



SYLVAN TOWNSHIP

**PUBLIC HEARING FOR FOY'S CUSTOM CABINETRY
CONDITIONAL USE PERMIT MEETING MINUTES**

JUNE 06, 2019 6:00 PM

(Recorded for Transcription Purposes Only)

Call to Order/Pledge of Allegiance/Roll Call: Chair Booth called the Public Hearing to order at 6:05 PM and the Pledge of Allegiance was said. Those present: Supervisors Greg Bennett, John Wulff, Arlene Schmit, Yvette Adelman-Dullinger and Greg Booth. Faith Broberg, Clerk/Treasurer. Sign In Sheet Attached.

Purpose of the Hearing: to take comments/questions on the Foy's Custom Cabinetry application for a conditional use permit.

Public Notice – read at this time.

Affidavit of Publication – presented at this time.

Any written comments – four written comments were received and read.

Presentation of Application –

Chair of the Planning Commission, Dave Johnson, presented the application and the Findings and Facts. Mr. Foy is requesting a permit to operate a cabinet building shop on 13th Avenue SW. The property has 2.66 acres and in a residential zone. He doesn't have employees currently. All work would take place inside the building (72'X40"). A new sewer is part of the proposal along with a second site designation. A new driveway will be needed.

Granting of the permit will change the nature of the neighborhood since it will be a commercial operation in a residential area. The practical difficulty has been created by the owner due to the offer of a free building site. Parking of trailers would be to the back of the building

The application does not conform to the Township's Comprehensive Plan since it is proposing a commercial operation in a residential area. The infrastructure will not be taxed since the township road leading to the site is paved and adequate for materials and product to be delivered.

At this time, Chair Booth opened the hearing to public testimony and questions.

Residents expressed their concerns regarding:

- Against the location – of putting commercial into a residential area.
- Traffic going in and out.
- Proper ventilation.
- There is a spray room with proper ventilation.
- Increase in noise

Mr. Foy detailed the scope of his business. There will be no lacquers going onto the ground. Containers are gallon containers. Any unused lacquers go to the customer. Trucks making deliveries would be Fed-Ex, or UPS, not very often.

Supervisor Wulff feels the Board needs to stick with the Township's Comprehensive Plan and not deviate from it.

Supervisor Adelman-Dullinger has mixed feeling on this application. Where her parents live the business down the road is very noisy. Kris said those are the big vacs that are kept outside. The vac's that she spoke about are the big ones and are located outside. Chair Booth explained that the Comprehensive Plan is a guide for the Township but if we are going to make a decision then we have to go by the Township's Commercial Ordinance.

Supervisor Bennett would like to look at options that are available to us. He likes the fact that everything regarding this business is inside – contained in the building.

Supervisor Schmit asked if Mr. Foy had checked into Sylvan's Commercial Park for his business. It would be too expensive for a one-man shop and too expensive to move to a different building.

At this time, the Township will not take any further testimony and will consider the Testimony given. Audience may stay and listen but give no further comments. The Chair will no longer recognize audience during the Board's considerations.

Options the Board can consider;

- a. Consider comments/if not substantive, can recommend approval.**
- b. Recess the hearing to another date to obtain or add additional information**
- c. Move to close hearing and make decision on the proposal at the next Regular Board meeting on June 20, 2019**

Chair Booth pointed out that this application was presented on April 11th, 2019 and we should extend the application for another 60 days. Supervisor Bennett **moved to extend this application another 60 days to get more information and options available**, seconded by Supervisor Adelman-Dullinger and the motion carried with Supervisors Bennett, Schmit, Booth, and Adelman-Dullinger voting for the motion and Supervisor Wulff voting against the motion.

Supervisor Bennett **moved to close the Public Hearing and make a decision on June 20, 2019 the next Board meeting**, seconded by Supervisor Adelman-Dullinger and the motion carried with Supervisors Bennett, Schmit, Booth and Adelman-Dullinger voting for and Supervisor Wulff voting against.

Adjournment Supervisor Schmit **moved to adjourn**, seconded by Supervisor Adelman-Dullinger and the motion carried with the meeting adjourning at 7:00 PM.

Minutes submitted by,

Faith C. Broberg, Clerk

Chair Greg Booth

Supervisor _____ moved to approve the minutes as provided or as amended, seconded by Supervisor _____ and the motion carried.

Amendments:

Date;