



**Calhoun County Planning Commission  
Minutes  
March 25, 2019**

**1. The March 25, 2019 Planning Commission Meeting was called to order at 4:00 p.m.**

**2. Roll Call - called by the Program Assistant, Amber Herman**

Present: Commissioners Scott Fleming, Sarah Kelly, Angela Kline, Ben Lark, Dan Livingston, Terance Lungler, John Sackrider, Gary Tompkins.

Staff in attendance: Jennifer Bomba, Community Development Director; Amber Herman, Program Assistant.

Quorum was met.

Excused: Kelli Scott

**3. Approval of Agenda**

*Moved by Member Tomkins to approve the March 25, 2019 Calhoun County Planning Commission agenda, as presented, supported by Member Fleming.*

On a voice vote, Motion CARRIED.

**4. Public Comments**

There were none.

**5. Approval of Minutes**

*Moved by Member Sackrider to approve the February 4, 2019 meeting minutes as presented, supported by Member Lark.*

On a voice vote, Motion CARRIED.

**6. Communication**

a. Jackson County Planning Commission, Notice of Intent to Prepare Master Plan, March 5, 2019

Ms. Bomba explained a Notice of Intent had been received from Jackson County, which is standard when starting such a project. Member Lungler asked what meaning it has for Calhoun County. Ms. Bomba explained it is required by statute to inform any communities around them, entities within them, as well as any registered utilities. It also allows the county to be more informed regarding meetings and public forums. Member Fleming asked if it was Region 2 that was doing the planning, and Ms. Bomba said it was.

b. Any other Communication to come before the Commission

Ms. Bomba reported a notice had been received regarding a private entity that would be erecting an AT&T tower on a piece of property in Leroy Township. It is a request for Section 106 Comments. She believed it was more information rather than to actually

comment upon it. While the notice states the property is in Kalamazoo County, it is actually within Calhoun County by less than one half mile. Member Lunger mused if notice was sent to the many recipients based on a previous problem with a tower, therefore reducing issues. He went on to say the ISD had decided to not react to the notice, nor did they feel they needed to. Member Sackrider asked if the tower was a mono-pole that was being erected, to which Ms. Bomba replied that it was. Ms. Bomba also noted the language of the notice included a potential effect on a historical property for certain undertakings of the FCC of which she is unaware. Ms. Bomba was uncertain if this would become official communication, but wanted to let the commission be aware of the notice.

## **7. Old Business**

There was none.

## **8. New Business**

### **a. 2018 Annual Report**

The annual report is required by statute, will be presented to the Board of Commissioners and is a summary of action taken by the Planning Commission. Member Lunger noted the report is a capsulized story of what is done by the commission. Ms. Bomba described the report as showing the meetings held, the number of land use requests as well as PA 116 requests seen, and a docket of actions taken. Member Lunger suggested the addition at some point in the future of the top three projects worked on by the commission or department.

*Moved for approval by Member Sackrider; supported by Member Fleming.*

On a voice vote, Motion CARRIED.

### **b. Reappointment of Dan Livingston to the County Planning Commission.**

Member Dan Livingston, who fulfills the role of general citizen, is nearing the end of his term on the Planning Commission. Dan has expressed interest in being reappointed for a new term that will run from May 2019 until May of 2022.

*Moved by Member Sackrider to reappoint Dan Livingston for a three year term on the County Planning Commission set to expire May of 2022; supported by Member Fleming.*

On a voice vote, Motion CARRIED.

### **c. Any other New Business to come before the Commission.**

There was none.

## **9. Township Planning & Zoning Coordination**

### **a. 3-19-01, Bedford Charter Township: Zoning Text Amendment re: Solar Energy Systems**

The Bedford Charter Township Planning Commission has developed proposed zoning language to provide for solar energy systems throughout Bedford Charter

Township. Notable elements of the proposed zoning language include the introduction of Article 5A and the following:

- **Definitions –**

- **Building Integrated Photovoltaics (BIPVs)** – a private or commercial solar energy system that is integrated into the structure of a building, such as solar roof tiles and solar shingles.
- **Solar Energy System (SES)** – any part of a system that collects or stores solar radiation or energy for the purpose of transforming it into any other form of useable energy, including but not limited to the collection and transfer of heat created by solar energy to any other medium by any means.
- **Private Solar Energy System** – a solar energy system used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid.
- **Commercial Solar Energy System** – a commercial solar energy system where the principal design, purpose or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.
- **Roof or Building Mounted Solar Energy System** – a private or commercial solar energy system attached or mounted on any roof or exterior wall of any principal or accessory building, but excluding BIPVs.
- **Ground Mounted Solar Energy System** – a private or commercial solar energy system that is not attached to or mounted to any roof or exterior wall of any principal or accessory building.

The proposed ordinance language recommends allowing Private Solar Energy Systems, Roof or Building Mounted Private Solar Energy Systems and Ground Mounted Private Solar Energy Systems in all zoning districts as long as they meet the regulations set forth in the zoning ordinance. Commercial Solar Energy Systems are being proposed as a conditional use in the Agricultural and Industrial zoning districts. The language regarding Commercial Solar Energy Systems defines certain aspects including maximum height, setbacks, screening/fencing from shared lot lines and adjacent dwellings, decommission provisions, etc.

### **Department Recommendation**

The Community Development staff believes that the proposed policy amendments to the Bedford Charter Township Zoning Ordinance regarding Solar Energy Systems are thorough and will provide the township with the proper means to manage this type of use. In conclusion, Community Development staff recommend for approval of the language by the Bedford Charter Township Board.

*Moved by Member Kline to approve the proposed zoning language; supported by Member Kelly.*

On a voice vote, Motion CARRIED.

b. 3-19-02, Lee Township: Zoning Text Amendment re: Ag District & Schedule of Regulations

The Lee Township Planning Commission has reviewed their regulations regarding the Agriculture District and proposes the following amendments:

- Remove the stipulation that a parcel with public road frontage could only be divided twice
- Remove the maximum lot size of 1 acre and define a minimum lot size of 1.5 acres
- Define a minimum lot frontage of 200 feet
- Amend the Schedule of Regulations to reflect current amendments, as well as previously approved changes

**Department Recommendation**

The Lee Township Planning Commission has given great consideration to the proposed changes. The current language established a one acre maximum lot size, while limiting the number of newly created parcels in the Agriculture District to two. These policies were created in an effort to limit the number of single large-lot developments that could impact productive farmland in the township. Unfortunately the very stringent regulations have been difficult to enforce and have required land owners to seek variance requests from the Township Zoning Board of Appeals (ZBA). When the ZBA is faced with a recurring variance request, it is time to review the policy to see if it is effective. The development pressure in Lee Township is not at a level that warrants such restrictive policies. The proposed changes will provide Lee Township residents with more options which is good customer service.

Community Development staff believe the changes to the Agriculture District regulations will allow for much easier implementation by the zoning administrator and less requests for variances being considered by the Zoning Board of Appeals. Therefore, Community Development staff recommend for approval by the Lee Township Board the proposed language as outlined above.

Member Lunger asked for clarification the change is going from 1 acre maximum to 1.5 acre minimum lot size with no restriction on the maximum lot size. Ms. Bomba agreed that is the language with the change allowing the selling of land to not be restrictive while continuing to be pro-agriculture.

*Moved by Member Lark to approve the proposed zoning language; supported by Member Livingston.*

On a voice vote, Motion CARRIED.

c. 3-19-03, Burlington Township: PA 116 Application re: Chase & Essa Bercaw

Application for Farmland Agreement (PA 116) has been submitted by Chase and Essa Bercaw for property located in Burlington Township. The application consists of 10 acres located in Sections 20 and 21. Approximately all the acreage is under cultivation, with one building on the property.

The parcel is zoned by Burlington Township as Agriculture. The Burlington Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 50 year contract.

**Planning Department Recommendation**

The Calhoun County Community Development staff believe that the Application for Farmland Agreement submitted by Chase and Essa Bercaw is valid and recommends for approval by the Michigan Department of Agriculture and Rural Development.

Member Sackrider opened the discussion by inquiring if there were buildings present on the land that has been identified based on the taxable value. After looking online, it was verified there are chicken farming buildings on the property as well as the other properties identified in the next two items for action.

*Moved by Member Sackrider to approve the PA 116 application submitted bfor Chase & Essa Bercaw; supported by Member Kline.*

On a voice vote, Motion CARRIED.

d. 3-19-04. Burlington Township: PA 116 Application re: Kane & Kayla Bercaw

Application for Farmland Agreement (PA 116) has been submitted by Kane and Kayla Bercaw for property located in Burlington Township. The application consists of approximately 13 acres located in Section 20. Approximately all the acreage is under cultivation, with one building on the property.

The parcel is zoned by Burlington Township as Agriculture. The Burlington Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 50 year contract.

**Planning Department Recommendation**

The Calhoun County Community Development staff believe that the Application for Farmland Agreement submitted by Kane and Kayla Bercaw is valid and recommends for approval by the Michigan Department of Agriculture and Rural Development.

*Moved by Member Sackrider to approve the PA 116 Application submitted by Kane and Kayla Bercaw; supported by Member Fleming.*

On a voice vote, Motion CARRIED.

- e. 3-19-05, Burlington Township: PA 116 Application re: Ponderosa Poultry, LLC

Application for Farmland Agreement (PA 116) has been submitted by Ponderosa Poultry, LLC for property located in Burlington Township. The application consists of approximately 10 acres located in Section 27. Approximately all the acreage is under cultivation, with one building on the property.

The parcel is zoned by Burlington Township as Agriculture. The Burlington Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 90 year contract.

**Planning Department Recommendation**

The Calhoun County Community Development staff believe that the Application for Farmland Agreement submitted by Ponderosa Poultry, LLC is valid and recommends for approval by the Michigan Department of Agriculture and Rural Development.

Member Lungert verified that if a landowner wanted to remove from PA 116, it was necessary to pay all back taxes, and Ms. Bomba replied that it was actually seven years of back taxes. Member Sackrider also confirmed to get land released was upon death or disability.

*Moved by Member Sackrider to approve the PA 116 application submitted by Ponderosa Poultry, LLC; supported by Member Fleming.*

On a voice vote, Motion CARRIED.

- f. Any other Planning & Zoning Coordination to come before the Commission  
There was none.

**10. Township Planning & Zoning Coordination Follow-up**

CCPC #	Township	Twp Planning Commission Recommendation	CCPC Action	Twp Board Action
1.19.02	Emmett Twp	Zoning Map Amendment – 918 E Michigan Ave	Approved	Approved
1.19.03	Emmett Twp	Master Plan/Zoning Map Amendment - #10-031-011-00	Approved	Approved
1.19.04	Pennfield Twp	Map Amendment – #18-033-136-00	Approved	Approved
1.19.05	Athens Twp	Text Amendment - Solar Energy Systems	Approved	Approved

**11. Department Report**

Ms. Bomba reported there were many projects that are being launched through Community Development:

- County-wide Transit – An MDOT grant is being used to look at county-wide transit. This project has been launched with consultant/stakeholder meetings beginning to take place. The grant is \$172,000, with a portion of it being a local match, approximately \$45,000.

- Grant Work – Park development is economic development. Between the projects Ms. Bomba and Doug Ferrall, of the parks department, are working on, there is approximately one million dollars in grants that are currently in request process. These include: Consumers Energy Planet Grant - approximately \$250,000 for invasive species process within Kimball Pines with prescribed browsing using goats; DNR – approximately \$210,000 for new entrance for Kimball Pines Park while conserving and reusing gravel from the old renaissance fair parking to be used in that project; Michigan Natural Resources Trust Fund – park procurement near Albion allowing more parks in underserved areas as well as establishing a trail head for people to park and use bikes. Additionally, Sarah Kelly with Solid Waste has a grant request to the DEQ – public space recycling in the county parks, as well as infrastructure through purchase of a truck for solid waste transport as well as potential for pulling an event trailer for recycling use as a mobile recycling center.
- Economic Development Corporation – with Community Development involvement, Ms. Bomba is looking to host a discussion or workshop on the topic of solar energy.
- Compost Center – a private entity is looking for land to purchase to place a compost center within the county.

## **12. Member Comments**

Member Lunger asked for any information of interest that could be shared from members of the commission.

- Member Fleming – MAEDA – Energy Center is being pursued, with well heads being monitored with the MDQ. Ground breaking to happen in October 2019 with completion approximately 2022-23; Michigan Pure Med - medical marijuana facility, is busily developing their building with completion target of summer 2019, offering 400 jobs over a 3-5 year period; Cresco Labs – edible marijuana company with approximately 100 jobs is being developed in the old Campbell Soups building making regulated product; Verdigris Labs – building a 20,000 foot building in the Industrial Park.
- Member Tompkins – While not Planning Commission related, he brought concerns of roadside dumping to the table with Ms. Bomba and Member Kelly in attendance. Illegal dumping has increased in Sheridan, Albion and Marengo Townships with garbage, furniture and other items in secluded areas. Ms. Bomba replied that she can look for some grant money to help with clean up, however, there may still be the issue of re-dumping items. Member Tompkins mentioned D Drive South by Albion is specifically bad, with concern of residents regarding contamination getting to the nearby river.
- Member Fleming also brought up the former Eaton property which is fenced in due to contamination becoming a potential area for solar fields. Member Lunger stated he would be in favor of something like that if it can support itself and is needed. Member Fleming mentioned multiple energy plants that are being decommissioned, which could lead to a drain of energy.

**13. Public Comments**

There were none.

**14. Announcements:**

Member Lunger stated the next Calhoun County Planning Commission Meeting is scheduled for April 22, 2019, at 4:00 p.m.

**15. Adjournment**

The meeting adjourned at 5:12 p.m.