

Roscommon Township Planning Commission

Regular Meeting

May 13, 2019

Meeting called to order by Chairman Jeske at 6:00 pm

Roll Call Vote of Members: Brotebeck *present*, Milburn *present* Barnes *present*, Jeske *present*, Porath *present*
Zoning Administrator: DuPuis *present*.

Also in attendance: Clyde Bathurst

- **Agenda: Motion:** by Jeske, second by Brotebeck to approve the Agenda as presented. Roll call vote. All ayes, Motion carried.
- **Minutes:** Jeske asked the commissioners if they all had a chance to look over the previous meeting minutes. **Motion:** by Brotebeck, second by Barnes to approve the April 8, 2019 minutes as presented. Roll call vote. All ayes, Motion carried.
- Jeske opened the meeting by reviewing the agenda, stating that the item on the Agenda is the review of the Bathurst sales lot property site plan revision. Jeske requested an update from Zoning Administrator DuPuis. DuPuis reviewed the current property situation, the attorney's suggested remedies, and Mr. Bathurst's plans for the sale lot and his plans for retirement. Jeske then asked Mr. Bathurst to address the Board to explain the situation from his point of view. Bathurst stated that the sales lot has been an issue with the Township for the past few years. He stated that the proposed letter of agreement would be something we all could live with and benefit us all. He also confirmed that he has a two year plan for the sales lot and other holdings that he has in the area. He plans to sell all of his properties and move to Florida. He said that he has two seasons to get rid of all the inventory on the sales lot. He commented that recent discovery in the Special Use Permit and the Planning Commission's minutes at the time of approval showed that he would be in compliance to use the property where the concrete slab exists. He went on to request that, in addition to the agreement, he would be allowed to use the concrete pad which would allow him room to make everything neat and orderly as well as making it easier to maintain the grassy areas for appearances. Commissioner Milburn disagreed by stating at the time of application Mr. Bathurst put the legal description on the application (actually Jamie Houserman filled out the form and Mr. Bathurst signed) and supplied the map where the sales lot would be and that's what the Planning Commission approved at that time. Jeske then closed the discussion and moved into the Board's deliberation portion of the matter. He then asked Carie to continue with her input. She stated that she did some research in her emails over the past four years and found that the Township has incurred over \$5000 in legal fees dealing with Mr. Bathurst on the sale lot. Milburn then read several letters over the past five years from our attorney's to Mr. Bathurst and his attorney's pertaining to blight and non-compliance issues. Milburn stated that she believes that this is an ongoing problem that will not change and that she intends tonight to entertain a motion to revoke the site plan. Jeske then asked Commissioner Barnes for her input. Barnes stated that we have an approved Special Use Permit for technically the wrong parcel, was there ever a site plan approved? She stated that she does not see in the minutes of the PC that there ever was a site plan approved and without the site plan approval then technically we don't have a site plan to revise. Jeske noted that Commissioner Barnes had to leave at 7:45. Commissioner Milburn reiterated that it is her position that the items on the sale lot do not meet the criteria set forth in the Special Use Permit, therefore, she is making a motion to revoke any site plan, change of use, or special use permit that Mr. Bathurst has for the property being used for the sale lot. Jeske asked, is there any support? Brotebeck stated that he could not support simply because the map

does not match the property identified. Milburn stated that he could reapply and come back to the PC and we could identify correctly all the stipulations that need to be met. Jeske stated that after the discussion on the motion Milburn made, it lacks support. After further discussion, Jeske made a motion, "to table the decision until further clarification of a site plan review, which was never noted as approved in the minutes, and the Special Use permit with wrong parcel number can be obtained from the Attorney for correct way to proceed." Second by Brotebeck. Roll call vote Milburn *yes*, Brotebeck *yes*, Porath *yes*, Jeske *yes*, motion approved.

- Jeske moved to next item on the agenda which is an update on the Wilson Automotive location. DuPuis advised that Wilson's had been in to obtain a Fence Permit for 200' of privacy fence to increase the long term storage area. Brotebeck stated that there is obvious improvement, and only a few vehicles outside of the storage area, property looks good.
- Jeske opened the floor for public comment.
- **Adjourning Meeting:** Jeske made the motion to adjourn, second by Porath, all ayes. Meeting adjourned at 7:13 pm.
 - **Next Scheduled Meeting Date: June 10, 2019 at 6:00 pm.**



Bryan Jeske, Chairperson



Bob Brotebeck, Secretary

Prepared and submitted by Terry A. DuPuis