Chairman Peat called the Paw Paw Township Planning Commission meeting to order at 6:00 P.M. on October 25, 2018 at the Township Hall.

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

ABSENT: None.

ALSO PRESENT: Mike Ely, Mrs. Goddard, Rachel Donahue (Heelstone Energy), Rebecca Harvey (Planning Consultant), and Kelly Largent (Zoning Administrator).

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES:

September 27, 2018: Motion by Kerby, supported by Olsen to approve the September 27, 2018 minutes as submitted. The motion was unanimously approved.

PUBLIC COMMENT: Ms. Rachel Donahue of Heelstone Energy introduces herself to the Planning Commission and stated that the current draft of the proposed zoning ordinance does not include utility scale solar systems. She encouraged the Planning Commission to incorporate this into the proposed zoning ordinance. The Chairman stated that this was added to the proposed zoning ordinance. Ms. Harvey stated that the proposed ordinance does not limit the type of system but may be too limiting as it pertains to the metrics. Ms. Harvey stated that solar energy systems were allowed uses in all zoning districts. The Chairman stated that the solar energy systems should be special land uses and the solar farms should be separate from the residential solar energy systems.

The Chairman recapped both wind energy and solar energy as follows:

Wind Energy: residential (single turbine) should be in the zoning ordinance. Farm/utility scale not allowed.

Solar Energy: residential and farm/utility scale are both allowed as a special land use.

NEW BUSINESS:
Rezoning Request – All Secure 37402 Red Arrow Hwy

The Chairman opened the Public Hearing at 6:16 PM.

Tim Costello and Kevin Paczkowski introduced themselves to the Planning Commission as representatives of All Secure. Mr. Costello presented their request to the Planning Commission.

Ms. Largent outlined the current zoning for the original parcel which used to be Safe-T-Lock and the additional 2 acres behind. She confirmed that the land combination had been approved and stated that the aerial photo now depicts the combination.

There was no public comment.

The Chairman closed the Public Hearing at 6:22 PM.

Motion by Tapper, supported by Kerby, to recommend approval of the rezoning of the 2-acre parcel (formerly parcel #80-14-029-35) from ARR to GC to the Township Board. The motion was unanimously approved.

Public Hearing – Single-Family dwelling on at least 10-acres (parcel # 80-14-007-004-55).

The Chairman opened the Public Hearing at 6:25 PM.

The Chairman explain the background for the Special Use Permit. The Chairman sked Mrs. Goddard if she was present to answer questions. She indicated that she was.

The Planning Commission reviewed the Special Use and Site Plan review provided by Mr. Gale. The Planning Commission determined that the information provided for items 1 and 9 of section 42-302 were adequate.

Mrs. Goddard provided the following information for section 42-302 item 5: Building height will be a 2-story home with 2500 square feet. The Planning Commission determined this information was adequate for item 5.

The Planning Commission asked, “what is the name of the near-by lake”. One of the members stated they thought it was Bullhead. Mrs. Goddard stated she believed this was correct.

The Planning Commission reviewed section 42-303 and made the following findings:

1. The Planning Commission found in the affirmative for Items 1, 4, 8, and 9 of section 42-303.
2. The Planning Commission found the following Items were not applicable to this request: 2, 3, 5, 6, and 7.

The Planning Commission reviewed Section 42-109 (3) and (4) and mad the following findings:
Section 3
1. The Planning Commission found in the affirmative for Items a, c, d 1-5, e 1-6, g, and h.
2. The Planning Commission found that the following items do not apply to this request: Items b, f, i, j, k, l, and m.

Section 4
1. The Planning Commission found that Item g did not apply to this request.
2. The Planning Commission found in the affirmative for Items a thru f and item h.

The Public Hearing was closed at 6:42 PM.

Motion by Olsen, supported by Tapper to recommend approval of the Special Use permit for a single-family dwelling on more than 10-acres on parcel #80-14-007-004-55 to the Township Board. The motion was unanimously approved.

Rebecca Harvey - Zoning Ordinance Review.

Ms. Harvey asked the Planning Commission if there were any substantive changes they would like to make. She stated Ms. Largent had provided a list of changes and there were 4 to 5 items which she would like to review with the Planning Commission on that list. The Chairman asked how the Planning Commission could get their changes to Ms. Harvey. She stated email was fine.

The Chairman stated that after the last Planning Commission meeting and Mr. Herbert’s concerns regarding agricultural land he had a conversation with the Township Supervisor. The Chairman stated that many years ago the Planning Commission toured the Township and went down every road and viewed every parcel. He stated that the Supervisor supported the idea for a bus tour again. The Chairman proposed the tour would include the following: Planning Commission members, Township Board members, Zoning Administrator, Township Assessor, and Planning Consultant. He asked, “do we want to include the public?” Mr. Ely stated he would be interested if the tour was on a Saturday. The Chairman requested the members consider this for a decision in November for possibly December for the tour.

Ms. Harvey asked about a review of the zoning map and if the Planning Commission wanted to make modifications. The Chairman stated yes and asked if this would impact the text. Ms. Harvey stated the modifications to the map would not impact the text and that the Public Hearing would not be held until the changes to the zoning map had been completed. She stated the new zoning ordinance would be put on hold until the map was ready.

Ms. Largent was asked to coordinate and prepare for the bus tour once a date had been decided. The Chairman requested line maps for each section, aerial photos, floodplain maps, future land use map, and soil type maps be provided for each Planning Commission member, Board member, zoning administrator, and Planning Consultant. The Chairman stated the last tour took two (2) days to complete with 4 to 5 hours per day.
Kerby suggested having a meeting to educate the Planning Commission prior to the tour on the purpose and maps.

Johnson stated he was not sure on including the public. He believed it should be kept as a working session. Ms. Harvey stated that the public would be included according to the open meetings act since there would be a quorum present for the Planning Commission and possibly the Township Board.

Kerby suggested the educational meeting be open to the public.

Ms. Harvey began the review of the substantive items as follows:

1. Dwelling definition: Ms. Harvey stated that the zoning ordinance is more restrictive. The Chairman asked what was in the current ordinance. Ms. Harvey stated that she had used the current ordinance for this definition. The Planning Commission decided to not modify the definition.

2. Zoning lot: Ms. Harvey explained this to the Planning Commission and the impact. The Planning Commission decided to leave this in the new zoning ordinance.

3. Building height definition: Ms. Harvey stated that the change was from the midpoint of the roof to the peak and uses average natural grade at the foundation. The Planning Commission decided to accept the change to the peak of the roof and stated the average natural grade should be the highest natural grade at the foundation.

4. Sign metrics table: Ms. Harvey stated that this table was empty in some locations due to the current ordinance not have a standard for that portion of the table. Ms. Harvey stated that she could fill this in if the Planning Commission would like. The Planning Commission requested Ms. Harvey complete the table with metrics.

The Planning Commission then discussed the step-in signs that seem to be appearing in the Road Right-of-Way. Ms. Harvey stated that billboards are off-premise signs and may be treated differently than on-premise signs. For example, the Walt’s Crawlers type of signs are off-premise. Ms. Harvey stated that the draft and current zoning ordinance provide language for Red Arrow Hwy and most of the other state highways. However, they do not include M-40 and M-51. The Planning Commission requested that M-40 and M-51 be added to this language.

Sanders asked about the Zoning Districts and noted that there were new districts which were currently not indicated on the zoning map.

Johnson stated that at the last meeting he had the wrong document and he apologized. He noted the following items in his review of the draft zoning ordinance: Page 81 Schedule of Requirements- the zoning districts: change to current; page 192 Mr. Johnson noted that some lists were double spaced and some single spaced. He requested the document be consistent. Ms. Harvey stated that this was intentional since most of the items in these lists were single line items it would greatly length the document by double spacing and so she chose to leave them single spaced. Johnson questioned the use of numbers and numbers and word in certain places and requested this to be consistent. Ms. Harvey stated that the general rule is the number is written and the numeral in parenthesis up to ten (10) then the numeral is used.
Johnson had a question as to the relationship of Articles 8 and 9. Ms. Harvey explained these Articles to the Planning Commission. Johnson asked who the central point of submission for any changes was. The Chairman stated Ms. Harvey was.

The Planning Commission noted that page 43 of the Master Plan would need to be updated for the new zoning districts.

Arbanas noted that on Page 16 “Pine Grove” needs to be changed to “Paw Paw”.

Ms. Harvey asked about the ordinance number for Medical Marihuana Facilities. She did not have this to be included in the new zoning ordinance. Ms. Largent was tasked to provide this information.

Arbanas noted that on Page 61 the West Gateway indicates West Michigan to blank. Sanders noted that the Village west gateway stops prior to the Village’s jurisdictional boundary line. The Planning Commission further discussed this gateway. Sanders stated she believed this should be skipped for the present. The Planning Commission decided to remove the West Gateway from the draft zoning ordinance.

Ms. Harvey presented the Planning Commission with the updated maps for the Master Plan. She stated that there were six (6) maps in the original Master Plan. Two (2) of these did not need updating. She stated that the PA116 data for this map has been provided to the engineer and the water and sewer information has been provided to the engineer.

OLD BUSINESS: None.

OTHER BUSINESS:

Next meeting is Nov 29th.

The Chairman stated he had talked to the Township Supervisor about the Boat Sales & Storage business at Tea Pot Dome. He reported that the owner is going through the process of submitting an application for Special Use Permit and that it was an honest mistake.

Ms. Largent stated that the amended site plan review for Tapper Self Storage will be on the November Agenda.

ADDITIONAL PUBLIC COMMENT: None.
ADJOURNMENT:

Motion by Tapper, supported by Kerby to adjourn the meeting at 8:03 PM. The motion was unanimously approved.

Respectfully submitted,
Kelly Largent
Zoning Administrator