

**PLANNING COMMISSION
TOWNSHIP OF ONTWA - COUNTY OF CASS**

PUBLIC HEARING AT 7:00 PM

A. Amendments to zoning ordinance

Chairman Marbach called the Public Hearing meeting to order at 7:00pm. The materials for the two zoning ordinance amendments had been posted in the paper, on the Ontwa Township website and had been provided to the Planning Commission at the previous meeting.in hard copy to each member.

Marbach opened by reviewing the Zoning Ordinance under Section 3.21 (f). He noted that this is an opportunity for anyone to speak. The in the changes in the documents are either in the red or underlined. The first item was a request on the part of the Village. The other amendments listed are clarifications and add a PDF requirement to all submissions.

Mr. James Otis, Eagle Lake Rd, Edwardsburg Michigan approached the podium to comment. Mr. Otis said that he opposed the amendment, that in his view it limits what he can do on his property. He believes that there are too many rules that he has to follow now.

Chairman Marbach asked if there were any other comments from the audience. Hearing none he closed the public hearing on first item. He asked if there was a motion to move the 1st Zoning Ordinance amendment to the BOT and County Plan Commission or any discussion from the Board.

Mike Mroczek had questions about how to read the zoning ordinance information and Chair Marbach explained to him, noting that the section added a PDF requirement for plans. Mroczek was also concerned about the term “optional” site plan. It was explained to Mr. Mroczek that preliminary site plans are “optional” in that if all the information is ready, an applicant can skip the “preliminary” site plan and go straight to the final site plan. Mroczek appeared to have a later dated Zoning Ordinance paper version. Secretary Seanor reminded the Board that the current version of the ZO and all application forms are on the Ontwa website. Once Chairman Marbach again reminded everyone that the changes are underlined or in red.

Dawn Bolock made a motion to pass the ordinance update on to the BOT. Bill Mahaney seconded. All in favor with no opposed.

Chairman Marbach opened the Public Meeting up for the second zoning ordinance on Solar. He asked if anyone wanted to comment. One gentleman asked what it was about. The Chairman explained that it regulates both Residential and Commercial Large Solar Farms. Hearing no other comments from the audience the Chairman closed the public hearing from the floor and asked for any questions from the Planning Commission.

Mr. Mroczek noted that he was not supportive of regulating the ground mount solar systems in residential areas. He thought ground mount solar panels should be allowed in residential areas. He expressed that he did not like the max height or the 1% limitation for the ground mount units or the 1 acre requirement for said units.

Several members noted that the purpose of the residential restrictions was to dis-allow ground mount solar units in residential areas as a matter of aesthetics, distractions, similarly in the vein that pools, accessory buildings etc. are not permitted in the front yards of residential areas. He further complained that the 3' angle for flat roofs should be at least 4', while another member noted a that there are very few flat roofs in the township, which would have very little impact in the difference.

Dawn Bolock noted that the Solar Ordinance was developed by our Planners at Williams and Works whose staff have completed many such ordinances together with the Zoning Review Committee's guidance. Don Delong asked if we had a process for variances. Chairman Marbach answered, noting that the ZBA handled variances and as a follow up to Don's question if the Township were to get a request for a number of variances on the matter the Zoning Review Committee could come back to the PC and change the ordinance.

Dawn Bolock made a motion to send to the Solar Ordinance to the BOT, seconded by Sandra Seanor. A voice vote was called: Wm. Mahaney - Yes, Dawn Bolock – Yes, Don Delong – Yes, Mike Mroczek – No, Dick Gates – Yes, Chris Marbach – Yes, Sandra Seanor – Yes. Motion carried 6 Yes, 1 No

**MINUTES FOR PLANNING
COMMISSION WEDNESDAY
DECEMBER 7, 2022 @ 7:46 PM**

Members in Attendance: Chris Marbach, Sandra Seanor, Don Delong, Mike Mroczek, Dawn Bolock, Richard Gates, William Mahney,

Members Absent: Shane Szalai,

The Planning Commission meeting was called to order by Chairman Marbach at 7:46 pm.

Pledge of Allegiance: Chairman Marbach led the Pledge of Allegiance

Agenda approval: Chairman Marbach welcomed the members and audience noting they had a quorum. H said that he had an adjustment to the agenda, in that the Davis Land Division is tabled. and removed from the agenda for additional information required. Also, under old business it originally started out as a Special Land Use and Site Plan Review (title correction). Seanor motioned to approve, Dick Gates second. Motion carried with all in favor. None opposed.

Approval of Past Minutes: Chairman Marbach called for a correction to the minutes. Page (1) **Chairman Marbach asked to move to the Land Division until the Eddie's Markets representative arrives and thus we will move on to Eagle Ridge.**

Approval of the minutes from the Planning Commission meeting of 11/02/2022 after correction. Motion made by Mike Mroczek to approve the seconded by Dawn Bolock. Motion carried with all in favor. None opposed.

Old Business

Special Land Use Permit/Preliminary Site Plan Review -M62, Dr Payton14-090-008-021-00
John Hanson noted that the Dr. wanted to move forward with the Special Land Use Permit. He addressed the Planning Commission. Dr. Payton has contacted a surveyor, builders and others to complete a final Site Plan submission. He will move forward as soon as he gets Special Use approval. Marbach called for questions. He noted that from a preliminary Site Plan package the Dr. checks the boxes we need.

Chris further noted that PC needs a professional engineered stamped set of plans. He asked that The plans meet the 100' requirements etc. Dr. Payton further elaborated on his plan calendar. Motion to approve the Special Land Use/Preliminary Site Plan by Sandra Seanor, second by Wm Haney. All in favor voting yes with no opposition.

Chairman Marbach called for Committee Reports:

Zoning Ordinance Review Committee Report given by Sandra Seanor included a recap of the Open House featuring the Elkhart Rd Trail project, the Master Plan, Section Street/Trail and Signal and The Edwardsburg Sports Complex. Attendance was excellent and attendees seemed engaged and Supportive of the projects. There were 77 attendees. This will be a MNRTF grant submission in 2023. Master Plan calendar will be forthcoming.

Public Comments -

Commissioner Roseanne Marchetti announced several grants in the County including a Cass County Parks Grant and a Broad Band grant including Verizon tower improvements and a MNRTF grant to be announced. Chris asked about the Broad Band Mapping projects. Roseanne detailed that they have been completed in Berrien and Van Buren Counties. Cass County is working toward this too! Stay tuned for more information.

A motion to adjourn the meeting by Seanor seconded by Gates: Meeting is adjourned.

Cc: LeRoy Krempec - Zoning Administrator, Ontwa Township Planning Commission members