

NEW BUFFALO TOWNSHIP BOARD  
SPECIAL BOARD MEETING  
JUNE 3, 2013  
17425 RED ARROW HIGHWAY  
NEW BUFFALO, MICHIGAN

Supervisor Dudiak called the meeting to order at 6:50 p.m.

Call to Order

Board Members Present: Dudiak, Heit, Oselka, Rahm, and Rogers

The Pledge of Allegiance was led by Supervisor Dudiak

Heit moved, Rogers seconded to, upon recommendation of The Planning Commission, approve a Special Land Use to operate an open air market to be known as "Harbor Country Growers Market" organized and held by volunteers of Water's Edge Methodist Church at 18712 Harbor Country Drive, New Buffalo, MI, 49117 being parcel #11-13-0015-0005-00-3, based on the following findings of fact and subject to the following conditions:

SLU  
18712 H.C. Dr.  
Growers Market

Notification, Hearing and Review

1. Proper notice has been duly published
2. Proper notice has been sent to all property owners within 300 feet of the subject property
3. A Public Hearing was held at the May 7, 2013 meeting of this Planning Commission and comments at such hearing recorded by the Secretary in the minutes.

Findings/General Standards for Approval

Based on its review and consideration of materials submitted with the SLU application, comments received in writing and made at the public hearing, and the applicable standards of the Special Land Use Chapter of the Ordinance, the Planning Commission makes the following findings of fact:

4. The proposed use is designed and constructed and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, will be compatible with adjacent uses of land and will not change the essential character of the area in which it is proposed.
5. The use will be served adequately by public services and facilities, including, but not limited to, streets, police and fire protection, drainage structures and refuse disposal. Adequate water and sanitation facilities will be available.
6. The use will not be detrimental to any persons, property or the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.
7. The use represents an improvement to the character of the property under consideration and the surrounding area in general and will be in keeping with the natural environment of the site.
8. The site plan proposed for the use demonstrates compliance with the design

standards of an Open Air Business Requirements of Section 15.7U: access driveways are located at least 100 feet from the nearest right of way line of any intersecting street and 75 feet from the nearest edge of any other driveway on the same side of the street; lighting for parking and outdoor storage areas will be shielded to prevent light from spilling onto any residential district or use property line; and all display materials or equipment stored or displayed outside of an enclosed building will not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.

The Site Plan Requirements of Section 14.1.C.2. have been met

The Site Plan Review Standards of Section 14.1.D. have been met

Conditions:

- 9. The Applicant shall comply with all applicable local, state, and federal ordinances, statutes or laws.
- 10. All storm drainage will conform to the Berrien Country Drain Commission requirements.
- 11. The Special Land Use shall not become effective until the Special Use Permit has been recorded with the Berrien County Register of Deeds as required by 15.6 of the Ordinance. Proof of such recording must be delivered to the Zoning Administrator when it has been received back from the Register of Deeds.

Dudiak	Yes
Heit	Yes
Oselka	Yes
Rahm	Yes
Rogers	Yes
Motion	Carried

A discussion on the budget took place.

Budget Discussion

Rogers moved, Dudiak seconded to accept the budget amendments for 2012-2013.

Budget Amend. 2012-2013

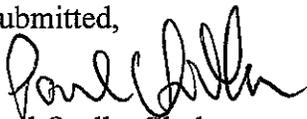
Motion Carried

Rahm moved, Dudiak seconded to adjourn at 7:10 p.m.

Adjourned

Motion Carried

Submitted,



Paul Oselka Clerk