

**MINUTES SILVER CREEK TOWNSHIP
REGULAR PLANNING COMMISSION MEETING HELD ON DECEMBER 13, 2018**

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:00 p.m. on Thursday, December 13, 2018. The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Jon Tidey, Tim Feirick, Bill Zuhl, Terry Harris, Debbie Brown

MEMBERS ABSENT: Nick Barnes, Dave Grabemeyer

OTHERS PRESENT: Building/Zoning Administrator Todd Herter, Recording Secretary Lindsay Krohne, members from the public

MOTION TO APPROVE DECEMBER 13, 2018 SPECIAL MEETING AGENDA

Bill Zuhl motioned to approve the December 13, 2018 Special Meeting Agenda with the addition of discussion regarding the liaison from Planning Commission to Zoning Board of Appeals. Debbie Brown seconded. Motion passed by voice vote.

MOTION TO APPROVE OCTOBER 24, 2018 PLANNING COMMISSION MINUTES

Bill Zuhl motioned to approve the October 24, 2018 Planning Commission Minutes. Debbie Brown seconded. Motion passed by voice vote.

COMMUNICATIONS

Jon Tidey read a Notice of Planning letter received from the Pipestone Township Planning Commission informing them of their update to their Township Master Plan. Discussion followed.

PUBLIC COMMENT

None.

TOWNSHIP ATTORNEY'S REPORT

None.

ZONING BOARD OF APPEALS REPORT

Bill Zuhl explained that the Township Board discussed appointing different members to act as a liaison between the Planning Commission and Zoning Board of Appeals each term. He explained

the reason, being that they would all get to know how the rules they are making would affect the residents and the requests made.

Debbie Brown stated that her husband is on the Zoning Board of Appeals, and it would be a conflict of interest to have a husband and wife on the same board.

Discussion followed. Chairman Terry Harris stated that he will ask Dave Grabemeyer if he would be interested. Tim Feirick stated that if Dave is unable, he can try, adding that he is busy with sports in the evenings.

BUILDING/ZONING ADMINISTRATOR'S REPORT

Building/Zoning Administrator Todd Herter informed the Planning Commission members that BS&A installation would be beginning this week, and there would be an upcoming training for him, Lisa, and his alternate John Jurgenson. Todd added that it would be nice to see the township get a server, even though the cost is much more than originally thought.

NEW BUSINESS

DISCUSSION OF MEETING DATES FOR 2019

Chairman Terry Harris presented the proposed meeting dates for 2019, noting that they are the 4th Wednesday of each month, with the exception of November and December due to Thanksgiving and Christmas.

He stated that if there was no business to discuss for a meeting, they would cancel. Members agreed.

MOTION TO APPROVE MEETING DATES FOR 2019

Tim Feirick motioned to approve the 2019 meeting dates as presented. Jon Tidey seconded. Motion passed by voice vote.

DISCUSSION OF BULK PROPANE SALES

Chairman Terry Harris opened the discussion to amend Section 155.083 of the Zoning Ordinance to add #13 Bulk Propane Storage.

Donald Fry of United Propane Gas introduced himself and explained his plan to implement a 30,000 gallon bulk propane storage business for residential and commercial use. Donald stated that it would be their third business in Michigan and they have 81 locations. Discussion followed. Donald stated that they are regulated by MIDOT, including setback requirements. He added that approval is in process for this location in Silver Creek Township.

Donald Fry stated that the survey was received about twenty minutes prior, and pointed out the survey findings to the members. Donald stated that the required setbacks would not be an issue. Discussion followed.

Tim Feirick stated that it looks like it is well regulated by MIDOT. Debbie Brown added that it is in a commercial district, which is a good area for it.

Donald Fry shared that other townships settled on the wording "Bulk Fuel Storage", adding that he has been through a lot of these meetings.

Terry Harris stated that he likes "propane" in the wording because "fuel" could mean much more.

Discussion followed. Donald stated that they would only be storing propane; however their trucks would rarely, but occasionally haul anhydrous in the spring. He stated that they would not be storing it there.

Debbie Brown questioned whether there will be an office area. Donald explained that there would be a small office on site as well as a break area for the employees.

Donald Fry stated the hours of operation would be a normal work day Monday through Friday with a shorter day on Saturday.

Terry Harris stated that they will need to set up a public hearing and that he would change the wording to "Bulk Fuel Storage" as #13 in the Zoning Ordinance.

MOTION TO ADD "BULK FUEL STORAGE" IN ZONING ORDINANCE

Tim Feirick motioned to add "Bulk Fuel Storage" as #13 in Section 155.083 B. Bill Zuhl seconded. Motion passed by voice vote.

Chairman Terry Harris asked Recording Secretary Lindsay Krohne to set up a public hearing for January 23, 2019.

Donald Fry showed the members a photo on his cell phone of one of the other properties to give them an idea of what they are proposing. He also provided his contact information for the members and stated that either he or another representative of the company would attend the January public hearing to answer any questions.

UNFINISHED BUSINESS

REVIEW SOLAR ENERGY ORDINANCE WITH RECOMMENDATIONS FROM THE COUNTY PLANNING COMMISSION

Chairman Terry Harris stated that the Cass County Planning Commission reviewed the Solar Energy Ordinance and made two recommendations, one being in Section 155.242 Solar Energy Systems, Section C. Part 1: adding "agricultural districts" within C.1, since it is referenced just below in Part 4. Terry stated that he agrees and it was an oversight. Members agreed.

Terry Harris stated that the second recommendation from the County Planning Commission is to choose a smaller, still acceptable, setback limit in C.4 rather than 100 feet.

Terry Harris stated that he believes one reason they settled on 100 feet was for visibility, and more importantly, damage to solar panels from cars throwing stones, etc.

Building/Zoning Administrator Todd Herter stated that the Ag setback is 50ø and the Commercial District setback is 75ø

Todd Herter asked if there is a provision for green space barrier, and the members answered yes.

Todd added that he doesn't see anything wrong with it, but they could consider a shorter setback if requested.

Discussion followed. Members agreed to make the first requested change, adding "agricultural districts" in Section C, Part 1 of Section 155.242 Solar Energy Systems and leaving Section C.4 as is. Terry Harris asked Lindsay to make the change.

MOTION TO CHANGE SOLAR ENERGY ORDINANCE

Bill Zuhl motioned to add "Agricultural Districts" in Section 155.242 C.1. Debbie Brown seconded. Motion passed by voice vote.

COMMISSION MEMBER DISCUSSION

Building/Zoning Administrator Todd Herter stated that he met with property owners on Huckleberry, with a setback issue on a corner lot which prohibits them from building a barn due to the setback requirements on the street side. Todd added that this will be the second Zoning Board of Appeals hearing for this issue.

Discussion took place on the location of the proposed Bulk Fuel Storage facility, which would be M-51 N where there used to be a modular home sales lot.

PUBLIC COMMENT

None.

PLANNING COMMISSION MEETING DATE

Chairman Terry Harris stated the next Planning Commission meeting will be Wednesday, January 23, 2019.

ADJOURNMENT

The meeting was adjourned at 7:47 p.m. by Chairman Terry Harris.

Respectfully submitted,

Lindsay Krohne
Planning Commission Secretary

Jon Tidey, Secretary

To be approved at the January 23, 2019 Planning Commission meeting