



Minutes

THOMAS TOWNSHIP PLANNING COMMISSION

Thomas Township Public Safety Building, 8215 Shields Drive, Saginaw, MI 48609

October 21, 2015 at 7:00 p.m.

Ruth McDonald called the Planning Commission meeting to order at 7:00 p.m.

Present in addition to Mrs. McDonald were: Rod Iamurri, Diane LaMountain, David Sommers, and Dale Halm. Also present were Dan Sika, Director of Community Development, Connie Watt, Planning Assistant/Code Enforcement Officer, and several interested parties.

1. *Call to Order and Roll Call*

2. *Pledge of Allegiance.*

3. *Approval of Agenda:*

It was moved by Halm, seconded by Sommers to approve the Agenda for the October 21, 2015 meeting. Motion carried unanimously.

4. *Approval of Minutes:*

It was moved by Sommers seconded by Iamurri to approve the minutes of September 16 , 2015 as presented. Motion carried unanimously.

5. *Communications – Petitions – Citizens Comments – None.*

6. *Hearings-None*

7. *Sign Board of Appeals-None*

8. *Presentations*

A. *Site Plan Review for Hemlock Semiconductor; expansion of S-70 warehouse chemical storage room and S-30 removal of existing finishing equipment, expansion of building footprint and elevation for increased finishing capacity.*

Sika explained that Hemlock Semiconductor had presented a five (5) year and ten (10) year plan with their original site plan however, this plan does change based on need and this is one of those changes that are necessary. The plan involves S-70 & S-30. S-70 west expansion is a warehouse only. It is a heated, clean area and they are not adding any machinery just expansion for storage. S-30 finishing building is similar to a “clean” room with special filtration, it is heated and has air

conditioning as it is temperature controlled. The work being done here would require an addition in staff and adding a few more employees. With those changes comes the required approval from the Planning Commission. All the information is based on the file provided. Sika added that Steve Wegner, from Hemlock Semiconductor, was unable to attend tonight. He stated that Steve was hoping that based on the information in the file being presented consideration could be given but did state that if the Planning Commission felt they needed to raise questions to Steve, he could attend the November meeting. McDonald noted to Sika that this would be nothing that would even be noticed from the outside of the buildings and Sika replied that was correct. Iamurri stated that this had been mentioned at the original site plan approval that the five or ten year plan may change. Sika responded that it was. Motion made by Iamurri, seconded by Sommers to approve the site plan as presented for the expansion of S-70 warehouse and S-30 removal of finishing equipment expansion of building footprint and elevation for increased finishing capacity. Motion carried unanimously.

9. *Old Business*

A. *Master Plan Update-Continuing from Previous Meetings*

Sika said in following the Master Plan Update Schedule Rob Eggers of Spicer would not be at this evenings meeting. Everything is moving along on the update and they are at the point where information will be gathered from the community survey. Sika added that the survey should be available to take by Monday, October 26th and asked the Planning Commission to be sure to use the link provided to get on-line and take the survey. Iamurri questioned if the survey would be on the Thomas Township website. Sika answered that a link will be provided on our website and added that it was placed in the Township Newsletter which should arrive to residents any day. Eggers will most likely be at the November meeting to begin to go over the information gathered from the survey results.

10. *New Business-Discussion Only-Ordinance Section 18.26 Seasonal Labor Housing*

Sika explained that the Zoning Board of Appeals had received a variance request as explained in the Agenda Item. Our Ordinance does deal with Seasonal Labor Housing and does allow for it however, it does not allow Seasonal Labor Housing on the second story (of a structure). The request to the Zoning Board of Appeals was for a barn style garage with second story Seasonal Labor Housing. Since this was not allowed by Ordinance, a variance was sought. This was to be the farm managers housing. After the Zoning Board of Appeals went through their checklist, it was determined that it did not qualify for a variance. The ZBA did request that the Planning Commission take a look at the Ordinance. They felt it may be outdated in its restriction. It is not seen very often at this time but in the past was probably very prevalent. The ZBA gave this back to the Planning Commission to discuss changes that might be necessary. The Zoning Board of Appeals did turn the request down. Sika added that in researching other Ordinances on-line specific to Michigan he found ours to possibly be antiquated. You don't see migrant workers in Seasonal Housing in Thomas Township nowadays due to new technology to pick the crops nor is

it needed now. This of course could change someday so the Ordinance needs to be kept but modified. Sika said the Planning Commission is being asked to look at modifying the Ordinance for a farm manager. This position is not typically like seasonal labor. He felt that a two story restriction did not make sense at this time and is not even sure at this time what the original intent of the Ordinance was. He said it would not affect neighbors negatively and there would be no hindrance to the farm. Actually there were good reasons to have it. The manager could be “hands on” with the crops stored in the area below the housing among other reasons. He also mentioned that a hand-out had been presented to them this evening in regards to the Seasonal Labor Housing from Attorney Bommarito, representing the Geddes/Carroll families. Halm questioned if the ZBA had turned down the variance request because of the single story requirement. Sika answered that the Zoning Board of Appeals checklist has criteria that is addressed and it could not be met. Halm asked if during the Public Hearing at the Zoning Board of Appeals meeting there was any opposition. Sika noted that there were citizens present but those who were there did not oppose the variance and seemed to be in favor of the second story housing. Sika added that after reviewing the Ordinance there are good reasons to amend it. He said if the Planning Commission elects to move forward he will put together the amendment based on their suggestions and bring it to Public Hearing at the November Planning Commission meeting. If approved it would then go to the Saginaw County Planning Commission and then to the Thomas Township Board. Halm added that they still wouldn’t be able to build until probably next year then. Sika stated that the structure could be built at any time but the second story could not be used for housing unless the Ordinance was amended. He added that if the process goes as mentioned it could be January or February before anyone could reside there. Sommers questioned using the terminology farm manager and maybe that was too restrictive. Also the height restriction of twenty-five feet (25’) may need to be reduced. Sika said the wording could be changed to whatever they choose. He said he used wording after looking at other Ordinances. He didn’t want to say employee for example because it was too broad. He noted that at this point we don’t have a definition of farm manager in the Ordinance so they could even define that if they like. McDonald said she felt you may open this up to problems if you try to define what a farm manager does. She felt the more restrictions, the more problems you’d have all the way around. LaMountain questioned if this would be the farm manager and family or maybe immediate family but then everybody’s version of that is different. Sika said it is up to you but you probably will not want to limit to say husband, wife, boyfriend, girlfriend etc. Need it to be broader. He added that in speaking with the State regarding this they noted that they cover five (5) or more families under their guidelines for the Migrant Worker Program anything under that does not fall under their guidelines. Halm said so at this time we don’t have to do anything other than a vote on going forward with possible changes? Sika said yes he would like to see if the Planning Commission feels the change is needed. He then noted that there was probably some public comment awaiting from those present. McDonald opened the floor to public comment. Alex Bommarito, Attorney at Law, spoke on behalf of the Geddes and Carroll families that he is representing. He said this dealt with a specific farm of eighty-eight (88) acres which belongs to them. He stated that they were involved in farm to table type products which is more produce than cash crops. He said the operation is not going to be that two (2) months of harvesting, two (2) months of processing then gone type of thing. He said this operation is not what we typically think of as we do with migrant farm workers. He said that the building being two (2) stories saves needed farm land to utilize for the farm operation and crops. He told the members that they have proceeded with the building and the foundation is complete. He said

they could not risk the hold up and losing valuable time for their business. Bommarito said the first floor of the building will house equipment, have coolers and crop storage and an office. Farm to table continues to grow and this particular farm has a very good business with Detroit Metro area restaurants who want fresh produce. He said they would like to see the amendment process move forward for Public Hearing at the November Planning Commission meeting. He also stated that the daughter of the farm owner would be the person utilizing the housing. Sommers asked if construction had been started? Bommarito stated it had. They had modified the plan at this point, there will be heated storage on the second floor but if the amendment goes through it will then become living quarters. He noted that they had to proceed to keep business moving and to not lose time. He said they would risk losing business by getting behind and they had to “keep the train on the track” or face losing business. Iamurri noted this is a well maintained farm. Bommarito stated that this is not only for this farm but for any others who may want to get in on the farm to table farming. A motion was made by LaMountain and seconded by Iamurri to proceed with the text amendment process for Section 18.26 Season Labor Housing. Motion carried unanimously.

11. Receive and File All Correspondence-None

Sika mentioned to the Planning Commission that the Recreational Vehicle Ordinance was returning to the Planning Commission. He stated that the Township Board Ordinance Committee had made five (5) changes to the Ordinance that the Planning Commission had approved. It went to the Township Board for their approval but they wanted it to go back to the Planning Commission for review of those changes and for the Planning Commission to accept, modify or delete the changes. It will then return to the Township Board. The members of the Planning Commission requested a copy of the Ordinance that they had approved along with these five (5) changes listed to review immediately. They felt after they all had a chance to review it, they could then request a Planning Commission Ordinance Committee meeting if they felt it was necessary prior to the next Planning Commission meeting. Watt will send the requested copies out within the next couple of days.

Adjournment

Motion by Halm seconded by Iamurri to adjourn the meeting at 7:55 p.m. Motion carried unanimously. ***The next meeting date is November 18, 2015.***

Respectfully submitted by Connie Watt, Planning Assistant/Code Enforcement Officer