

MINUTES SILVER CREEK TOWNSHIP
PLANNING COMMISSION MEETING – FEBRUARY 28, 2024

SPECIAL MEETING

Chairman Nick Barnes called the Special Hearing to order at 7:07 p.m. on Wednesday, February 28, 2024.

The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Nick Barnes, Veronnica Kenreich, Ben Schilling, Tim Feirick, John Joossens, Mike Glynn, Jon Tidey

MEMBERS ABSENT: none

OTHERS PRESENT: Recording Secretary Wendy Colburn, Zoning Administrator Mark Davis

APPROVAL OF THE AGENDA

Motioned by Veronnica Kenreich to approve the agenda for February 28, 2024, as presented.

Seconded by John Joossens with no corrections.

Motion passed unanimously by voice vote.

Agenda approved.

REASON FOR THE SPECIAL MEETING

Veronnica Kenreich read the public notice, saying the reason for the meeting:

The request of Silver Creek Township to rezone three parcels of property collectively addressed as portions of 725 N. Front Street (Parcel Nos. 130-036-013-00; 130-036-012-00 and 130-036-011-00) and operated as part of True's Towing which properties are located on the west side of M-51 north of the City of Dowagiac line from the "A/R" Agricultural/Residential district zoning classification to the "C" Commercial District Zoning Classification. Considerations for rezoning are contained in Section 155.275(3) of the Township Zoning Ordinance. Such other and further matters as may properly come before the Planning Commission.

PUBLIC COMMENT

None – no members of the public present.

PLANNING COMMISSION MEMBER DISCUSSION

Nick Barnes refers members to the review process in the Silver Creek Township Code of Ordinances. Mike Glynn read:

§ 155.275 ZONING ORDINANCE AMENDMENTS.

(A) *Initiation.*

(1) *An amendment to the zoning map, which is adopted as part of this code of ordinances, may be initiated by the Township Board or Planning Commission on a motion by either body, or by a verified application of one or more of the owners or lessees of property within the area proposed to be changed, or by a person authorized in writing by the property owner to submit such application.*

(2) An amendment to the text of the Zoning Ordinance may be initiated by the Township Board or Planning Commission on a motion by either body or by a verified application of any person affected by the provision requested to be changed.

(3) Any proposed use not addressed by this chapter shall be subject to the provisions of this section as an amendment to the chapter. The Township Board, upon recommendation of the Planning Commission, shall determine the appropriate district and whether the use shall be a permitted use or special land use.

(B) Procedure for changes.

(1) Applications for zoning ordinance map or text amendments shall be submitted to the Planning Commission upon forms supplied by the township, along with the following:

(a) A legal description of the property to be affected by a proposed change to the zoning map or a typewritten copy of the proposed text amendment, including specific references to the portions of the existing ordinance section and language;

(b) A drawing or map showing, at a suitable scale, the property to be changed by an amendment to the zoning map and the location of properties within 500 feet of the property affected by the amendment;

(c) Payment of a fee in accordance with a fee schedule, as determined by the Township Board from time to time; and

(d) Any other information which may be required by the township.

(2) Before submitting its recommendation to the Township Board, the Planning Commission shall hold at least one public hearing, notice to be given in accordance with the requirements of the Zoning Act, being M.C.L.A. §§ 125.3101 et seq.

(3) The Planning Commission shall transmit a summary of comments received at the public hearing, along with the recommendation of the Planning Commission, to the Township Board. The Township Board may hold additional hearings if it considers it necessary, in accordance with the requirements of the Zoning Act, being M.C.L.A. §§ 125.3101 et seq.

(4) In considering a recommendation for an amendment to the zoning map, the Planning Commission shall consider:

(a) All possible uses within the area requested to be re-zoned and not just those that the property owner requests;

(b) The purposes for which property in the immediate vicinity is zoned;

(c) The Master Plan;

(d) The character of the zoning district, its particular suitability for particular uses, and the general trend and character of building and population development; and

(e) The public services available and the public services needed for the zoned use and the proposed use.

Mark Davis pointed out that the permitted uses are on page 126 of the Silver Creek Township Code of Ordinances. He also mentioned that the property owners may expand in the future as they have purchased property to the north of this property. Although it is not included in this request, he wanted to make members aware of potential future endeavors.

Mike Glynn inquired about the accuracy of the public notice description, as he noticed a difference in the description between the public notice and the Amendment to Silver Creek Township Zoning Ordinance and Map documents. The Letter of Understanding confirmed that the information is correct. He notes that any changes or corrections should be noted in this motion. He also suggested going through the ordinance to ensure that all the proper steps and considerations have been taken.

Mark Davis confirmed that the submitted map is correct.

Ben Schilling wanted to clarify whether all three tax identification numbers should be added since they are noted, but the Amendment only mentions one.

John Joossens asks Mike Davis for clarification if the parcels are all included under the one tax identification number or were they forgotten in the Amendment.

Tim Feirick notes a typo with one of the tax identification numbers, there is a "9" instead of a dash.

Nick Barnes entertains a motion to approve the *Amendment to Silver Creek Township Zoning Ordinance and Map* with the following corrections:

1. Remove the Yaw St. reference in the first paragraph.
2. Correct the following tax identification number, removing the "9" adding a dash.
TIN 14-130-036-013-00
3. Add the following tax identification numbers.
TIN 14-130-036-012-00
TIN 14-130-036-011-00

Moved by Ben Schilling, seconded by Tim Feirick

YES (6): Nick Barnes, Jon Tidey, Tim Feirick, Veronnic Kenrich, John Joossens, Mike Glynn

NO (0): None

Motion to approve the *Amendment to Silver Creek Township Zoning Ordinance and Map* passed by roll call vote.

Tim Feirick motioned to close the Special meeting, seconded by Ben Schilling

All members present approved by voice vote.

Special meeting closed at 7:42 p.m.

REGULAR MEETING

Nick Barnes called the Planning Commission meeting to order at 7:42 p.m.

MEMBERS PRESENT: Nick Barnes, Veronnic Kenreich, Ben Schilling, Tim Feirick, John Joossens, Mike Glynn, Jon Tidey

MEMBERS ABSENT: none

OTHERS PRESENT: Recording Secretary Wendy Colburn, Zoning Administrator Mark Davis

APPROVAL OF THE AGENDA

Motioned by Veronnic Kenreich and seconded by Ben Schilling to approve the agenda for February 28, 2024, as presented.

Motion passed unanimously by voice vote.

APPROVAL OF JANUARY 24, 2024, MINUTES

Motioned by Veronnic Kenreich and seconded by Tim Feirick to approve the Planning Commission minutes of the January 24, 2024, meeting with no corrections.

Motion passed unanimously by voice vote.

COMMUNICATIONS

None

PUBLIC COMMENT

None- no members of the public present

ZBA REPORT

Presented by Ben Schilling

BUILDING AND ZONING ADMINISTRATOR'S REPORT

Presented by Mark Davis

NEW BUSINESS

None

OLD BUSINESS:

Nick Barnes asks members about their stance on the Master Plan, and whether it needs to be updated, revised, or kept the same. During the discussion, some ideas were shared, and Ben Schilling offered to gather members' comments and ideas, and present an outline at the next meeting.

Nick Barnes is also interested in knowing members' opinions on short-term rentals. Members had previously discussed a good neighbor policy. Nick suggested considering the earlier proposal and getting feedback from the township attorney. As the state has not made any progress, the township should investigate the current ordinance and make proper changes if needed.

PLANNING COMMISSION MEMBER DISCUSSION

Members discussed with Mark Davis barndominiums and the current ordinance on accessory buildings. Mike Glynn reminds members to review the bylaws, open meeting act and officer duties, he offered to email copies to those who do not have them. He would also like the meeting minutes to also be more detailed.

ADJOURNMENT

Next Planning Commission meeting March 27, 2024.
Veronica Kenreich motioned to adjourn Jon Tidey seconded.
Motion passed unanimously.
Meeting adjourned the meeting at 8:17 p.m.

Recording Secretary, Wendy Colburn

Secretary, Veronnica Kenreich