

MINUTES OF THE REGULAR MEETING
OF THE WHEATFIELD TOWNSHIP
BOARD OF TRUSTEES
INGHAM COUNTY, MICHIGAN
www.wheatfieldtwpmi.gov

Tuesday July 9, 2024 7:00PM
(The meeting was held in the community room)

Supervisor Myer called meeting to order at 7:01PM.

Roll call—Allen, Henley, Kapp, Miller and Myer-present.

Pledge of Allegiance.

Public Comment: Opened at 7:01 PM. There was one comment about an event venue in the township. Closed at 7:02 PM.

MINUTES:

Motion by Henley to approve the minutes of the regular meeting of June 11, 2024, seconded by Allen.

All were in favor. Motion carried.

*Copies of the minutes are available at the township office.

*******REPORTS*******

TREASURER’S REPORT: Given by Miller. Summary as of June 30, 2024:

- ✓ Independent Bank General Fund-fund balance equity:----- \$ 195,334.70
- ✓ Consumers CU Certificate of Deposit:----- \$ 101,201.02
- ✓ Consumers CU Certificate of Deposit:----- \$ 100,679.64
- ✓ First National Certificate of Deposit:----- \$ 100,000.00
- ✓ Independent Bank Tax Roll Checking balance:----- \$ 1,602.70
- ✓ Cemetery Certificate of Deposit:----- \$ 7,200.00

Motion by Allen to approve the treasurer’s report of June 30, 2024, seconded by Henley.

All were in favor. Motion carried.

- ✓ Summer taxes have been sent out to residents.
- ✓ Williamston Products on Noble Road is going up for auction and Holly is attempting to get the delinquent taxes owed to us.
- ✓ Holly attended an ICC/MTA meeting in Locke Twp.
*Copies of the treasurer’s report are available at the township office.

PLANNING COMMISSION: Given by Kapp.

- ✓ The planning commission held a public hearing regarding the special land use request by Susan & Dan Bauer for their business, Deer Creek Sales, Inc. The result was to forward a recommendation for approval to the board. This is an agenda item for tonight’s meeting.
- ✓ A sketch plan was submitted for an event barn on Noble Road, which will be a topic of discussion in August. The July meeting was canceled.

N.I.E.S.A.: Given by Henley.

- ✓ The NIESA board is obtaining more information before amending their Banking & Investment Policy.

- ✓ Water rescue training, summer fire school and EMT classes are underway or will begin soon.
- ✓ A live fire training event is being planned.
- ✓ Payments from AccuMed continue to exceed budget projections.
- ✓ The 35 NIESA responses in Wheatfield Twp. are about 11% of the total.
- ✓ *A copy of NIESA's minutes is available at the township office.

SUPERVISOR: Given by Myer.

- ✓ Summary: There have been a variety of zoning inquiries this month, including land divisions, fencing requirements, pole barn requirements, and more.
 - ✓ The road agreement has been executed and signed.
- *A copy of the supervisor's report is available at the township office.

CLERK: Given by Kapp and submitted in writing.

- ✓ Summary: working on personnel issues, cemetery issues, repairs to lighting in front and back of the building as well as the automatic door, lots of work and training on Elections, 5 hall rentals in June, assisting with a meeting of the Ingham Co. Road Dept here on July 10th, and our July board of review is scheduled for July 16th at 11AM.

*Copies of the clerk's report are available at the township office.

WASC: Given by Allen.

- ✓ A picnic for the WASC was here at the Wheatfield pavilion earlier today. There was good attendance. It was followed by a tour of the new facility and a meeting. They must vacate the current location by December 31, 2024.

*****DISCUSSION ITEMS*****

1. **Consideration of a Zoning Ordinance amendment-CREO.** This is the Compatible Renewable Energy Ordinance that relates to State of Michigan requirements and our recently passed Wind Energy zoning provisions. We will continue to monitor this topic, and our planner, Mark Eidelson will assist us with implementation as soon as the sample language is available from the MTA.

2. **Bauer Special Land use Recommendation.** The planning commission is recommending that the board approve the Special Land Use Permit submitted by Susan & Daniel Bauer.

Background: Mr. & Mrs. Bauer own a business on the same property as their residence. It has operated as a special land use under Home Occupations for thirty-three years. They are requesting to divide their property into two separate parcels, and to operate the business as a special land use under Agricultural Service Businesses. They have applied for and received five variances, granted by the zoning board of appeals.

There was some discussion by the board as well as questions from the board to the Bauers throughout the discussion. The topics included the requirement and location of a separate well for the business, fencing, landscaping, etc. Board consensus was to move this to an action item for tonight for conditional approval.

*****ACTION ITEMS*****

1. **Bauer Special Land Use.**

Motion by Kapp, seconded by Allen,

Whereas, pursuant to the Wheatfield Township Zoning Ordinance, applicants Daniel and Susan Bauer have submitted a special land use application to enable Deer Creek Sales, originally approved as a home occupation on the Bauers' residential lot, to function independently of the Bauers' residence as a separate parcel, and that said application is sufficiently complete to render judgment;

Whereas, the application is on file with the Township and includes, in part, a 1-sheet site plan prepared by KEBS, Inc. and dated April 8, 2024, property legal descriptions and boundary survey documents prepared by KEBS, Inc., a zoning permit application dated/signed January 18, 2024, and a narrative project description dated March 12, 2024;

Whereas, the application provides for the splitting of the Bauers' property at 1550 Linn Road to create two smaller parcels, with the Bauers' residence to be the principal use of the eastern smaller parcel and Deer Creek Sales to be the principal use of the western smaller parcel, along with proposed tree/shrub plantings as depicted on the site plan and the absence of any proposed grading, clearing, or other modifications to the proposed Deer Creek Sales parcel;

Whereas, the subject property is in the A-2 District, the District authorizes “agricultural service businesses” as a Special Land Use subject to a public hearing and site plan approval, and the sale of farm and garden equipment and products, and repair services, constitutes an agricultural service business;

Whereas, the Bauers received five variances from the Zoning Board of Appeals (May 23, 2024) to facilitate the division of the existing 5-acre parcel in a manner that the A-2 District does not otherwise permit;

Whereas, the Planning Commission held the required public hearing (June 20, 2024) on the application and issued a recommendation of conditional final approval to the Township Board;

Whereas, the Township Board has reviewed the application file and record of facts including the June 6, 2024 report of the Township’s consulting planner (Landplan Inc.), and which the Township Board generally accepts as the Township Board’s findings of fact, conclusions, and basis for its action;

Whereas, with conditions, the application complies with the standards of the Zoning Ordinance including the site plan approval standards of Section 14.4 and the special land use approval standards of Section 15.6, as documented by the above referenced consulting planner’s report;

Be It Therefore Resolved that the Wheatfield Township Board on this day of July 9, 2024, grants final approval of the Bauer/Deer Creek Sales special land use application with the following conditions, which shall apply irrespective of whether the proposed Deer Creek Sales parcel continues operations under the Deer Creek Sales name or under an alternative business identification or entity providing :

- 1) There shall be no sale of the proposed Deer Creek Sales parcel prior to the issuance of a zoning permit by the Zoning Administrator for the conditionally approved agricultural service business.
- 2) No zoning permit shall be issued prior to all the following:
 - a) The Township’s land division approving body approves the proposed dividing of the existing Bauer parcel, Parcel No. 33-07-07-11-100-005, as presented in this *special land use* application, and satisfactory evidence of such approval is provided to the Zoning Administrator.
 - b) The county health department approves a potable water well to be located on and serve the proposed Deer Creek Sales parcel and satisfactory evidence of such approval is provided to the Zoning Administrator.
- 3) The potable water well shall be fully installed and operational prior to or within ninety (90) days of the sale of the proposed Deer Creek Sales parcel.
- 4) The Bauers shall provide the Zoning Administrator with satisfactory evidence of the sale of the proposed Deer Creek Sales parcel within ten (10) days of such sale.
- 5) Hours of operation of Deer Creek Sales shall not exceed 8:00 a.m. to 6:00 p.m., Mondays through Saturdays, except for one (1) day per week when operations may extend to 9:00 p.m., and there shall be no hours of operation on Sundays.
- 6) Noncompliance with any of the above conditions shall be grounds for the termination and voidance of the conditional approval of the special land use application and any zoning permit that may have been issued.

Roll call vote: Allen, Henley, Kapp, Miller and Myer-yes. Motion carried.

5. Accounts Payable for June 2024 (Payroll and Expenses).

Motion by Henley to approve the accounts payable for June 2024 as presented, seconded by Allen.

Roll call vote: Allen, Henley, Kapp, Miller and Myer-yes. Motion carried.

*Payroll and list of expenses attached.

Motion to adjourn by Miller, seconded by Henley. All were in favor—motion carried.

The meeting ended at 8:01PM.

Respectfully submitted,

Denise Kapp, Clerk

Date

Next board meeting:
Tuesday August 13, 2024 at 7:00 pm.