

**MINUTES SILVER CREEK TOWNSHIP
PLANNING COMMISSION MEETING HELD ON NOVEMBER 30, 2016**

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:00 p.m. on Wednesday, November 30, 2016. The Pledge of Allegiance to the Flag of the United States of America was led by Mike Glynn.

MEMBERS PRESENT: Bill Zuhl, Mike Glynn, Terry Harris, Tim Feirick, Tom Lehrer

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

ABSENT: Jerry Donley, Dave Grabemeyer

APPROVAL OF AGENDA

Bill Zuhl motioned, seconded by Tom Lehrer, to approve the November 30, 2016 Silver Creek Township Planning Commission Agenda. Motion carried by voice vote.

APPROVAL OF MINUTES

Mike Glynn motioned, seconded by Tom Lehrer, to approve the October 26, 2016 Silver Creek Township Planning Commission meeting minutes. Motion carried by voice vote. Mike Glynn clarified the deletion of Front Yard Averaging, and using a 30-foot front yard setback.

COMMUNICATIONS

None.

PUBLIC COMMENT

Frank Petriko introduced himself, and stated he just wanted to see what happens at a Planning Commission meeting.

TOWNSHIP ATTORNEY'S REPORT

Attorney John Magyar had nothing to report.

BUILDING AND ZONING ADMINISTRATOR'S REPORT

Building and Zoning Administrator Todd Herter had nothing to report.

NEW BUSINESS

TOWNSHIP SIGN ORDINANCE

Chairman Terry Harris stated that he came across an article in the Michigan Township Focus magazine on township sign ordinances. He stated that after reading the article, he thought ours was in pretty good shape.

Discussion followed about the law stating that you can't have an ordinance that restricts a sign by its content. John asked Terry if he was worried about free speech, in which Terry replied yes.

Bill Zuhl stated that you can only regulate setbacks for signs, the size, and whether it can have lights on it.

Discussion followed, including political signs having to come down ten days after an election. Attorney John Magyar stated that he would have to see what court they were referring to in the article and Mike Glynn replied that the article stated it was the US Supreme Court. John stated that he would look and report back.

Mike Glynn referred to Section 13.11, K #3, which states that the duration in a non-residential district must be a minimum of four seconds and be a static display. In residential districts, any portion of the message must have a minimum duration of one hour and must be a static display. Mike stated that it gets more specific toward the back.

Discussion followed. Terry Harris deferred the topic to Attorney John Magyar.

UNFINISHED BUSINESS

TOWNSHIP ZONING ORDINANCE AND THE RIGHT TO FARM ACT

Chairman Terry Harris commented on the Right to Farm Act that if it's not broke, don't fix it. He added that he doesn't believe we should go any further with it, and that we can't really restrict farming activities in the township. Todd questioned what constitutes farming.

Tom Lehrer commented that we are looser than we have to be. Discussion followed, that we don't really regulate anything. Discussion also took place about regulating chickens in mobile home parks.

Mike Glynn referred to Section 3.22, stating that if he has one acre, surrounded by farmland, he can only have three chickens. He added that he believes it is actually too restrictive. Discussion followed.

Bill Zuhl referred to Chapter 10, 10.03 A Commercial greenhouses and nurseries. He stated he didn't understand why we don't have farming as a special or permitted use. He also referred to Hassle Farms, and stated it would seem like we would just have Ag and not Special Land Use. Attorney John Magyar replied that it had to do with sprays and pesticides. Bill Zuhl commented that he didn't believe you should be able to put an Ag building on commercial zoned property. Discussion followed.

Mike Glynn commented that if he had a house in R-1, with a dozen chickens when he was only allowed three, if it could be regulated if a neighbor complained. Attorney John Magyar answered yes. Discussion followed.

Tim Feirick commented on grow operations and referred to an article he read in the paper. Mike Glynn replied that it is a separate ordinance. Discussion followed.

Terry Harris asked the Board members if they agreed to not taking any action and revisiting it if it ever became an issue. It was agreed to remove The Right to Farm Act from the agenda.

COMMISSION MEMBER COMMENTS

Terry Harris verified the next Planning Commission meeting date of January 25, 2017 at 7:00 p.m.

PUBLIC COMMENT

Building and Zoning Administrator Todd Herter questioned the updated Zoning Ordinance sheets. Discussion followed that the replacement pages showing what has been amended are to replace the prior copies, and the ordinance amendments are to be added to the end of the books.

ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Lindsay Krohne
Recording Secretary
To be approved at the January 25, 2017 meeting