Chairman Kerby called the Paw Paw Township Planning Commission meeting to order at 6:00 P.M. on May 23, 2019 at the Township Hall.

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

ABSENT: None.

ALSO PRESENT: Rebecca Harvey (Planning Consultant), Bert Gale (Zoning Administrator), and Kelly Largent (Zoning Administrator).

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES:

April 25, 2019: Motion by Olsen, supported by Tapper to approve the April 25, 2019 minutes as amended. The motion was unanimously approved.

PUBLIC COMMENT: None.

NEW BUSINESS:

Zoning Ordinance and Map.

Ms. Harvey stated that she has made the following four (4) changes the Zoning Ordinance as requested by the Planning Commission:

1. Added and reconstructed the General Commercial (GC) zoning district to include edits to Articles 3, 4, and 6.
2. Included the exclusion for single-family and two-family dwellings in Article 10 Nonconformities as Section 10.04.
3. Added Solar Panels to Article 8 and the definitions to Article 2.
4. Provided a complete Table of Contents

The Chairman had two questions regarding the draft ordinance. They pertained to Publicly owned buildings and accessory structures.
Ms. Harvey responded that all districts allow for publicly owned buildings in the draft ordinance. Ms. Harvey stated that in the first draft of the ordinance accessory buildings were allowed as a special land use for lot coverage, building height, location, and on a vacant lot. The Planning Commission decided that this was to be removed. She stated it would not be difficult to insert into the draft ordinance.

Mr. Gale stated commented that it is working well in one of our other jurisdictions.

Ms. Harvey was asked if this applied to all accessory structures. She stated it only applies to residential accessory structures.

Arbanas commented that the ZBA has denied these requests in the past.

Palenick stated that the Village is doing something similar for additional family housing.

Olsen commented on Section 8.28 Special Event Facilities in that it appears the Township has had problems with this type of facility. He stated he is in favor of removing this section and allowing the two facilities that have already received their special use permits. Sanders stated she is in favor of keeping this special land use because it allows more than just wedding type events. The Chairman stated that he is in favor of keeping this special land use. The Planning Commission decided to table this topic after further discussion.

The Chairman stated he had one last topic for discussion and that was the requirement for signed and sealed site plans. This had been removed previously with a text amendment to the current zoning ordinance. The Township Board has passed a resolution stating that they wish to see this added to the draft zoning ordinance. Ms. Harvey was asked for her opinion. She stated that if the Planning Commission were to keep the content standards as provided in the draft ordinance then a professional would be required by default based on these requirements. An owner would not have the necessary knowledge to develop the site plan unless they themselves were a licensed architect or engineer.

Ms. Harvey stated that the Village Edge and Low-Density Residential areas by the Village are reversed according to the map legend. She will have this corrected.

The Planning Commission inquired about the Future Land Use maps. Ms. Harvey stated that 5 of the 6 maps have been completed. She is waiting on information for the last map which deals with the PA116 lands in the Township. She stated that the Future Land Use map will get a new title and layout.

The Chairman asked the members of the Planning Commission if they were prepared to move the draft to a public hearing. Johnson and Tapper both stated they believe the Planning Commission should wait to move the draft ordinance to a Public Hearing.

Motion by Palenick, supported by Sanders to accept the draft ordinance as presented with the inclusions of the accessory structures text and the changes to the zoning map as identified and request a Public Hearing for June 27. The motion passed by a majority. 5 Aye, 2 Nay.
Ms. Harvey will send the necessary information to the Township Attorney to prepare the notice. Ms. Harvey stated in response to Johnson’s concerns that it is assumed that the Planning Commission has not made up their mind regarding the draft ordinance when the Public Hearing is convened. The public hearing is the Planning Commission’s opportunity to hear the Public’s comments regarding the draft ordinance.

Tapper stated that he wants agreement by all members of the Planning Commission before presenting the draft ordinance to the Public.

Ms. Harvey stated that the Planning Commission has had the draft ordinance for several months and that the changes have been minor. She urged that the Planning Commission wants questions and debate and there is nothing wrong with this.

Johnson asked if the draft ordinance could be placed on the website for Township residents to review.

Ms. Harvey stated that she will have the Township Attorney add to the notice that it is available on the Township website.

OLD BUSINESS:

Johnson brought in a copy of the Porter Township text amendment to their zoning ordinance that was published as a full page in the newspaper. He asked if this was what is required. Sanders stated the if it is required by law the Township does what is required.

OTHER BUSINESS:

Sanders requested that in the future the Planning Commission take up the discussion of changing Red Arrow Hwy from the general commercial district west to the township line to Neighborhood Convenience Commercial. She noted that the precedent had already been set with Paw Paw Road being zoning as ARR.

Next meeting is Jun 27th.

Palenick stated he will not be at the next meeting.

ADDITIONAL PUBLIC COMMENT: None.

ADJOURNMENT:

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

Respectfully submitted,
Kelly Largent
Zoning Administrator