

City of Perry Planning Commission Meeting
Perry City Hall
September 9, 2019

RECEIVED

OCT 14 2019

CITY OF PERRY

Present: Cottrell, Lewis, Ottke, Porter, Sanford

Call to order: Ottke @ 7:05pm

Approval of the Agenda: approved unanimously

Approval of the Minutes from August 5, 2019: approved unanimously

New Business: Concrete Crushing

Chairperson Ottke and Bob Porter brief the Commission on the mediation agreement between the City of Perry and Mosher et al. and provided a copy of the judgement.

Questions from members of the Commission included:

1. What in the zoning ordinance gives the Mayor/City power to bypass the Site Plan Review process for I-2 development or any zoned development?
2. Who is responsible to ensure the conditions of the agreement are met?
3. How must evidence of non-compliance be collected and where is it sent?
4. What is the "penalty" for non-compliance – immediate cease and desist, back to court, etc.?
5. How will the operation be shut down in 9 months hence?
6. Does failure of Mosher's to achieve the short-term provisions of the agreement (performance bond, movement of concrete off of residential property, liability insurance) nullify the mediation agreement?
7. Will the Planning Commission be notified on September 30th if the short-term provisions are met?

Discussion:

The Commission agrees question #1 will be addressed by Chairperson Ottke via a formal letter to the City attorney for clarification. Pending the results of the attorney's correspondence, the Planning Commission can then recommend

language to the Perry City Council to amend the zoning ordinance to prohibit bypassing formal site review for I-1 and I-2 moving forward.

Commission also discussed a review of current zoning ordinance to address possible I-1 and I-2 land uses that should require site plan review by the Planning Commission.

Discussion by Commission members considered a review Section 15 of the Zoning Ordinance to recommend to City Council addition of sections to the chapter to address barrel reclamation facilities, waste lagoons, slaughter houses, race tracks, scrap metal processing, chemical manufacturing, materials recovery, mineral extraction and other activities that may negatively impact residents and the environment.

Bob Porter recommends reviewing the International Zoning Code and Shiawassee County Zoning Ordinance to glean information and guidance relevant to the City of Perry.

Next Meeting: October 7, 2019

Adjournment: Ottke @ 8pm

Submitted by: Cottrell, Secretary