

**MINUTES SILVER CREEK TOWNSHIP
REGULAR PLANNING COMMISSION MEETING HELD NOVEMBER 20, 2019**

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:00 p.m. on Wednesday, November 20, 2019. The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Tim Feirick, Bill Zuhl, Terry Harris, Debbie Brown, Nick Barnes, Dave Grabemeyer

MEMBERS ABSENT: Jon Tidey

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

MOTION TO APPROVE NOVEMBER 20, 2019 AGENDA

Dave Grabemeyer motioned to approve the November 20, 2019 Planning Commission Meeting Agenda. Debbie Brown seconded. Motion passed by voice vote.

MOTION TO APPROVE OCTOBER 23, 2019 MINUTES

Tim Feirick motioned to approve the October 23, 2019 Planning Commission Meeting Minutes. Bill Zuhl seconded. Motion passed by voice vote.

COMMUNICATIONS

None.

PUBLIC COMMENT

None.

TOWNSHIP ATTORNEY'S REPORT

None.

ZONING BOARD OF APPEALS REPORT

Liaison Dave Grabemeyer reported there was a ZBA hearing on October 30th for a two part variance request and one part was denied and the other part approved.

BUILDING/ZONING ADMINISTRATOR'S REPORT

None.

NEW BUSINESS

DISCUSSION OF REQUEST TO EXPAND COMMERCIAL STORAGE FACILITIES

Chairman Terry Harris explained that the owner of the two existing commercial self-storage facilities in the township is looking to expand. He stated that the only reason to have the individual come before the board would be for informational purposes, because the location is already zoned commercial and has been approved. He added that as long as the expansion meets the zoning requirements there is no further action needed.

Todd Herter stated that in our ordinance it states that commercial district storage is allowed under Special Use Permit. He stated that the existing storage facilities are non-conforming and it doesn't require a Special Use Permit to expand. He explained that the Planning Commission may be somewhat obligated to review the site plan presented by the owner, but they don't have any authority to deny it.

Terry Harris stated that he doesn't want to get into a situation with runoff affecting neighbors or anything like that. Todd added that lighting and that kind of thing is addressed in the zoning ordinance.

Debbie Brown questioned where the two storage facilities are located, and Todd answered that one is where the old Dixon Real Estate used to be, and the other is near the M-152 and M-51 intersection.

Terry Harris asked if the members see any reason to have the owner attend the next meeting, and Dave Grabemeyer stated that he doesn't see any reason to have him attend. Debbie Brown added that if it is going to be approved regardless and there is nothing to vote on, she doesn't see any reason either. Members agreed.

UPDATE ON CONSTRUCTION OF EVENT VENUE

Terry Harris referred to the wedding event barn that was going to be renovated on the Gould property. He explained that the agreement fell through and Ms. Northrop is planning to build a wedding barn on a private piece of property rather than renovating an existing barn.

Building/Zoning Administrator Todd Herter explained there is 10 acres for sale that she is considering. He added that there is enough room on the property to build two buildings. Todd stated that her preliminary drawings were incomplete, and would need to be completed before she can bring it to the Planning Commission.

Bill Zuhl stated that she will have to apply for a Special Use and go through the whole process.

2020 PLANNING COMMISSION MEETING DATES

Terry Harris referred to the provided list of Planning Commission meeting dates for 2020 as required by their charter, which are the fourth Wednesday of each month with adjustments to November and December.

MOTION TO APPROVE 2020 PLANNING COMMISSION MEETING DATES

Nick Barnes motioned to approve the Planning Commission meeting dates for 2020. Debbie Brown seconded. Motion passed by voice vote.

UNFINISHED BUSINESS

MASTER PLAN DISCUSSION

Terry Harris stated he spoke with Bill Saunders and found that the topic is still being discussed by the Township Board, and there is some disagreement whether the Township should go out on its own and do an individual Master Plan or stick with the County's.

Bill Zuhl stated that they can do anything they want with their section of the County Master Plan, and it was discussed at the County Planning Commission meeting earlier in the day. He stated that the County Planning Commission planned to review it. He explained that they spent a lot of time and money putting it together, and nothing has really changed as far as big developments coming into the area. Bill added that the County Planning Commission will use the same census number that was used in 2014, and they have to review the plan every five years.

Terry Harris questioned whether the Planning Commission has to do anything at this point, and Bill answered no.

Bill stated that they shouldn't have done the County Master Plan, and no one has done it since. He added that eventually the Townships will have to do their own Master Plan, but they don't have to do it right away. He explained that it was an experiment, it worked, and everyone got their Master Plan done for their Township on a budget since they all went in on it. However, the townships really didn't get what they needed when it was all said and done.

FENCE DEFINITION DISCUSSION

Discussion of the fencing definition and discrepancies in the ordinance took place. Terry stated that they will still have to hold a public hearing but he wanted to make sure the Planning Commission was comfortable with it before proceeding.

Debbie Brown pointed out the needed corrections in the draft, and all agreed it should read as follows:

155.031 FENCES.

(A) *General.*

(1) Fences erected within the required front yard in any district shall not exceed four feet high of unobstructed chain link fence or shall not exceed three feet in height of a type which is not more than 66% solid, so as not to obscure vision at the right-of-way or property line of the lot or parcel on which it is placed.

(2) Fences shall not be erected or maintained in any district in such a way as to obstruct the vision of vehicle drivers within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two points located on those intersecting right-of-way lines 20 feet from the point of intersection. Fences constructed within this area shall not exceed 36 inches in height.

(3) Any fence shall be maintained in good, safe, and sturdy condition.

(B) *Residential districts or uses.*

(1) Fences in the residential districts or residential uses in other districts shall not exceed six feet in height, measured from the surface to the uppermost portion of the fence.

(2) Fences in the residential districts or fences enclosing residential uses in other districts shall not contain barbed wire or be electrified.

(C) *Non-Residential Districts or uses*

(1) Fences in the non-residential districts which enclose storage lots or other areas requiring security may contain barbed wire, provided that the barbed portion of the fence not be nearer than six feet from the surface of the ground. The total height of fences in the non-residential districts shall not exceed eight feet.

(D) *Water Front District*

(1) Fences in the Waterfront District erected between the main building and the shoreline shall not exceed four feet high of unobstructed chain link fence or shall not exceed three feet in height of a type which is not more than 66% solid, so as not to obscure vision at the property line of the lot or parcel on which it is placed.

(2) Fences in the Waterfront District shall not be placed lakeward of the ordinary high water mark.

(3) Fences in the Waterfront District shall not exceed six feet in height, measured from the surface to the uppermost portion of the fence.

(4) Fences in the Waterfront District shall not contain barbed wire or be electrified.

(5) Fences in the Waterfront District shall not be placed lakeward of the ordinary high water mark.

Todd Herter questioned why the fence definition doesn't include the type of material allowed for a fence. He referred to a couple of issues in the township where there is "fence" made of tarp and visqueen. He explained that the black tarp is gone due to a lawsuit between neighbors.

Terry Harris stated anything can be a fence if constructed properly.

Todd stated that if the verbiage “any standard fence material” is included, it would be enough to say that something such as a tarp is not standard.

Terry asked Todd to send him an e-mail with his recommendations.

Bill Zuhl suggested including the wording “generally accepted materials” for fences, or something that is vague enough that something can be done about it if the material is something off the wall. Discussion followed.

Todd stated that someone can appeal if they don’t agree with it.

COMMISSION MEMBER DISCUSSION

None.

PUBLIC COMMENT

None.

PLANNING COMMISSION MEETING DATE

Chairman Terry Harris stated the next Planning Commission meeting will be held on Wednesday, January 22, 2020.

MOTION TO ADJOURN

Dave Grabemeyer motioned to adjourn the meeting. Debbie Brown seconded. Motion passed by voice vote.

The meeting was adjourned at 7:30 p.m. by Chairman Terry Harris.

Respectfully submitted,

Lindsay Krohne
Recording Secretary

Debbie Brown, Secretary

To be approved at the January 22, 2020 Planning Commission meeting