.

Applicant, James Gillmore, responded he is not requesting a zoning change, instead to remove the wording requiring the vacant lots to be removed from the Cherry Hill Master Deed to allow him to continue developing the condominium complex.

T. Emmons asked for confirmation from the applicant that if anything happens this will go back to the original.

Applicant, James Gillmore, responded yes.

A motion was made by T. Emmons, supported by R. Erhardt, to advise the Township Board the Planning Commission has no objection to the removal of portion of the project so it does not fall under common ground to the association. The motion carried unanimously.

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## Presentation Master Plan Grant Bauman Region 2 Planning

Grant Bauman provided the Planning Commission with a homework assignment, reading the distributed article from Michigan Planner Magazine that covers the unintended effects of urbanization in the United States, and the secondary effects of maintaining infrastructure. He said it was a good thing to keep in mind when creating the Land Use map for Summit Township.

Introduction to the Master Plan was distributed to each board member. It provides the purpose of the document for any person that may be reading the Master Plan for the first time. Grant Bauman reviewed the introductory chapter and covered why the Township plans in the first place, answered the question 'How do you want the Township to look in 20 years' and went through principles that included land uses, zoning, how the master plan is used and how was it developed.

The Planning Commission reviewed the Demographics Appendix A at the last meeting, Grant Bauman distributed the final version to each board member.

Raymond McQuillan, Chairman, provided an overview to the audience of the Township Master Plan and explained it is reviewed every five (5) years and prepares the Township for the future. Summit Township utilizes the expertise of the Region 2 Planning Commission and part of their package is a historical look at the population, demographics, age, gender, race, ethnicity and historical identity. The purpose of this agenda item is to review the documents as provided by Region 2 Planning Commission, not to make an adoption of the Master Plan document.

Grant Bauman distributed to each board member a Base Map (for reference) and the following three maps: Topography Map, Hydrology Map and Development Map. These maps are located in Chapter Two, and looks at the Township as a whole.

The base map shows the Township in relationship with the City of Jackson and the location and shape of Vandercook Lake as portrayed by the census bureau from a demographer standpoint, and is the base for all maps provided for review at this meeting.

The Topography map uses greens, yellows, dark browns and light browns and depict the elevation in feet above sea level of the township. Topographic LIDAR was used, and found the highest point in the Township in the southwest and a separation in the northeast corner from the remainder of the Township.

The Hydrology map depicts the wellhead protection areas, displays the wetlands and identified water bodies are located around low points in the topography.

R. Erhardt asked what makes up a wellhead protection area.

Grant Bauman responded a wellhead protection area is an area where the drawn from water supplies water to wells that supply public water.

The current Land Use map depicts areas that are developed in Summit Township, and was created using aerial maps, a land use map survey of the township and the methodology as used in the Michigan (MIRIS) study. When performed by an outside agency this process can be cost \$5,000 to \$6,000, but because the Township did not have those resources available, John Worden was able to assist Grant to create this map.

Raymond McQuillan, Chairman, requested a change in color to Institutions, so as not to confuse it with General Business.

S. Artz requested adding a label for the light blue green areas of Development for Wetlands.

Grant Bauman responded the map contains too much information and will remove the development for wetlands.

S. Artz requested retaining the Development for Wetlands.

Grant Bauman, responded he would retain the information, but explained the information came from a different source, the National Wetlands Inventory map, so if retained the Development Map will not match the Hydrology map.

Raymond McQuillan, Chairman, stated it is confusing to see the two maps side by side because they do not match up.

S. Artz agreed with the Chairman

Grant Bauman explained the confusion side by side stating one map depicts where the water is being drawn from while the other depicts surface water. He agreed to use one wetland source, but further explained the purpose for the meeting was to show what material was being gathered.

A Hooper inquired about federal insurance coverage for wetlands

Grant Bauman responded if wet lands continue to diminish then there will be increased flooding. These changes can be identified on the hydrology map.

J. Shelby questioned if it would become a flood plain

Grant Bauman responded flood plain could use wetlands at some point but they are not interchangeable with one another. Updates to be completed are Land Use and Transportation, Coverage Areas for Sewer & Water and Coverage Areas of Institutional Areas. He will bring a full chapter to the next meeting along with several other maps for the commission to be able to see how the two will go together. Once Chapter 2 is done, that will provide the information needed to update the goals and objectives of the plan. He anticipates a draft of the plan will be completed by mid spring 2016, but then it is a four-month process before approval of the plan can be completed.

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A motion was made by G. Gancsos, supported by J. Shelby, to adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

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Jack Shelby, Secretary  
Summit Township Planning Commission