

**ONEIDA CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
OCTOBER 3, 2017**

MEMBERS PRESENT: CHAIRMAN WALTERS, MEMBERS GREEN, SCHERER, AND SCHULTZ

MEMBERS EXCUSED: SCHROEDER, AND KILGORE

OTHERS PRESENT: ZONING ADMINISTRATOR GOSCHKA, TOWNSHIP ATTORNEY CHRIS PATTERSON, CLERK CAMPBELL, SUPERVISOR COOLEY, REPRESENTATIVES OF A PLACE OF CHANGE MINISTRY, RESIDENTS OF THE AREA NEAR A PLACE OF CHANGE MINISTRY, REPRESENTATIVES OF GERONINO ENERGY COMPANY, RESIDENTS OF THE PROPOSED AREA FOR THE SOLAR FARM DEVELOPMENT.

1. Chairman Walters called the Meeting to Order at 7:30 p.m.
2. Pledge of Allegiance was given
3. Additions to the Agenda, Mrs. Scherer had one regarding a topic for discussion at the next Meeting and decided to discuss it during other business later in the Meeting.
4. Minutes of August 1, 2017 were approved in a Motion made by Mrs. Scherer and supported by Mr. Green. Motion Carried.
5. Public Hearing for Rezoning Request by A Place of Ministry Church for four parcels at 11653 & 11615 Hartel Road was called to Order. Chairman Walters asked a Representative of A Place of Ministry Church to discuss their request with the Commission. Mr. Cook came forward and told the Commission that they had purchased the former Medical Park at the above location and were not aware that the zoning would need to be changed to allow the church to locate there. He also said they were ready to move ahead and become part of the community.

Chairman Walters opened the topic for Public Comment. Mr. Rademacher asked about residency and if anyone would be living at the site. He also asked about plans for fencing around the property, night activities and lighting.

Chairman Walters explained that we are here tonight only to discuss rezoning of the property in question and that if the Rezoning is approved, the Church will still have to apply for a Special Use Permit and at that time the questions that Mr. Rademacher asked would be appropriate, but not tonight.

A Speaker for the Church said they are a multi denominational Ministry and have some ideas on what they would like to do at the site, but no plans yet. They are not trying to interfere in the Community.

Mr. Brunton asked if each parcel could be rezoned individually. Zoning Administrator Goschka said if they want all the parcels to be used by the Church they would all have to be rezoned at one time. Chairman Walters said all parcels had been petitioned for in this application for rezoning. Mr. Brunton said based on no individual rezoning he objected to the request of rezoning. Mr. Brunton later rescinded his objection.

One Gentleman discussed the added traffic if the rezoning was approved. Mr. Green noted that it is already a high traffic area and Mrs. Scherer noted that it was a State Highway.

Mrs. Schultz told those present that the Board must see that any request for rezoning meets the three C's found in the Master Plan on page 9-2. Which are 1. Consistency with the Master Plan, 2. Compatible with surrounding uses. 3. Capability to be served by public utilities/services; This property is already served with water and sewer and meets the other two requirements also.

The Commission had received a petition against the rezoning of the Church Property and it is attached to these minutes.

A Gentleman from the Church said they have 100 members and meet twice a week. Zoning Administrator and Mr. Green discussed the difference between the current zoning of B-1 and R-M1 and B-2. They are almost the same except B-2 allows churches with a Special Use Permit. Zoning Administrator Goschka read what was allowed in each district.

One Resident was concerned about the tax-exempt status of the Church. She thought the surrounding property owners would receive an increase in their taxes to make up for the church not paying taxes. It was explained that this was not true, every property is taxed based on its own value.

After all discussion, Motion was made by Mrs. Scherer to recommend to the Township Board that the property be rezoned to B-2 as requested by the Place of Change Ministry as it meets the Three C's of the Master Plan. Support to the Motion was given by Mr. Green. Motion Carried.

It was explained that the Church would have to apply for a Special Land Use Permit and there would be another Hearing when that application was received. Public Hearing was closed.

6. Solar Ordinance: Revised Draft Review. Mrs. Scherer noted that the 500-ft. set back had been an error and now had been corrected. It is a 75-foot set back which is compliant with M-1 zoning district. Mr. Green noted that under a Special Land Use Permit that the setback can be altered.

Zoning Administrator Goschka asked about the set back if the solar device was in the back yard. Attorney Patterson said the set back is 75 feet, there is not front rear or side difference.

Mr. Green discussed Section G and H. and the section regarding setbacks that had been removed on page 18. Of the draft.

Mrs. Scherer discussed screening and whether a parking lot would have the same restrictions. It was explained that there would be no screening necessary on the top of a parking lot. It was also noted that screening requirements can be waived. Mrs. Scherer also asked about small home arrays being used by public utilities when persons are gone for the winter or extended periods of time. Attorney Patterson said this would probably not be economical.

Mr. Green discussed the Freedom of information act found on page 17. It was noted that this type of information given to the Township was not subject to FOIA. Mr. Green discussed Glare as found in Section N. page 19. A correction in the word place to be changed to placed.

Mr. Green asked that Section V, page 20. regarding roads include MDOT as well as the Road Commission.

Mr. Green asked if Section 17 should include all zoning districts. It was agreed that it should and that will be corrected.

After all discussion, Motion was made by Mr. Green to forward all comments to Attorney Patterson and recommend to the Township Board that the Ordinance be approved subject to this evenings changes. Support was given to the Motion by Chairman Walters. Motion Carried.

7. Public Comment: A Resident questioned setback on vacant and residential properties also screening on both.

Attorney for Geronimo discussed 1. The power purchase agreement needing to be in place at application. They want to give proof of purchase at the end of the process. 2. Maximum size of solar array being 250 acres. They want 500 acres. 3. Abandonment. He did not feel that there was Township personnel qualified to determine abandonment.

Mrs. Schultz asked what property they owned, they submitted a letter stating they were property owners. They own none at this time in the Township. They have options. She also noted that this Ordinance was not being written for Geronimo, but for all companies that might approach the Township and the welfare and safety of the Township Residents.

Mr. Burman questioned how long after the array was built the Geronimo Company would sell it. Mr. Coakley said he was pleased with the work of the Commission. It had been a long road since March, but he was glad to see the Master Plan preserved as well as the rural nature of the Township. He felt that the Ordinance was not exclusionary and that the Industrial area with area to expand by rezoning was a good place for Solar Arrays. It respects the Master Plan.

8. Other Business: Mrs. Scherer asked that a Topic regarding Section 3.08 be put on the Agenda for the next Planning Commission Meeting.
Also, the decision was made to change the Tuesday, November 7 Planning Commission Meeting to Wednesday, November 8 due to elections being held on November 7.
9. Mrs. Schultz made a Motion to adjourn at 8:45 p.m. Support was given by Chairman Walters.
Motion Carried.

Minutes respectfully submitted by Jan Schultz

APPROVED:



MICHAEL WALTERS, CHAIRMAN