Chairman Peat called the Paw Paw Township Planning Commission meeting to order at 6:00 P.M. on December 27, 2018 at the Township Hall.

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

ABSENT: Phillip Arbanas.

ALSO PRESENT: Mike Ely, Chris and Anne Marie Plachta, Tom Palenick, Don Stull (Township Supervisor), and Kelly Largent (Zoning Administrator).

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES:

November 29, 2018: Motion by Kerby, supported by Olsen to approve the November 29, 2018 minutes as submitted. The motion was unanimously approved.

PUBLIC COMMENT:

The Township Supervisor stated he had 2 items he would like to address for the new Zoning Ordinance. One is the building height definition and the other is the definition of dwelling as it relates to the foundation requirements.

Mr. Platcha stated he was present to discuss the current building height requirement of 18 feet and what the new Zoning Ordinance requirements for building height are.

The Chairman noted that Mr. Palenick was present. Mr. Palenick has been appointed by the Township Board to replace the Chairman. The Chairman addressed Mr. Palenick and stated he liked the fact that Mr. Palenick is a member of the Village of Paw Paw Planning Commission and the Township Planning Commission. The Chairman noted that there used to be some friction between the Township and the Village in the past and he feels this is a positive endeavor for both the Township and Village with Mr. Palenick as a liaison for the two Planning Commissions.

NEW BUSINESS:
Zoning Ordinance Review.

Building Height definition (page 5): Mr. Platcha and Ms. Largent discussed the current requirement for building height. Ms. Largent explained that within 300 feet of a body of water the height of the building is restricted to 18 feet for watershed view protection. Mr. Plachta stated they are planning to begin construction in August 2019 and was concerned about this restriction. The Planning Consultant in an email stated that the building height in the proposed zoning ordinance is 2 stories or 35 feet. Ms. Largent has reviewed the proposed zoning ordinance and verified the building height requirement. The Chairman addressed Mr. Platcha stating Mr. Platcha has 2 choices either wait for the proposed zoning ordinance to become effective or to fast track his project which may involve an application for a variance. Ms. Largent was asked to check with Mr. Arbanas prior to sending the building height changes to Ms. Harvey.

Dwelling definition (page 9): The Township Supervisor has concerns regarding paragraph C. He stated that this is more stringent than what the State Single Construction Code requires for footings and foundations. He checked with a couple of building contractors and they both agreed that this was more restrictive. He also consulted the Township Attorney and she recommends this paragraph be changed to say, “foundations as required by the Michigan Single State Construction Code.”

AGR Agricultural (Farmland Protection) District

Permitted and Special Land Uses (page 41): Add “item 17. Private shooting range” as a permitted use. Change paragraph C (8) to Commercial shooting ranges.

Solar panels (page 42): Heelstone Energy submitted a letter with suggested text for the zoning ordinance. The Chairman commented that the letter was well done and had great information for the application and/or Special Land Use requirements. He noted that the reference to a variance does not apply since Solar would be a Special Land Use. The Commission also reiterated that Wind Energy is only on a residential scale not a utility scale operation. The Commission requested Ms. Largent provide a copy of the Heelstone letter to Ms. Harvey for her review and comment noting item 4 of the letter.

The Chairman also requested that Ms. Harvey review page 153 paragraph 2 of item (d) and provide clarification.

Open Space Preservation Developments (page 126): Johnson noted mathematical error as follows R.O.W. Adjustment: subtracting 85% of 12 acres does not leave 10.2 acres. Clarify by possibly adding 15% in parentheses after R.O.W. Adjustment and indicate as times (x) 85% rather than as a subtraction.

Signs District Regulations (page 182): Mobile Home Park Zoning District Sign requirements are not indicated.

Sanders asked about the issues in the current zoning ordinance for the HCI zoning district regarding warehousing and if the proposed ordinance has resolved this. Ms. Largent stated, yes.
Sanders also expressed concern about Ms. Harvey not attending the meeting and felt that this holds up the process for the zoning ordinance. She will take this matter up with the Township Board. She requested Ms. Harvey to be present at the January meeting for the final review of wind and solar energy.

OLD BUSINESS:

The Planning Commission review the 2019 Meeting Calendar with the changes from the previous meeting.

Motion by Kerby, supported by Olsen to approve the Planning Commission 2019 Meeting Calendar as adjusted for the meeting in November to November 21. The motion was unanimously approved.

OTHER BUSINESS:

The Chairman stated that he has given his letter of resignation to the Township Supervisor. He will be sworn in as a County Commissioner the beginning of January. He plans to attend the Township Board meeting every month and has asked for time to provide the Township with an update on County events.

Next meeting is Jan 24th, 2019.

Kerby thanked Chairman Peat for his service and requested the Township Board write a letter of appreciation for his service. Sanders stated they usually do this as a resolution and will take this to the Township Board.

ADDITIONAL PUBLIC COMMENT:

Mr. Plachta asked about the timeframe for completion of the draft zoning ordinance. Mr. Kerby responded April – May 2019 and that is based on completion of the review of the Zoning Map.

ADJOURNMENT:

Motion by Kerby, supported by Olsen to adjourn the meeting at 7:35 PM. The motion was unanimously approved.

Respectfully submitted,
Kelly Largent
Zoning Administrator