

MINUTES OF THE PLANNING COMMISSION (PC)

REGULAR MEETING

HELD: RIVES BANQUET HALL

May 7, 2018

Meeting called to order at 6:30 pm.

Members present: Chairman Roger DeCamp, Dwight Carmer, Cliff Herl, Phyllis Pitmon, and Jim Lindstrom. All present by roll call.

Mr. Carmer made motion to approve amended agenda (date corrected to May 7 from May 5) for the 5-7-28 PC meeting, second by Mrs. Pitmon. All ayes.

Mr. Herl made motion to approve minutes from 4-2-18 PC Regular Meeting, second by Mr. Carmer. All ayes.

Chairman DeCamp asked for Reports. Mr. Carmer reported that no ZBA meeting had been necessary. Mr. Herl reported on behalf of the Township Board business that 1. the tax forfeiture properties offered by County to the Township, 3 were offered and 1 is being considered. 2. The Township website contract has been entered for the next 3 years. 3. The Board has given a heads up to the PC for future looks at how our ordinances address solar farms, wind generator operations, medical marijuana, and outside wood burner units. Discussion followed regarding these. Mr. Herl mentioned that Coleman Deonick has served other townships regarding wood burner ordinances. There were no comments by other PC members.

Chairman DeCamp continued with the agenda business (Master Plan 63 Day Comment Period by and for the People) at 6:42 pm which included the start of public comment period. Chairman DeCamp provided a map presentation of large maps placed on 3 easels at the front of the hall. He described that this narrative would be in the form of a training session for those in attendance to describe the laws that apply to the Master Plan (MP), zoning, and how the preparation of a Master Plan and the comment period for the public are specified by law.

Maps presented showed, 1. Existing zoning approved by previous citizen planners, 2. Existing land use, 3. Potential future land use as proposed in the Master Plan. He described how existing zoning has occurred in the past by previous land owner requests and approved by past Township Boards. The existing land use map was prepared from property tax rolls. He pointed out the industrial use land use of the electric transmission line running through Section 5. He pointed out that newly shown institutional use properties are shown colored in green. Houses are a permitted use in agricultural and that use is colored yellow on the maps. C1. Rhonda Lawry questioned why the commercial zone in the area of farm implement dealer includes houses. C2. Meagan Short questioned process of zoning request as permitted and conditional uses. She also asked regarding zoning request actions. It was explained that requests are reviewed and evaluated by PC as defined in the Code of Ordinances of Rives Township. If a conditional use permit is required then a public hearing shall be held and notice given as defined in the Code of Ordinances. After the public hearing the PC makes a recommendation of denied, approved or approved with conditions to the Township Board. The Township Board evaluates the recommendation and decides the issue. C3. Debbie Konkle asked how public notice is given. C4. Jim

Trout asked the history of the future land use map. Chairman DeCamp stated that this explanation was given at the April 2 meeting and can be read in the minutes regarding Consumers Energy contacting him regarding the PC awareness of the natural gas pipeline and electric transmission lines serving the State and crossing Rives Township. The PC concluded that to update and prepare a proper MP for the Township potential future land uses should be evaluated with the thought of clustering in concentric fashion around existing zoning. Chairman DeCamp gave his personal opinion that some of these needed to be relooked at. C5. Alex Silvestri asked why Industrial zone along Baseline Rd had been enlarged. See explanation in C4. C6. Vercilla Hart discussed that b/c no school district is housed within the Township some people would define that as a "bedroom" community therefore focus should be placed on achieving next generation high speed internet and fiber optics service. She stated that she has given MP to MSU zoning and land use educators for their review and asked the PC members individually to seek these educators evaluation. There was mixed reaction by PC members. C7. Crystal Goldman questioned the future land use shown on Baseline Rd. C8. Kim Huntley questioned what prompted the expanded future industrial land use shown for section 5. Chairman DeCamp explained the Consumer Power referral of the PC to the National Pipeline Map and how this coincided to the time the PC was preparing the MP. C9. Joseph Yang suggested that the Code of Ordinances be changed to differentiate industrial zone. He referenced the Future land use map. He suggested that b/c MSU is an agricultural university that they should be given a voice by their review of MP. He suggested that PC should use County email address. C10. Alex Silvestri asked who at Region 2 suggested that PC lump all industry together. He asked what PC plans to do with citizen comments. Chairman DeCamp said written comments have been received and will be through May 10 and then will be evaluated by PC. C11. Bruce Badder stated he would like industrial zone increase shown in potential future land use remain agriculture due to his concern of potential natural gas to electric conversion plant would cause noise pollution, air pollution, use 1,000,000 gallons of water / day, the used water would cause pollution, and property values would go down.

At this point Chairman DeCamp reminded the attendees that the purpose of the meeting is to seek public comment regarding the MP and not regarding any potential energy plant.

C12. Skip Hipshire questioned email letter from Novi Energy to Supervisor, PC Chairman and Township attorney. C13. Tony Hunter said the electric transmission line goes across his property. He asked why all electric lines on land use map are not shown as industrial zone use. C14. Kathy Hunter expressed concern that any industrial use would pollute. C15. Mike Buiten questioned the public hearing process. C16. Linda DeBruler stated that b/c Leslie Township across Baseline Rd is agriculture zone deference should be given to not place Industrial zone adjacent in Rives Township. PC member, Mr. Herl stated that Counties want adjoining entities to cooperate. C17. Donna Domm asked why future industrial zone in section 5 was expanded. Mr. Carmer responded that Townships are required by Michigan Zoning Enabling Act to keep the MP up to date and represent potential changes in land use. Chairman DeCamp explained that as needs and requests arise they have to be considered. C18. Judy Formolo asked why medical marijuana wasn't considered for potential land use. Chairman DeCamp explained that Township Board decided not to opt in. C19. Meagan Short was allowed by Chairman DeCamp to read Jan. 11, 2018 letter from Novi Energy representative to Supervisor, PC Chairman, and Township Attorney. The letter from Novi Energy was given by Chairman DeCamp along with DeCamp's response letter dated 1-12-18 to PC members, Herl, Carmer, Lindstrom, and Pitmon and entered into the public record. Chairman DeCamp discussed and responded to questions about the letter. Chairman DeCamp

stated his anger toward Novi Energy for involving and contacting him in a so called “confidential letter”. Chairman DeCamp went on to explain his disgust with what the letter meant to him as he was named and dragged into it. He stated he didn’t ask for this and didn’t deserve this. The majority in attendance supported the chairman. C20. Skip Hipshire stated that Novi Energy is still active in the area even though they have not made any progress to the PC. Chairman DeCamp described a process called “conditional rezoning”. The process is described on page 24 of the MTA Township Guide to Planning and Zoning. C21. Vercilla Hart asked the PC why a FOIA response made to the Township Clerk wasn’t complete. She then read a March 30 letter from Anad of Novi Energy to Chairman DeCamp informing him of information meetings to be held. Chairman DeCamp responded that the PC conducts its business at its public meetings. Mrs. Hart referenced a letter from Chairman Decamp seeming to praise Mr. Bauman of Region 2. Chairman Decamp stated that Mr. Bauman had improperly responded to a FOIA request for a copy of the incomplete MP and he had released it to a special interest group, CARR, who then released it to the public. PC member, Mr. Lindstrom had sent a response to Chairman DeCamp that this release of an incomplete version of the MP was improper. Chairman DeCamp referred to the Code of Ordinances p. 143 regarding the authority to make a MP. It also addresses that the authority to approve rests with the Township Board. C22. ??? Stated that the Township Board had made a recommendation that the PC remove the potential future land use shown in Section 5 from the MP. C23. Skip Hipshire challenged that FOIA requests were claiming attorney client privilege. C24. Carol Schultz asked what happens after the 63 day comment period is concluded. Chairman DeCamp stated that issue would be discussed among the PC before meeting is concluded. C25. Helen Peterson asked for more information about any public hearing notices. C26. John Bonus asked about time deadline that Novi had mentioned in some literature that has been distributed. Chairman DeCamp said it had no effect.

PC members decided that review of written public comments received in the 63 Public Comment Period would start to be discussed in the next Regular PC meeting held on June 4, 2018 at 6:30 pm at the Rives Banquet Facility. Chairman DeCamp described that this meeting would be conducted with discussion in public among the PC members. Some public comment would be allowed as per usual protocol for PC meetings. PC member, Mrs. Pitmon stated that she had conversation with MDEQ water representatives and they stated that they had not been contacted by Novi Energy. C27. Lisa Maxwell stated that “conditional rezoning” should go before PC. Judy Formolo stated that she thought the community will support PC. C29. Bryce Hammond asked when industrial zone in area of Berry Lake can be eliminated. Chairman Decamp requested audience feeling regarding solar farms being permitted. C30 Vercilla Hart made recommendation that PC review other townships who have existing ordinances. C31. Mike Buiten advised that solar panels need safety guidelines and should be installed by people with proper experience. He stated he has heard that wind power electricity generators can have noise component. C32. Kyle Waller asked if the Code of Ordinances shown on the website was the most current version. Chairman DeCamp referred to Code of Ordinances pgs. 53, 106, and 140 as for authority, adopted and effective dates. Current version should read effective May 14, 2003.

Public Comment conclude at 10:01 pm

Meeting adjourned by roll call vote at 10:02 pm. Ayes DeCamp, Carmer, Pitmon, Lindstrom. Herl was excused early for health reasons.

Next Regular PC Meeting will be June 4, 2018 at 6:30 pm at Rives Banquet Facility for the purpose of starting the review and evaluation of written public comments regarding the Proposed Master Plan for Rives Township.