

**MINUTES SILVER CREEK TOWNSHIP  
PLANNING COMMISSION MEETING HELD ON FEBRUARY 28, 2018**

Chairman Terry Harris stated that the Public Hearing for a Special Land Use for Philip and Lynette Nevins had been canceled due to the denial of the Zoning Board of Appeals request for a variance to reduce the minimum lot size requirement of five acres to 3.02 acres for a campground. Terry stated that they would only be holding their regular meeting.

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:07 p.m. on Wednesday, February 28, 2018. The Pledge of Allegiance to the Flag of the United States of America was recited.

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

OTHERS PRESENT: Recording Secretary Lindsay Krohne

ABSENT: Jon Tidey, Dave Grabemeyer, Jerry Donley

**MOTION TO APPROVE AGENDA**

Bill Zuhl motioned to approve the agenda for February 28, 2018 with the elimination of numbers 5-11. Tim Feirick seconded. Motion passed by voice vote.

**MOTION TO APPROVAL OF MINUTES**

Tim Feirick motioned to approve the January 24, 2018 minutes. Bill Zuhl seconded. Motion passed by voice vote.

**COMMUNICATIONS**

None.

**PUBLIC COMMENT**

None.

**TOWNSHIP ATTORNEY'S REPORT**

None.

**BUILDING/ZONING ADMINISTRATOR'S REPORT**

None.

**NEW BUSINESS**

## **REVIEW OF REVISED “HEIGHT” AND “BUILDING HEIGHT” DEFINITIONS**

Chairman Terry Harris stated that Building/Zoning Administrator Todd Herter asked the Planning Commission to consider combining two definitions, “Height” and “Building Height”.

Terry Harris stated that he put together a document attempting to do so, and asked for input.

Tim Feirick asked if Todd Herter had seen the document, and Terry Harris answered that he had given him a copy but had not heard back from him. Terry Harris suggested tabling the issue until Todd Herter can be present. Discussion followed.

Tim Feirick recommended changing “height may be measured” to “height shall be measured” to keep it consistent with the current wording. Debbie Brown and Terry Harris agreed.

## **MOTION TO TABLE DEFINITION REVISION UNTIL NEXT MEETING**

Tim Feirick motioned to table the definition revision until the next meeting when Building/Zoning Administrator Todd Herter is present. Bill Zuhl seconded. Motion passed by voice vote.

## **DISCUSSION REGARDING DEVELOPMENT OF TOWNSHIP RENTAL ORDINANCE**

Terry Harris stated that the members had come up with some interesting items regarding rental ordinances.

Bill Zuhl explained that the State of Michigan is in process of going through legislature, which could say that the townships will not have the authority to regulate rentals. This would then be up to the State of Michigan to regulate.

Terry Harris suggested the members all review the documents and come back in March for further discussion.

Bill Zuhl stated that the rental ordinance regulation was parked in a committee last year, and nothing else has happened since then.

Bill Zuhl stated that according to Cass County Sheriff’s office / Police Department, there have been no noise complaints or any problems. He stated that if they can show where there have been problems, he would be more comfortable going forward with the development of a rental ordinance. Bill also stated that you could be stepping on the 4<sup>th</sup> amendment. Bill also stated that Todd Herter had previously mentioned regulating there being too many occupants at a rental, and Bill questioned who would be responsible for regulating that.

Debbie Brown added that someone would also be responsible for administering the paperwork, and questioned who would be able to do that.

Terry Harris stated that Attorney John Magyar is retiring, and questioned whether they wanted to get in the middle of putting together a rental ordinance, and then switch to a new attorney. Terry also stated he wondered if the State of Michigan even wanted to go through with it.

Tim Feirick stated that he owns a rental in Silver Creek Township, and asked if he is allowed to discuss the matter. Terry Harris answered that he could discuss it, and welcomed his input, but he would not be able to vote on it.

Terry Harris stated that he would move the proposed definition change and the discussion on a rental ordinance to the Unfinished Business for the March meeting.

### **UNFINISHED BUSINESS**

None.

### **COMMISSION MEMBER COMMENTS**

Bill Zuhl explained that he is the Chair of the Cass County Planning Commission. He stated that every year they are supposed to do a resolution stating the date, time, and location of the Planning Commission meetings for that year. Terry Harris recommended they do this every January.

The members discussed the meeting dates for 2018: March 28, April 25, May 23, June 27, July 25, August 22, September 26, October 24, November 28, and December 19.

Terry Harris stated that the dates were subject to change.

### **MOTION TO APPROVE 2018 SILVER CREEK TOWNSHIP PLANNING COMMISSION MEETING DATES**

Bill Zuhl motioned to approve 2018 Silver Creek Township Planning Commission meetings for the fourth Wednesday of each month, with the exception of December being the 3<sup>rd</sup> Wednesday of the month, at the Silver Creek Township Hall at 7:00 p.m. Debbie Brown seconded. Motion passed by voice vote.

Terry Harris stated that the Planning Commission does not do an annual review to submit to the Township Board. Discussion followed. Terry asked about reviewing the Master Plan, and Bill Zuhl stated that they have to review every five years. He stated that the County hasn't reviewed since 2014.

Terry Harris asked if the Township Planning Commission had ever done an annual review. Bill Zuhl answered no. Discussion followed.

### **PUBLIC COMMENT**

None.

### **PLANNING COMMISSION MEETING DATE**

Terry Harris verified the next meeting date would be Wednesday, March 28, 2018.

**ADJOURNMENT**

Bill Zuhl motioned to adjourn the meeting. Tim Feirick seconded. Motion passed by voice vote. The meeting was adjourned at 7:50 p.m. by Chairman Terry Harris.

Respectfully submitted,

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Lindsay Krohne  
Planning Commission Secretary

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Jon Tidey, Secretary

To be approved at the March 28, 2018 Planning Commission meeting