Chairman Peat called the Paw Paw Township Planning Commission meeting to order at 6:00 P.M. on July 26, 2018 at the Township Hall.

PRESENT: Randall Peat, James Tapper, Ivan Olsen, Phillip Arbanas, Fran Sanders, Kip Kerby, and Bill Johnson.

ABSENT: None.

ALSO PRESENT: Kristen & Mike Ely, Sue & Dave Crouse, Rebecca Harvey (Planning Consultant), Rob Thall (Township Attorney), Bert Gale (Zoning Administrator), and Kelly Largent (Zoning Administrator).

APPROVAL OF THE AGENDA:

Motion by Kerby, supported by Olsen to approve the agenda as submitted. The motion was unanimously approved.

APPROVAL OF MINUTES:

June 28, 2018: Motion by Kerby, supported by Sanders to approve the June 28, 2018 minutes as amended. The motion was unanimously approved.

PUBLIC COMMENT: None.

NEW BUSINESS:

Public Hearing for Rezoning a portion of parcel # 80-14-023-001-10:

The Chairman opened the Public Hearing at 6:08 P.M. The Chairman stated he remembers when they were originally working on this district and the thought was who would want to build next to the treatment ponds. The Chairman reviewed the request. The Chairman asked Mr. Brockway if this was to rebuild the house he grew up in. Mr. Brockway stated yes it was.

Kerby asked how many acres are tillable. Mr. Brockway stated that approximately 50 acres are tillable.

Mr. Brian Herbert stated that he supports Mr. Brockway’s request.
Mr. Michael Ely asked if there was a residence already on the property. Mr. Brockway stated that yes there is an existing residence.

Sanders asked if there had been previous requests for rezoning a parcel. Olsen stated that yes there had been requests in the past.

Mr. Herbert asked about the Future Land Use (FLU) map. Ms. Harvey stated that typically the Planning Commission would look at the FLU map and that a new map will be adopted once it is completed with the engineers. The Planning Commission can operate outside of the FLU map and Master Plan. Mr. Herbert is hoping this will preserve agricultural land and is a move towards this effort. Ms. Harvey stated that this does not represent a move towards agricultural land preservation but a move from heavy commercial and industrial. Ms. Harvey stated that hopefully the new map will be done for next month’s meeting.

The Chairman closed the public hearing at 6:25 pm.

Motion by Tapper, supported by Kerby to recommend approval of the rezoning of a portion of parcel #80-14-023-001-10 from HCI to ARR to the Township Board. The motion was unanimously approved.

The Planning Commission resumed their deliberations for the Special Event Facility, which was tabled at the last meeting to allow the applicant to provide the Planning Commission with an updated site plan and additional information requested by the Planning Commission.

The Chairman stated that he had received an email from Mrs. Crouse on Jun 26th. The Chairman stated that the Stanek’s would like the venue moved to the West side. The Chairman stated that prior to the meeting he had discussed this with the Township Attorney. The Chairman stated that the information the Planning Commission requested is still needed. During the discussion with the Township Attorney it was mentioned that it may be possible to consider the parcel with the Special Event Facility as a zoning lot since it would not have a residence if moved to the West side of the current parcel. The Chairman asked the applicant if they would consider moving the facility to the West side of the current parcel. The new parcel with the facility would be conditioned as saleable only with the adjacent property with the residence. Mrs. Crouse stated that this would have been possible 5 months ago but no now since they have already invested a large sum of money developing this request. She also stated that if the venue goes under then they would not be able to sell, and this would leave her parents without a residence.

Mrs. Crouse presented the requested updated site plan and information to the Planning Commission. She stated the sheet provided specifies the booking days needed. The Chairman stated that the neighbors have a concern with the headlights of the vehicles in the parking lot shining onto their property. Mrs. Crouse stated they are willing to put up any fencing to provide screening for the adjacent property. Mrs. Crouse noted that the number of guests had also changed from 150 to 200 and was indicated on the information sheet she provided.

Johnson asked if the facility was moved to the West side would the Planning Commission and applicant have to start this process all over again. The Chairman stated yes.
Mrs. Crouse pointed out that there are 6-8 houses that would be neighbors if the facility were to be moved to the West side whereas the present location has 1 house as a neighbor. She stated that most weddings have guests totaling 120 persons.

The Chairman asked the Zoning Administrator how many weeks were in the April to October time period. The Zoning Administrator stated there are 30 weeks in the period for this year. Using 3 events per week the total number of events per season would be 90.

Mrs. Crouse asked the Planning Commission how the review process would work. So, after the first year what would be reviewed. Enforcement?

Attorney Thall explained that complaints received by the Township could be addressed at the review.

The Zoning Administrator was asked to review the items that had been amended from the last meeting. The Zoning Administrator stated that the maximum number of guests had increased from 150 to 200. The Planning Commission discussed this and placed the condition of a maximum of 200 people and the building meet other authority approvals for this maximum number of people.

The Zoning Administrator stated that the number of parking spaces had increased from 59 to 75 with a future additional number of 50 spaces for a total of 125 spaces. The Planning Commission accepted this change.

The Zoning Administrator stated that the light fixture for the residence had been relocated so the illumination footprint no longer crossed the proposed property line. The Planning Commission asked the Zoning Administrator where this change was located. She stated it was located on page 4. The Planning Commission accepted this change.

The Zoning Administrator stated the hours of operation are now identified in the Barnes Wedding Venue information page included the packets. This information page also contains the amended booking information the Planning Commission requested. The Planning Commission accepted this change and the information page provided.

The Township Attorney recommended that the Planning Commission review Section 42-109 (1) and (3) considering the new information provided.

The Planning Commission reviewed Section 42-109 (1) and (3) and made the following findings:

1. a. The Planning Commission found the use to be harmonious with and in accordance with the general objectives, intent and purposes of this chapter and the zoning district in which it is to be located.
   b. The Planning Commission found the proposed use will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance and activities with the existing or intended character of the general vicinity.
c. The Planning Commission found the proposed use can be served adequately by essential on site or public utilities, facilities and services; such as, water supply, wastewater disposal, highways, roads, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately any such service.
d. The Planning Commission found the proposed use will not be hazardous or disturbing to existing or future neighboring uses.
e. The Planning Commission found the proposed use will not create excessive additional requirements at public cost for public facilities, utilities and services.
f. The Planning Commission found the proposed use will meet all of the requirements specified in this chapter for the special land use requested, as well as all other Township, county, state and federal requirements.

3. The Planning Commission made affirmative finding for items a to k. Item l includes the following conditions:
   i. Maximum of 200 people.
   ii. Maximum number of parking spaces is 125 spaces.
   iii. A berm or other landscape screening for the parking area shall be installed if guest vehicle lights illuminate the neighbors to the East repeatedly.
   iv. Maximum of 90 events with Thursday reserved as rehearsals and not to exceed 12 charity events per calendar year.
   v. Hours of operation to be weekdays and Sundays 9 AM to 9 PM.
      Fridays and Saturdays to be 10 AM to 12 AM with music discontinued at 11 PM.

   Item m: The Planning Commission stipulated an annual review after the issuance of the Certificate of Occupancy.

Motion by Olsen, supported by Kerby to recommend approval with the above conditions for the special land use to the Township Board. The motion was unanimously approved.

Motion by Kerby, supported by Olsen to recommend approval for the site plan to the Township Board. The motion was unanimously approved.

The Chairman recessed the meeting for a 5-minute break at 7:25 PM.

The meeting was reconvened at 7:30 PM.

Zoning Ordinance First Draft review:

The Chairman stated as he proceeds through the document with questions he has he requested the other members speak up if they have noted items. The Chairman first noted that he would prefer the pages be numbered sequentially rather than by chapter and page. He also noted that there is not a Table of Contents. Ms. Harvey stated that it will have a Table of Contents in the final version. Article 4 page 3 it was noted that the use “Place of Assembly” did not have a use (either permitted or special land use) indicated. Article 5 page 3 item D (1) the Planning
Commission requested the current language be used instead of the language proposed in the first draft.

Noting the hour, the Chairman recommended the remainder of the review and agenda items be tabled until the next meeting. The Planning Commission members agreed. The Chairman asked Ms. Harvey about wind/solar text in the first draft. Ms. Harvey stated that it had not been included but she had received the previous language proposed by Attorney Kaufman from Ms. Largent. The Chairman asked Ms. Largent to email this document to the Planning Commission members.

OLD BUSINESS: None.

OTHER BUSINESS:

Next meeting is Aug 23rd.

ADDITIONAL PUBLIC COMMENT: None.

ADJOURNMENT:

Motion by Tapper, supported by Kerby to adjourn the meeting at 8:08 PM. The motion was unanimously approved.

Respectfully submitted,
Kelly Largent
Zoning Administrator