

*Approved by: _____
Larry Grunn, Chairperson

Date: _____

**PLANNING COMMISSION
REGULAR MEETING
JUNE 28, 2022 - 7:30PM**

ORIGINAL

MEMBERS PRESENT: JIM ANDERSON - VICE CHAIRPERSON
CHERYL RANGE - SECRETARY
BOB HANVEY
BRUCE POWELSON

MEMBERS ABSENT: LARRY GRUNN- CHAIRPERSON

OTHERS PRESENT: DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR
ZACK MICHELS - PLANNER W/ CARLISLE WORTMAN

CALL TO ORDER

Jim Anderson called the meeting to order at 7:30 pm.

CALL TO THE PUBLIC

None

APPROVAL OF AGENDA

Bruce Powelson made a motion to approve the agenda for the June 28, 2022 Planning Commission meeting as presented. Cheryl Range seconded. **MOTION CARRIED**

APPROVAL OF MINUTES

Bruce Powelson made a motion to approve the minutes from the May 24, 2022 Planning Commission meeting. Cheryl Range seconded. **MOTION CARRIED**

UNFINISHED BUSINESS

1) SPR# 03-22 MARION OAKS CLUBHOUSE FINAL SITE PLAN REVIEW

Sara Kunde was present and requested approval for the Marion Oaks final site plan review. Sara reviewed the recommendations from Carlisle Wortman.

- There will be appropriate signs posted around the clubhouse. The signage details can be provided at a later time if needed.
- There will be a self-closing gate with a latch to access the pool area, which will meet the required specifications from the Building Department.
- The height of the gate around the dumpster, will match the height of the rest of the walls.
- The dimensions of the clubhouse will be provided.
- The elevation of the clubhouse that faces the pool, will be provided.

Dave Hamann explained the proper process for site plan reviews. All of these changes should be made to the site plan at the end of this process. The Board of Trustees should see the same exact site plan that was approved by the Planning Commission.

Cheryl Range motioned to recommend approval to the Board of Trustees for SPR# 03-22 Marion Oaks Clubhouse Final Site-Plan Review, with the recommendations listed on Carlisle Wortman's "June 28, 2022" review letter. Bruce Powelson seconded.
MOTION CARRIED

2) MASTER PLAN - FINAL UPDATES, PATH TO FINALIZE

Zack Michels with Carlisle Wortman explained that he added a page about Open Space and Land Preservations - page 62. He also added a page on Solar Energy - page 63.

Jim Anderson stated that the five bullet points on page 63 do not reference Solar Energy. They should be moved to page 62.

Jim Anderson stated that Alissa Starling did get some updated SEMCOG numbers for the Census page.

Bob Hanvey inquired about who will be maintaining and storing the final draft of the Master Plan. Jim Anderson suggested that after Alissa and Zack make the updates from tonight's meeting, that the Township should then take over the final draft Master Plan.

Zack explained that he does have to include the resolution to adopt that Master Plan somewhere in the Master Plan. He will include it in the front of the Master Plan.

Jim suggested that after the changes are made, he will send a PDF copy to everyone and he will keep the final in Microsoft Word along with the Clerk's office. Zack reviewed all of the mentioned changes.

- Move the five bullet points from page 63 to page 62 instead.
- Include some different language about Solar Energy.
- Add the resolution to adopt the Master Plan on the back of the front page.
- Try to get the maps to zoom in and out when being viewed.
- Send out a PDF and Microsoft Word document to all of the Commissioners.

3) SOLAR FARM ORDINANCES FROM ALISSA STARLING

Cheryl Range stated that she really likes Handy Township's language on Solar Farms. Bruce Powelson asked about the fence height. Dave explained that our ordinance doesn't cover any fence under seven feet. Bruce suggested that the fence be taller, rather than shorter. Bruce also mentioned that they should be allowed to store batteries on site and it should not be prohibited like it states in the Handy Township language. Zack explained that lithium batteries do not burn out in a fire so storing them on site could be a fire hazard.

Jim Anderson said we need to provide Zack with some direction.

- Use Handy Township's Solar Farm language as a template/inspiration.
- Require taller fences, not shorter.
- Include robust language on the decommissioning funds.
 - Abandonment time frame.
 - Require a report from the operator every six months.
 - Make sure that there are enough bond funds to decommission, if necessary.
 - If Solar Farm is abandoned for 180 days, then property must be commissioned back to its original condition
- Include the number of complaint resolutions. (Page 5 in Handy Townships language)
- List all of the codes.
- The "Electric code" should also be noted.
- The Township should have the ability to enter the property.

Dave asked the commissioners if they are in favor of allowing Solar Farms in Marion Township or would they rather minimize the opportunity for Solar Farms. Jim Anderson asked Les Andersen for his opinion. Les asked if Solar Farm equipment would be assessed as personal property. Zack said that it would be assessed as personal property and that usually the leaser pays the personal property tax, not the property owner.

4) KENNELS

Jim Anderson stated that he is OK with John Enos "June 20, 2022" memo on Kennels.

Cheryl Range suggested 4 or 6 months.

Bob Hanvey does not like #8 on page 3 where it discusses septic systems/municipal sewer.

Commissioners discussed further options for Kennel language.

Zack reviewed the agreed upon changes for the Kennel ordinance:

- Four or more dogs that are older than 4-months of age.
- Does not apply to litter pups under 6-months of age.
- 200-foot setback on both sides.

- The parcel has to be more than two acres.
- Add NO two-acre parcels.
- Bob mentioned to include the language in #3 in Enos review letter that reads “The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.”
- For #8, include the alternative language from Rio Rancho, New Mexico.
- Include our language from 6.13 in #3 of John’ review letter.

5) STATUS OF ALISSA STARLING, ZACK MICHELS AND JOHN GORMLEY DISCUSSIONS SURROUNDING ZONING ENFORCEMENT AND STORAGE CONTAINERS

Zack stated that he tried discussing this with John Enos and was not successful. Zack suggested that the Township Supervisor send an email to both John Enos and John Gormley, asking for an update on Zoning Enforcement and Storage Containers. Bob stated that he would do that. Dave Hamann suggested inviting both of them to the next Planning Commission meeting because there are actually several items that need to be discussed such as:

- Storage Containers
- Changes to 6.19 and 6.20.
- Section 18 changes.
- Changes to the PUD Agreement
- Discussion on ticketing and enforcement.

Zack also suggested forming an “Ordinance Change Committee” or a small group to pump out ordinance changes. Then we can have the attorney review them, prior to them being presented to the Planning Commission and the Board of Trustees.

Jim Anderson made a motion for Bob Hanvey and Dave Hamann to contact John Gormley and John Enos to discuss these pending legal issues. Bruce Powelson seconded. **MOTION CARRIED.**

SPECIAL ORDERS

Jim Anderson said that the survey about Open Space and Land Preservation was approved and will be mailed out on June 30, 2022 with the tax bills. There is also a link on the website.

ANNOUNCEMENTS

The Board of Trustees passed the General Ordinance for Solar Moratorium at the June 23, 2022 Board meeting.

ADJOURNMENT

Bruce Powelson motioned to adjourn the meeting at 10:00pm. Cheryl Range seconded. **MOTION CARRIED.**

MINUTES TAKEN BY: Jessica Timberlake