

BAINBRIDGE TOWNSHIP
Planning Commission Meeting
MINUTES
September 21, 2020

The meeting was called to order at 7:00 P.M. by Chairman, Melissa Morlock at the Bainbridge township Hall, 7315 Territorial Road, Watervliet, MI 49098

ROLL CALL:

PRESENT - Chairman, Melissa Morlock, Secretary, Dale Kreitner, Don Baiers, Jim Doroh, Ron Bjes, Andy Gardiner, with Charles LaSata arriving at 7:06 P.M.

ABSENT - None

PUBLIC COMMENT: (Please Limit to 3 Minutes) Opened-7:08 P.M. / Closed- 7:15 P.M.

Linda Alfieri said she was there to obtain the requirements for a Special Land Use Permit to construct a 40' x 50' heated building on a small lot (84' x 50') at 175 Bainbridge Center Rd. She said there is a small 2 bedroom home with a Michigan basement presently on the property that she wants to eventually tear down and in the future build a small home on the same location. She stated the building would be used to store Michael Alfieri's (her son) septic pumping truck. Secretary, Dale Kreitner asked Chairman, Melissa Morlock to adjust the agenda and place this issue on the agenda to allow time for discussion.

AGENDA: the agenda was amended to add discussion of questions regarding the prior Public Comment Question: **Voice Vote: All in Favor**

APPROVAL of MINUTES: Minutes of January 20, 2020 & June 15, 2020 were moved by Ron Bjes and seconded by Don Baiers to be approved as written. **Voice Vote: All in Favor**

REPORTS: None – Written comments from Ross Rogien, Zoning Administrator were included in the members packet received by mail.

BUSINESS:

- **Election of Officers** – With the term expiration of Chairman, Greg Grear, Vice Chairman, Melissa Morlock was automatically moved to Chairman. The following officers were proposed for the term of September 21 through December 31, 2020.
Motion Lasata/Bjes to appoint Anddy Gardiner, Vice Chairman and Dale Kreitner, Secretary
Voice Vote: All in Favor
- **Discussion Questions Deferred from Public Comment Period**
Mr. Michael Alfieri restated his desire to build a heated 40' x 50' building on the property in question. The purpose of the building was to be able to store his septic pumping truck, owned by A & S Septic (a partnership) which is presently stored in a rented bay on Red Arrow Highway in Watervliet, MI. He wanted to build the building sufficiently large enough to potentially store a second truck in the future. It was restated by Linda Alfieri that the original home presently on the property would eventually be removed and a small home was to be built by her on the same location sometime in the future.

Planning Commission Mtg – Page II – September 21, 2020

Mr. Alfieri indicated no work would be done on the site and it would be used for storage.

Charles LaSata reviewed the size of the lot and the size of the proposed building and indicated it appeared to be within the size requirements to allow for the building. He also reviewed Section 5.09 “Schedule of District Regulation AG”, Agriculture District for the listed uses allowed and noting such use is not listed. Home Occupation 8.0 is only authorized use.

Dale Kreitner referred to the 2025 Master Plan map indicating the area designated Agriculture (AG) and there is no Commercial Designation in the area. Dale, also read Section 8.01, Definition A. – “Home Occupation” is a use conducted in either the principle residential dwelling or an accessory building that is clearly incidental and secondary to the resident occupancy of the residentially zoned property and that does not change the residential character of the residentially zoned property.

Ron Bjes referred to Section 8.02 which indicated NO person other than members of the family residing on the premises shall be engaged in such occupation unless waived by the Planning Commission as condition of the Special Land Use.

Supervisor, Bill Hodge raised the question of his Commercial Permit would list the address of his license to operate indicating it would be moved from his present rented location to the address of the building. Mr. Alfieri indicated there were others conducting business from their home with no permits and alluded to a present case involving a garage and its business. Supervisor, Hodge used his own commercial truck as an example as parking it at his home but conducting business from his warehouse in Watervliet. Hodge commented, “we were trying to inform him of the requirements and did not want to see him spend the funds required to submit such an application”. Hodge also indicated if such a violation were discovered it could result in a court case. Hodge also indicated, as it had been brought up, the case in which Mr. Alfieri had referred would be receiving a decision by the District Court, Thursday, which could result in the loss of the Special Land Use permit. Mr. Alfieri was informed he had every right to file for a Special Land Use permit, however, he should consider the information he had been given by the Planning Commission before committing to spending money for the action.

PUBLIC COMMENT PERIOD: None

CORRESPONDENCE:

- Letters - Berrien County Community Development and Berrien County Planning Commission advising of updating their Master Plan.
- Charles LaSata informed the Planning Commission this could be his last meeting, as they have sold their home. If everything goes as planned they will be moving from the township which would require him to resign. He will not do so until the move is completed.

ADJOURNMENT: Motion by Ron Bjes / Don Baiers to adjourn at 7:48 P.M.

Voice Vote: All in Favor – Motion Carried

Respectfully Submitted,

Respectfully Submitted,

