

Minutes of the Sparta Township Planning Commission
Regular Meeting of October 8, 2019, 7 PM
Sparta Township Hall, Sparta MI

Present: Chairperson Terry Hartman; Township Clerk Marcy Savage;
Commissioners Linda Anderson, Tim Driscoll, Ken Humphreys, Don Doyle,
and Mark VanderWerff

Also Present: Planner Emma Posillico and Recording Secretary Substitute Beth Riordan

Absent: none

I. / II. Call to Order / Pledge of Allegiance: Chairman Hartman called the meeting to order at 7 PM, followed by the Pledge of Allegiance.

III. Additions or Corrections to Agenda: No additions or corrections.

IV. Minutes of September 10, 2019: Motion by Doyle, second by Anderson, to approve the minutes as written. Motion carried unanimously.

V. Public Comment: Dale Bergman was present and stated he asked the Chair of Zoning Board of Appeals to be present for the discussion on sidewall heights for accessory buildings.

VI. Business Items:

A. Special Use for Mining and Removal Permit related to "Hidden Prairie" PUD: Planner Posillico informed the Board of the revised deadlines for plan submittals. Stated plans need to be in 30 days prior to meeting. According to John Bitely, the applicant for the Hidden Prairie PUD, the anticipated final engineering process takes 6-8 weeks and there are no revised plans yet. Posillico noted that she sent the letter that John Bitely supplied from his insurance company to Township Attorney Cliff Bloom. Mr. Bloom reviewed the letter and stated Applicant Bitely's letter didn't state anything about insuring the pond itself, and Bitely was informed he would need to submit a revised letter. Doyle motioned to table Item A, second by Doyle, all in favor.

B. Step 1 Preliminary Site Plan Review of the applicant, South Sparta's LLC's proposed "Hidden Prairie" development at 9029 Alpine Ave N.W., Sparta, Mi. Parcel # 41-05-35-201-002. Planner Posillico stated there were two issues discussed at the September meeting that needed continued discussion. The first issue arose when an audience member wondered if a condition could be placed on the site plan stating that above-ground septic systems are not allowed. Posillico stated that she consulted with Attorney Bloom, who advised it would be up to the Kent County Health Department to regulate septic systems. Posillico reminded the Board that one of the conditions of final plan submission is documentation from the Kent County Health Department that allows the septic in that location. The second issue noted at the September meeting was regarding lots 40 and 41 being flag shaped and not meeting the minimum frontage requirements of the underlying zoning district. Posillico stated that she consulted with Attorney Bloom, who responded that the PUD grants the Planning Commission the authority to reduce the minimum lot size

and frontage to less than the requirements of the underlying zoning district. She also noted that per the email from Attorney Bloom, attached to the Board's packets, the PUD does grant the Planning Commission the authority to vary the 4:1 depth-to-width requirement for lots. There was discussion amongst the Board about increasing lot size and how much size should be increased. After much discussion, Doyle motioned to ask for 100 ft. frontage throughout the width of the lot, second by Anderson, one opposed, Savage abstained.

- C. Discussion of Zoning Ordinance Section 8.13 (Migrant Farm Labor Housing): Supervisor Bergman informed the Board he considered Tyrone and Alpine Townships that have a 75-ft. setback allowance from migrant farm labor housing, and Sparta Township's regulation is currently 500 ft. Supervisor Bergman stated it is up to the Planning Commission but he thinks modifications should be made to be more lenient with setbacks on migrant housing. Posillico confirmed there are varying requirements in different Townships, including utilizing accessory structure setback requirements; but generally migrant farm labor housing is required to be farmed property. Hartman agreed 500 ft. setback is excessive. Board agreed a change should be made but no set amount was determined or agreed upon. Board agreed there are some issues to be researched yet before determining the setback footage. Hartman asked Posillico to write something up, an amount per parcel size and footage of setback.
- D. Discussion of Zoning Ordinance Section 4.8E (Height of Accessory Building): there have been an increased number of variance requests for 12 ft. sidewalls on accessory buildings, in order to accommodate recreational vehicles. There was discussion of scissor trusses to allow an increased door height. Posillico confirms the door opening as of now can't exceed 10 ft. without proof of vehicle height and ownership. Supervisor Bergman noted that he believed the door opening language had previously been removed from the Ordinance. Posillico noted that the language she referenced in her memo came from the Zoning Ordinance posted on the Township's website. Supervisor Bergman stated he would provide the adopted door language to Posillico. The Planning Commission asked Posillico to draft revisions to the Ordinance that consider 14 ft. sidewalls on properties of 5 acres or more, and there will be revisions to the section for accessory sheds.
- E. Solar Ordinance (continued from last month): Posillico reviewed the changes she made from the last draft per the Planning Commission's direction. She noted that at the September meeting, the Planning Commission considered that the document was drafted to require cash deposit with the Township for decommissioning and/or demolition of solar energy collectors, however the Township doesn't want to handle cash deposits so high in value. Posillico asked Attorney Bloom for an alternative to cash deposit. Attorney Bloom responded that a surety bond would be acceptable. The Planning Commission questioned how bonds are enforced, and what would happen if a bond expired/lapsed. Planner Posillico stated a report would need to be submitted to zoning administration annually and they can deny or reissue special use permit. Planner Posillico will check Chester Township's recently adopted language for enforceability which was reviewed by Attorney Bloom. Posillico asked the Commission if they would like the same modifications made to similar language in the wind energy ordinance; the Commission confirmed yes. Wind ordinance changes will be discussed at next meeting.

F. Public Comment: none

VII. Adjournment: Motion by Driscoll, second by Savage, to adjourn at 8:30 PM. Motion carried.
The next regular meeting of the Sparta Township Planning Commission will be Tuesday,
November 12, 2019, at 7 PM.

Respectfully submitted,
—Bethany Riordan, Substitute Recording Secretary