

Alaiedon Township Planning Commission Public Hearing Meeting Minutes  
Alaiedon Township Hall  
Monday, July 19, 2021  
7:00 PM

The Alaiedon Township Planning Commission met Monday July 19, 2021 at the Alaiedon Township Hall to hold a public hearing and to review ordinances.

Chairman Matt Oesterle called the meeting to order at 7:03 p.m.

Roll call was taken. Present were Matt Oesterle Laurie Koelling, Barb Kranz, Beth Smith, Bill Schneider, Jason Buher and Kim Hafley. Township Attorney Tom Hitch was also present.

Beth Smith made a motion to approve the meeting agenda as revised earlier today, Laurie Koelling seconded. Motion passed.

Beth Smith made a motion to approve the meeting minutes from the June 7, 2021 Workshop Meeting, Bill Schneider seconded. Motion passed.

Old Business:

None

New Business:

1. Consider and receive public comment on the amendments to Zoning Ordinance to regulate Events Barns within the A-1 Agricultural Zoning within the Township.

Before opening the floor for public comment on the Zoning Ordinance to regulate event barns, Chairman Oesterle stated the definition of an event barn and reinforced that the ordinance under consideration requires that a facility's primary purpose continue to be ag-related.

Public Comment:

Louise Rabidoux of 2287 Harper Road. Ms. Rabidoux thanked the Planning Commission for their thoroughness and shared her appreciation for the work done. She also expressed concerns regarding the shift from a special use permit to a business permitted by right. She also expressed concerns about:

- 10 acres parcels being too small and setbacks too lenient
- 10 events a year being too many
- Event size
- Traffic and parking
- Noise
- Light pollution – including lights from cars
- Serving of alcohol
- Property Value and Taxes

Ms. Rabidoux posed the question "are event barns attractive nuisances?" and requested if the ordinance is adopted the Alaiedon Township Board consult with adjacent landowners prior to approval. She provided a written copy of her comments which is attached to these minutes.

Chairperson Oesterle reminded the public that this portion of the meeting was to address the zoning ordinance and there would be time later in the meeting to offer public comment on the Events Barn Licensing Ordinance which contains the majority of operation parameters.

Doug DeMartin of 2326 Harper Road. Mr. DeMartin stated he is concerned about the large size of events, the extra people from caterers, the extra days of set up and clean up as well as the setbacks. He is also concerned about Table 3-5 and how it's interpreted and applied.

Chairman Oesterle clarified that in addition to the setbacks in the Zoning Ordinance for Event Barns there are additional setbacks that must be adhered to in the Event Barn Licensing Ordinance.

Attorney Tom Hitch provided clarification between the Zoning Ordinance to regulate Event Barns and the Event Barn Licensing Ordinance. In Michigan, under the Michigan Zoning Enabling Act, if a municipality establishes a zoning ordinance with certain conditions of use, once a property owner makes the improvements to meet this ordinance, they have an invested right to operate as when the ordinance is adopted. The result is they get grandfathered in with the older regulations irrespective of new changes to the ordinance. Working in coordination with the zoning ordinance, the licensing ordinance contains many of the operational details which can be amended based on need and then are applicable to all event barn licensees – not just future licenses. This structure provides the Alaieton Township Board the flexibility to be responsive to future needs.

John Adent of 1300 Holt Road. Mr. Adent stated that he appreciated what the Township was doing to keep diversity of agriculture in the community. He also commented on the challenges of specialty crops and the need to be flexible.

Tony Casali of 2300 Harper Road. Mr. Casali stated that he and his family have worked hard to develop their specialty crop farm including building one of the nicest event barns in the area. He noted that his wife, Tracy, has been a teacher in Mason for 25 years, his son is a graduate and their goal is stay in this community and to serve the community and to share their ag perspective with others. He shared building specifications used in construction that had dual purpose to protect their crops and to make the facility user and neighbor-friendly and cited the 6" insulation throughout to minimize sound. Mr. Casali also thanked the Township Planning Commission for their work on event barns and stated that he felt the two-step process was a good one and aimed to protect residents.

Attorney Hitch clarified that that it is the Event Barn Licensing Ordinance, not the Event Barn Zoning Ordinance that states that a public hearing will be held for each Event Barn Licensing applicant.

Beth Smith made a motion that the Alaieton Township Planning Commission recommends to the Alaieton Township Board of Trustees that the Event Barn Zoning Ordinance amendment be approved. Laurie Koelling seconded. Motion passed.

## 2. Review Event Barns Licensing Ordinance

Beth Smith made the following recommendations:

- Section 8.C. should be re-written to be clear each day is a separate violation.
- Add definition of Event Barn consistent with the Zoning Ordinance in Section 2
- Add clarification to the application and approval process to each applicant (Note: Attorney Hitch commented this will be added to Section 6)

Chairman Oesterle noted that ag-related events geared toward a farms primary ag function and agri-education functions do not count toward the number of events. Event barn events are non-ag-related such as weddings or graduations parties.

Public Comment:

Mr Adent encouraged the township to be flexible on the number of events a licensed "event barn" property can conduct in a calendar year. The 10 events a year limit is challenging if the goal is to sustain diversity of agriculture. He offered this year's weather as an example noting how hard his orchards have

been impacted. He also praised the “destination” network via Instagram that has been created by some of the township’s specialty crop farmers which will bring lots of people to the area.

Mr. DeMartin commented that he is concerned about summer wedding season and that it has the potential to take a day of set up, event, day of clean up is a lot. However, he appreciates what farmers go through and acknowledged that it’s a tough give and take and hope if done right there is a solution.

Mr. Casali stated that he has turned away 30-40 events since opening. In reference to Mr. DeMartin’s comments about events, he commented that being specialty crop farmer, they have to be ready to harvest when the crop is ready and having an event every week in the summer is unlikely as farmers still have to harvest and people are looking at other seasons. He also noted at most events are not three days but a day with the property owner doing most of the cleanup.

Kimberly Dudley of 1808 Hagadorn Road Ms. Dudley suggested there be additional clarification that you have to meet zoning ordinance standards before qualifying to complete a Event Barn Licensing Application.

Planning Commission member Bill Schneider explained to the public in attendance that the Planning Commission has to think about ordinances as how they apply to everyone in the township. He emphasized that these two ordinances were not designed with any operation in mind.

Beth Smith will report on this discussion to the Alaiadon Township Board of Trustees and communicate that all Planning Commission members recommend the Event Barn Licensing Ordinance be approved after Beth Smith’s above suggestions and the suggestions below be addressed:

- Consolidate content about serving alcohol.
- Corrections in Section 8.E. “lease” to “license” and “produced” to “provided”

3. Review the amendments to Zoning Ordinance to incorporate Residential Solar Energy Systems within the Township

After discussion, all members of the Planning Commission concurred that “Residential Solar” is an inaccurate description. The Planning Commission prefers “Single Facility Solar” where the focus is about powering operations on a specific property and not for selling power at a profit.

Planning Commission members are to review the draft ordinance and to provide feedback to Beth Smith on or before August 1, 2021. Beth Smith will communicate these recommendations to Attorney Hitch and he will prepare a revised draft for the next regular meeting of the Planning Commission.

Public Comment:

Multiple members of the public thanked the Planning Commission for the hard work put into the Event Barn ordinances.

Reminder the Planning Commission will meet with the Alaiadon Township Board of Trustees Monday July 26 at 8 pm for an educational session about Wind Turbines.

Beth Smith made a motion to adjourn, Jason Buher seconded. Motion passed.

Meeting adjourned 8:15 p.m.

Minutes respectfully submitted by Kim Hafley, Secretary