

New Buffalo Township Planning Commission  
Regular Meeting  
January 8, 2013  
Final Approved Minutes

Vice-Chairperson Art Lamport called the meeting to order at 8:00 P.M.

Roll call was taken by Vice-Chair Lamport. Present: Jim Daubert, Dan Coffey, Joyce Mims, Art Lamport, and Dee Batchelder.

Election of Officers: President - Dee Batchelder, Vice-President - Art Lamport, Secretary - Dan Coffey  
UNANIMOUS VOTE - yes.

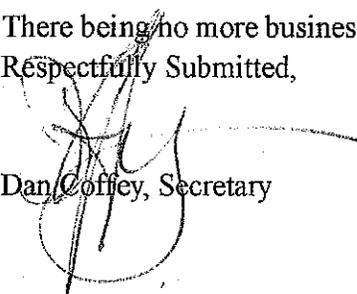
A. Lamport MOVED for excused absences for R. Heit and H. White. J. Mims SECONDED, MOTION CARRIED.

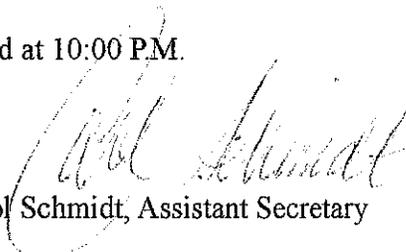
The minutes from the Public Hearing and Regular meeting on December 11, 2012 having been distributed and no changes made were approved. UNANIMOUS VOTE - yes.

Review and discussion of the first eleven pages of the proposed changes to the Zoning Ordinance Definitions by McKenna & Associates.

There being no more business, the meeting was adjourned at 10:00 P.M.

Respectfully Submitted,

  
Dan Coffey, Secretary

  
Carol Schmidt, Assistant Secretary

New Buffalo Township Planning Commission  
Regular Meeting  
February, 2013  
Final Approved Minutes

Chairperson Dee Batchelder called the meeting to order at 8:00 P.M.

Roll call was taken by Chair Batchelder. Present: Jim Daubert, Dan Coffey, Joyce Mims, Art Lamport, and Robert Heit. Harold White was absent.

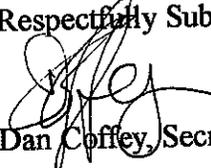
A. Lamport MOVED for excused absences for H. White. J. Mims SECONDED, MOTION CARRIED.

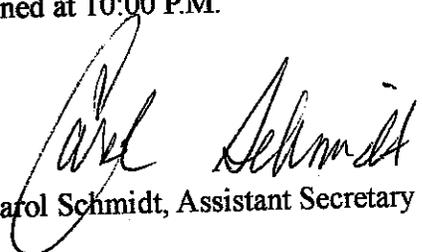
The minutes from the Regular meeting on January 8, 2013 having been distributed and no changes made were approved. UNANIMOUS VOTE - yes.

Review and discussion of the second half of the proposed changes to the Zoning Ordinance Definitions by McKenna & Associates.

There being no more business, the meeting was adjourned at 10:00 P.M.

Respectfully Submitted,

  
Dan Coffey, Secretary

  
Carol Schmidt, Assistant Secretary

New Buffalo Township Planning Commission  
Public Hearing and Regular Meeting  
May 7, 2013  
Final Approved Minutes

Chairperson Dee Batchelder called the meeting to order at 8:00 P.M.

Roll call was taken by D. Batchelder. Present: Harold White, Jim Daubert, Dan Coffey, Joyce Mims, Art Lamport and Dee Batchelder. Absent Robert Heit.

**PUBLIC HEARING**

It was moved, supported and approved unanimously to open the Public Hearing.

The Planning Commission heard comments on the request of Dennis Fryman for a Special Land Use to operate an open-air market: "Harbor Country Growers Market" organized and held by volunteers of Waters Edge Methodist Church at 18712 Harbor Country Drive, New Buffalo, Michigan 49117 being parcel number 11-13-0015-0005-00-3. Paul Vicari, the project engineer presented the site plan and the goals. The vision is to become a community outreach and sustainable destination. They are not planning to be a contra market, only giving local growers an opportunity to sell their produce. As a not-for-profit operation, the applicant stressed that their intention was not to compete with existing farmer's markets in the area. There was discussion about signs and entrances into the property from Harbor Country Drive into the property. There will be 20 booths plus an outdoor tent. Parking is within the zoning ordinance.

D. Coffey MOVED to close Public Hearing. J. Mims SECONDED, MOTION PASSED.

**BUSINESS SECTION**

The minutes from the Regular meeting on April 2, 2013 having been distributed and no changes made were approved. UNANIMOUS VOTE - yes.

Motion made to approve excused absence for Robert Heit. Unanimous Vote-yes.

Following discussion and responses to audience questions, D. Coffey moved, seconded by J. Mims, that based on the following findings of fact and subject to the following conditions, the Planning Commission recommend that the Township Board that it approve with conditions the application of Dennis Fryman for a Special Land Use ( the "SLU") to operate an open air market to be known as "Harbor Country Growers Market" organized and held by volunteers of Waters Edge Methodist Church at 18712 Harbor Country Drive, New Buffalo, Michigan 49117 being parcel number 11-13-0015-0005-00-3.

#### Notification, Hearing and Review

- Proper notice has been duly published
- Proper notice has been sent to all property owners within 300 feet of the subject property
- A Public Hearing was held at the May 7, 2013 meeting of this Planning Commission and comments at such hearing were noted above in the Public Hearing comments.

#### 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:

- 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.
- 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.
- The use will not be detrimental to any persons, property or the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.
- 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.
- 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:

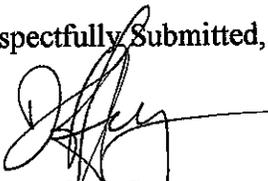
- The Applicant shall comply with all applicable local, state, and federal ordinances, statutes or laws.
- All storm drainage will conform to the Berrien Country Drain Commission requirements.
- The Special Land Use shall not become effective until the Special Use Permit has been recorded with the Berrien 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.
- The applicant agreed to the placement of one sign (rather than the five proposed) on the property in accordance with requirements of the Zoning Ordinance.
- Two entrances proposed were permitted and applicant agreed that it would keep safety issues in mind as it proceeded with establishing the market.
- The Harbor Country Grower's Market operation will be limited to periods from May 15th through October 31st, Thursday-Monday, 5:00 P.M. - dusk with permission to also have special events in these same time frames.

Motion passed unanimously.

Marcy Colclough, Senior Planner from Southwest Michigan Planning Commission presented her work on the Galien River Watershed. She outlined recommendations actions t SUGGESTED by New Buffalo Township (by referring to the Master Plan) to preserve the sensitive enviroment that makes our area so unique and attractive. (see attached). And offered to help the Planning Commission identify important natural resource areas.

There being no more business, the meeting was adjourned at 9:45 P.M.

Respectfully Submitted,



Dan Coffey, Secretary



Carol Schmidt, Assistant Secretary