

Village of Howard City
Planning Commission Meeting Minutes
September 22, 2022

Chairperson Wabanimkee called the meeting to order at 6:00 p.m.

Present: Gebhardt, Thomas, Bassett, MacTavish, Parker, Wabanimkee

Absent: Crater

Others Present: Kuzmik

The pledge of allegiance was given.

Motion by MacTavish seconded by Thomas to approve the agenda as presented. Motion CARRIED (6-0)

Motion by Thomas seconded by MacTavish to approve the August 15, 2022, minutes. Motion CARRIED (6-0)

Public Comment: None.

Motion by MacTavish seconded by Bassett to open the public hearing for the temporary or ancillary use authorization at 507 W. Shaw Street, Parcel #59-047-264-001-00. Motion CARRIED (6-0)

Public Comment: Cheryl Smith made the statement that there does not need to be three towing companies in Howard City and quoted pricing that was researched after a 13 On Your Side story. Mrs. Smith stated it would be a disservice to Howard City residents to allow the most expensive towing company to come to the village. Mrs. Smith stated a concern for starting a precedent to allow businesses to piggy back. Mike VanWagner stated none of what was said is what they are asking for and has no relevance to what is being discussed.

Motion by Parker seconded by MacTavish to close the public hearing at 6:07 pm. Motion CARRIED (6-0)

Commissioner Gebhardt stated her understanding was that Howard City Collision was to be the certified impound lot. Howard City Collision stated Jerry's Towing is leasing the lot from Howard City Collision and Jerry's Towing will be obtaining the impound lot certification. Chairperson Wabanimkee discussed the conditions that would be placed on this temporary ancillary use permit.

Motion by Thomas seconded by Gebhardt to deny the temporary ancillary use authorization at 507 W. Shaw Street, parcel #59-047-264-001-00. Roll Call Vote: Bassett, nay; Parker, nay; MacTavish, nay; Gebhardt, aye; Thomas, aye; Wabanimkee, nay. Motion FAILED (4-2)

Motion by MacTavish seconded by Bassett to approve the temporary ancillary use authorization at 507 W. Shaw Street, parcel #59-047-264-001-00 for a period of 24 months from the date of a written and signed agreement or the findings of fact once signed by all parties. It is also understood that this ancillary use is secondary and compulsory to the principle use of the current commercial establishment of Howard City Collision. In addition, this motion requires the following conditions:

1. Jerry's Towing must show that the fenced in area behind Howard City Collision has become a Certified Impound Lot before vehicles can be stored in the fenced in area.
2. A secondary sign may be placed underneath or on top of the currently-established Howard City Collision primary sign, following the permitting process.
3. No more than 2 towing vehicles will be parked in front of Howard City Collision at any given time.
4. No more than 15 vehicles can be stored in the fenced portion area of Howard City Collision at any given time.
5. The fenced in portion of this parcel will not be used as a junk yard as established by Village Code.
6. All vehicles on any part of parcel of this property will be clearly marked (Howard City Collision or Jerry's Towing, beginning date placed on parcel premises, why the vehicles is on the premises: impoundment, to be scrapped, to be fixed, etc.)

7. Authorization for Village Code Enforcer, Village Manager, or Village President to inspect outside and fenced in vehicles to ensure compliance during business hours.
8. Impounded vehicles will be removed from site within 168 hours.
9. No more than 15 vehicles waiting to be worked on by Howard City Collision will be placed in front or alongside of Howard City Collision at any given time.
10. Current fence is acceptable, but any damage to or breach of fenced in area will be fixed within 48 hours.

Roll Call Vote: Parker, aye; MacTavish, aye; Gebhardt, nay; Wabanimkee, aye; Thomas, nay; Bassett, aye. Motion CARRIED (4-2)

Motion by Bassett seconded by Thomas to approve the replacement of the non-conforming dilapidated shed located at 505 Walnut with the conditions that the current shed will be torn down by November 1, 2022, and the new shed construction will be completed by June 1, 2023, with the new shed to be no larger than the size of the current existing cement slab. Motion CARRIED (6-0)

Motion by MacTavish seconded by Thomas to approve the 620 W. Shaw Street Findings of Fact to be sent to Community First Federal Credit Union. Motion CARRIED (6-0)

Motion by MacTavish seconded by Parker to approve the Special Use Permit for 620 W. Shaw Street to allow a drive-thru on the property. Motion CARRIED (6-0)

Motion by MacTavish seconded by Thomas to adjourn the meeting at 6:53 p.m. Motion CARRIED (6-0).

Melissa Kuzmik, Clerk/Treasurer