

ONEIDA CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING

HELD

September 4, 2018

At 7:00 P.M.

MEMBERS PRESENT: ACTING CHAIRMAN GREEN, MEMBERS KILGORE, SCHERER, KUHLMAN, SCHROEDER AND STAHELIN.

MEMBERS EXCUSED: CHAIRMAN WALTERS

OTHERS PRESENT: ZONING ADMINISTRATOR GOSCHKA and RECORDING SECRETARY SCHULTZ

1. Meeting was called to order at 7:00 p.m., by Acting Chairman Green.
2. Pledge of Allegiance was given.
3. There were no additions to the Agenda and it was approved.
4. Minutes of August 8, 2018 were approved as printed in a Motion made by Mrs. Schroeder and supported by Mrs. Scherer. Motion Carried.
5. Public Comment: There was none.
6. Wind Ordinance Review Discussion: Acting Chairman Green discussed concern about the required ½ mile set back that is in our ordinance and noted that he felt 1320 ft. should be adequate. Gratiot County set back was discussed. Mr. Kuhlman asked where the setback applied and it was noted that it was at the perimeter and from each other. Mr. Stahelin and Zoning Administrator Goschka discussed grouping of parcels into one park and how it would have to be made part of the Deed so if a portion of the property grouping were sold it would keep the Wind Park in place. Mr. Green noted that there would have to be a permanent easement for the Park on the Deed to such properties. So, any buyer should be aware that it had to stay a part of the Wind Park.

Mr. Kuhlman asked about the outlook for the area. What if people won't buy properties under easement for Wind Parks. Mr. Kilgore asked if changes were made to the Wind Ordinance would there have to be a Public Hearing at this Commission. And the usual notices in the paper. Zoning Administrator Goschka said that there would have to be. And the recommendation to the Township Board for the change also. Acting Chairman Green asked the Commission how they felt about a change from 2640 to 1320 for setback. He noted that The Planning Commission could change the setback by way of Special Use Permit which is allowed in the current Wind Ordinance.

Mr. Stahelin felt that it should be left as is. Mrs. Schroeder said she felt that they should know why it was decided that way originally before any change was made. Acting Chairman Green said in reference to Chairman Walters concerns less setback was up for discussion

due to the danger of Shadow Flicker and Ice Throw. Mr. Kilgore said if we don't change the setback we don't need to address the Shadow Flicker or Ice Throw. Acting Chairman Green and Mr. Kilgore discussed 80% requirement for auto shut down. They felt that the setback should take care of the issues.

Mr. Kilgore discussed with Acting Chairman Green the single Wind Mill, as found on page 13 of the Wind Ordinance. Acting Chairman Green wondered if it should be a use by right under M-1 of the Zoning Ordinance. There was discussion on whether or not to include it in M-1. Zoning Administrator Goschka said she had hoped we could have a section in the new ordinance for the Wind and Solar Ordinances.

She also discussed hiring a Company to come in and work with the Planning Commission to develop a new Zoning Ordinance. The Commission discussed this and how to move forward.

7. Master Plan Review: Zoning Administrator Goschka said she had contacted Michigan Townships association and they had sent a list of 7 Companies. She would like to contact two of them and also the original company who wrote the current Master Plan. Acting Chairman Green wondered about putting RFP's in the Michigan Townships Magazine. There was discussion on the new census information and the fact we only gained about 60 people. Mrs. Scherer discussed the Survey and how to go about updating it. Zoning Administrator Goschka said she thought we could work with the Company to develop the whole Ordinance and survey; She noted that the Township Board is in favor of this too.
8. Discussion on Public Comment items from August Meeting. Acting Chairman Green wanted to discuss where in the Ordinance it stated that subdivisions had to have public water and sanitary sewer. It is in the Site Plan Requirements and in R-M1. There was discussion on allowing Plats without water and sanitary sewer. They would have to have larger lots to allow for septic systems and wells and would be treated just like any other plat.

Mr. Stahelin discussed allowing private roads or driveways for such subdivisions. He noted that this would allow proper addresses and he also discussed not allowing shared driveways. He noted at least two locations in the Township with shared driveways and how it is a problem for Emergency Services to locate homes without addresses on shared drives. He felt that it would be a good idea to adopt an Address Ordinance. The Commission agreed.

There was discussion on the Keeping of Animals as outlined in the Ordinance. Zoning Administrator Goschka said she had contacted the Attorney and the Right to Farm Act supersedes the Zoning Ordinance. There was discussion on the GAMPS in the Right to Farm Act and that the keeping of animal's part of our Ordinance is one example of a non-enforceable part of our Ordinance.

Mr. Green pointed out errors in the Zoning Ordinance as found in R-2A examples G. Under uses permitted by right and C. under Special Uses.

Zoning Administrator Goschka said we could rework both the Master Plan and the Zoning Ordinance. She suggested Members make a check list of things they want to add to the new ordinances. Mrs. Schroeder felt that the new Zoning Ordinance should be a three-ring binder so we can add pages as changes are made. Acting Chairman Green felt that there should be a section on Rezoning added to the Zoning Ordinance. There was a discussion on cost for printing.

Mr. Stahelin wondered if we should open up change to the Master Plan at this time with Geronimo threatening a law suit. There was discussion on which to do first. It was decided that the Zoning Ordinance should be done first. There was a discussion on the fact that Geronimo has no basis for a law suit as we are not causing exclusionary zoning.

After all discussion: Motion was made by Mrs. Schroeder to recommend to the Township Board to review and revise the Zoning Ordinance in conjunction with a Professional Company. Support was given to the Motion by Mrs. Scherer. Motion Carried.

Meeting was adjourned at 8:40 p.m.

Minutes respectfully submitted by Jan Schultz

APPROVED:

A handwritten signature in cursive script, appearing to read "James Green", is written over a horizontal line.

Mr. James Green, Vice Chair