

**MINUTES SILVER CREEK TOWNSHIP
PLANNING COMMISSION PUBLIC HEARING AND REGULAR MEETING HELD
ON NOVEMBER 29, 2017**

The Public Hearing was called to order by Chairman Terry Harris at 7:00 p.m. on Wednesday, November 29, 2017. The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Tim Feirick, Jon Tidey, Bill Zuhl, Terry Harris, Dave Grabemeyer, Jerry Donley

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

ABSENT: Attorney John Magyar.

MOTION TO APPROVE AGENDA

Terry Harris motioned to approve the Wednesday, November 29, 2017 agenda. Jerry Donley seconded. Motion passed by voice vote.

Chairman Terry Harris read aloud the Notice of Public Hearing, explaining the reason for the hearing, being to review changes and additions to the 2017-2021 Capital Improvement Plan.

Jerry Donley pointed out that the Capital Improvement Plan reads 2016-2021 instead of 2017-2021. Terry Harris stated that the Capital Improvement Plan is a five year plan and should read 2017-2021.

PUBLIC COMMENT

Terry Harris opened the floor for public comment. There was no public comment.

Chairman Terry Harris stated that there was one letter of communication in regard to the Capital Improvement Plan from Indian Lake resident Tim Hull, which was not a serious request in his opinion due to the Township Board's decision to not allow teleconferencing for meetings. Terry asked if anyone was in opposition of him not reading the illegitimate request into the minutes. There was no opposition.

COMMISSION DISCUSSION

Chairman Terry Harris stated that there were a couple additions to the Capital Improvement Plan. He explained the first addition, being the advancement of the automatic front door to a Priority A, due to ADA compliance. Terry also stated that the standby generator had been

purchased, so it was left in the Plan. He referred to the following page, which showed the ongoing status of projects.

Terry stated that the demo cost for the potential purchase of property at Russom Park, which included a farmhouse and barns was also added.

Terry explained that a grant was received for the wastewater management plan.

Terry stated that if approved, the Capital Improvement Plan would be presented to the Township Board at the December 13, 2017 meeting.

MOTION TO CLOSE PUBLIC HEARING

Jerry Donley motioned to close the Public Hearing at 7:12 p.m. Tim Feirick seconded. Motion passed by voice vote.

REGULAR PLANNING COMMISSION MEETING

Terry Harris called the Regular Planning Commission Meeting to order at 7:13 p.m.

MEMBERS PRESENT: Tim Feirick, Jon Tidey, Bill Zuhl, Terry Harris, Dave Grabemeyer, Jerry Donley

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

ABSENT: Attorney John Magyar.

APPROVAL OF MINUTES

Tim Feirick motioned to approve the October 25, 2017 minutes. Jon Tidey seconded. Motion passed by voice vote.

COMMUNICATIONS

None.

PUBLIC COMMENT

John Joossens questioned if the Farmhouse demo is a shared cost with the city. Terry replied that he was assuming so. Trustee Mike Glynn stated that it hasn't been discussed yet.

TOWNSHIP ATTORNEY'S REPORT

None.

BUILDING/ZONING ADMINISTRATOR'S REPORT

Building/Zoning Administrator Todd Herter stated that he issued a red tag for a Zoning violation on Brush Lake Road. He explained that there was a man living in a yard barn on a piece of

property purchased from Charles Phillips. Todd explained that he gave the man 30 days, and the barn is now gone. Todd stated that he had other items to discuss, but they could be discussed later.

NEW BUSINESS

APPROVAL OF CAPITAL IMPROVEMENT PLAN

Jerry Donley motioned to approve the Capital Improvement Plan with the proposed changes and additions, and to forward on to the Township Board for approval. Bill Zuhl seconded. Motion passed by voice vote.

UNFINISHED BUSINESS

None.

COMMISSION MEMBER COMMENTS

Bill Zuhl stated that they had extra time to discuss Building/Zoning Administrator Todd Herter's issues.

Todd Herter stated that he did a final inspection on a home by the golf course on Indian Lake, and came across an issue in determining the building height with the wording that is in the Zoning Ordinance.

Todd referred to Section 155 definitions on page 64. He read:

Building Height: The vertical distance measured from ground level to the highest point of the roof surface of flat roofs, to the deck of mansard roofs, and top height of gable, hip and gambrel roofs.

Todd stated that there is no mention of averaging, and that it was probably an oversight, but needs to be corrected.

Jerry Donley asked if the house was already completed, and Todd answered yes. Jerry asked if the house was built to code.

Todd answered that the building code was followed, but the elevation according to the Zoning Ordinance is in question. He stated that the home is built on a large slope, more than a 45 degree angle. He stated that with the current definition wording, he would need a special tool to measure from the grade to the peak. He also stated that they indicated a 50' front yard setback, which was fine, and a height of 30'. He stated that he is allowed 35' but if he measures above 35' then there is an issue.

Todd stated that he would like the definition to be corrected, and wanted the Planning Commission to be aware of it.

Todd stated that the next issue he wanted to discuss was landscaping. He stated that landscaping is becoming problematic for the Zoning Ordinance, in that there is no ordinance for landscaping.

Todd referred to a home on Magician Lake, where their front yard setback was fine, but the landscaping was so high that they put a railing around it. He stated that with a railing, it must comply with the ordinances for decks. Todd added that there had not been any complaints yet, but it is something to consider. He stated that as far as he is concerned, landscaping is drifting into being more structural when a patio is raised four feet off the ground.

PUBLIC COMMENT

None.

PLANNING COMMISSION MEETING DATE

Terry Harris stated that he doesn't see a need for a December Planning Commission meeting and suggested January 24, 2018 for the next scheduled meeting. There was no opposition.

ADJOURNMENT

Dave Grabemeyer motioned to adjourn the meeting. Tim Feirick seconded. Motion passed by voice vote. The meeting was adjourned at 7:29 p.m. by Chairman Terry Harris.

Respectfully submitted,

Lindsay Krohne
Planning Commission Secretary

Terry Harris, Chairman

To be approved at the January 24, 2018 Planning Commission meeting