

7:00 o'clock p.m. Chairperson Wurmlinger called the meeting of the Planning Commission to order and opened the Public Hearing, then continued with the regular agenda.

1. ROLL CALL

PRESENT: Buechler, Hilton, Koob, Muir, Oprita, Wurmlinger

ABSENT: Mills

ALSO PRESENT: Sharon Wilton, Recording Secretary
Courtney Reckker, Building Clerk
Donna Barnes-DB Properties, Muray Darling-DB Properties
Fred Manuilow & Debbie Burgess
Jorja Baldwin

2. APPROVAL OF AGENDA: October 11, 2022

Motion by Muir, supported by Wurmlinger, to approve the agenda as printed and posted.
Voice Vote, 6/0. Motion Carried.

3. APPROVAL OF MINUTES: September 13, 2022

Motion by Oprita, supported by Wurmlinger, to approve the minutes as presented/with corrections.
Voice Vote, 6/0. Motion Carried.

4. REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Clerk Robert Buechler

Election time is underway. Ballots arrived last Monday and absentee ballots were mailed on Saturday. The DNR has funds available through the Sparks grant program. They are looking for shovel ready programs. The Parker Road property development has no finalized plans yet, but the DNR has funds available through the SPARKS grant program. Grants are open for submissions this month and again in the spring. No information on any match funds if any. We are looking at a proposal for pickleball courts and refurbishment of the North River Road tennis courts. Pickleball is something residents have been asking for and was included in the plan for the larger development. Next year additional grants are available for bigger projects.

Sharon Wilton is leaving us at the end of the week. We appreciate all the help she has given us over the years and wish her well in her new endeavors. We will be parceling out some of her responsibilities to Courtney Reckker, our current building clerk. Jorja Baldwin will help train. Event planning duties are to be determined.

5. REPORT FROM ZBA REPRESENTATIVE: Nathan Oprita

Request for a small piece of property on Lakeshore near the drain to be developed.

6. PUBLIC COMMENT: None

7. PUBLIC HEARINGS: Public Hearings continued at this time.

ITEM 7-1: REZONING REQUEST - 2917 NORTH RIVER ROAD/74-20-695-0003-000

APPLICANT: Donna Barnes-Finkbeiner & Muray Mangin, 2909 North River Road, Fort Gratiot, MI 48059

OWNER: Donna Barnes-Finkbeiner & Muray Mangin, DB Properties, LLC.

PROJECT: North River Animal Hospital rezoning for parking lot addition/lot combination

CURRENT: R-1A Single Family Residential **PROPOSED: C-2 General Business**

LOCATION: 2917 North River Road **PARCEL#: 74-20-695-0003-000**

LEGAL: Lot 3, Roney's Hercules Plat

Applicant Presentation: *Dr. Donna Barnes and Dr. Darling, co-owners of North River Animal Hospital property.*

We have been an integral part of the Fort Gratiot community for years and plan to continue. Our daughters will eventually take over the practice.

This request is not for new development. It will allow for expansion of the parking lot and decrease congestion at a very busy intersection. Our parking lot is often used as a turnaround, with this expansion it will increase safety, plus help the look of the property.

2917 North River Road has been a private residence but has not had a longstanding resident in quite a while. If rezoned, it would also increase security and safety. We are anxious to work with the new neighbors to beautify both properties.

7-1 Public Comment:

Fred Manuilow and Debbie Burgess, 2927 North River Road, own property next door to the animal hospital. The hospital property is elevated. We are hoping for a brick wall with greenery, something that would look nice.

**Motion by Oprita, supported by Wurmlinger, to close the public hearing for Item 7-1.
Voice Vote, 6/0. Motion Carried. Public Hearing 7-1 Closed at 7:16PM.**

7-1 Board Discussion:

Wurmlinger asked if there were any concerns from the neighbors, if the house would be torn down and if the barn would be saved.

The applicant is open to keeping the barn. It's in good shape. House will be torn down. We definitely want to be good neighbors.

Wurmlinger asked if there would be any buffer between the neighbors, the applicant said yes, there would be some sort of berm.

Hilton asked what the requirements are between the properties. Wilton said a wall would have to go through as part of the site plan approval.

Both properties are elevated from the river. Neighbors are 25 feet above water level. Property #2 is probably 30 feet. Main concern is the buffer between the parking lot and the backyard.

Koob asked if a site plan would be presented. Wilton confirmed, this meeting is just regarding the change in zoning.

Wurmlinger asked what would happen if the vet office left and a new business bought the property. Dr. Barnes said they have no plans to move. They would like to combine both properties into one parcel.

Hilton asked about the landscaping requirements. Wilton stated that would be part of the site plan. Wurmlinger asked if they were adding on to the building or just adding parking. Right now, the plan is only for additional parking.

Wilton said anyone can ask to be rezoned but it doesn't mean it will be approved.

Oprita said with lots 4 and 5 both commercial, it's not out of the ordinary or in the middle of a rural area.

Baldwin said there was a request to rezone for a proposed gas station in 1995 that was denied. At that time, there was not an O-2 zoning district, which is the preferred zone between commercial and residential. Office use is a less impact and the size of the lot doesn't really lend itself to a large commercial development.

No conditional rezoning is allowed, but the lot size does limit development. As soon as you change the use to commercial you can no longer use it as residential.

Koob asked how many parking spots would be added. Dr. Barnes would like to add at least 10 but that would be part of the site plan.

Wurmlinger agrees that the size is limiting. Baldwin said the best-case scenario is green space and parking next to a residential area. It's a unique property.

Motion by Oprita, supported by Koob, to recommend approval of rezoning of 2917 North River Road/74-20-695-0003-000 from R-1A Single Family Residential to C-2 General Business. Roll Call Vote, 6/0. Ayes: Buechler, Hilton, Koob, Muir, Oprita, Wurmlinger; Absent: Mills Motion Carried. Rezoning Recommended for Approval

ITEM 7-2: Proposed Ordinance Solar/Wind Ordinance No. 226:

Fort Gratiot Presentation:

Buechler presented the proposed solar ordinance amendments with definitions of solar energy systems, broken down by size and use. Please see the handout. We have had some residents inquire about solar.

Roof mounted would be allowed in any area with buildings. Commercial district requires that any equipment be screened. Ground mounts are treated as an accessory structure similar to air conditioners. Setbacks would be measured from the minimum tilt, so there are no issues with encroachment.

Building integrated - would be built on carports or integrated with the structure of the building itself to power the property. Allowed in most places but are subject to all the regulations we already have.

Principal use - designed to have power sold or used somewhere else. Small vs large is 2MW, approximately 2 acres difference. Small is site plan approval for all nonresidential districts as long as we approve site plan. Special land use required in R-1 districts, such as if we have a subdivision that wants to be off the grid or has common areas to put solar on to power the neighborhood. Anything larger than 2MW would need to be in an agricultural district.

Wurmlinger asked about square footage requirements and if permitted in a front yard. Buechler said it could potentially allow it.

Hilton asked if there was a minimum lot size or determined with setbacks. Buechler said yes but wouldn't be required between farm fields. They could just run straight across.

If approved the amendment will be sent to St. Clair County Metropolitan Planning, then to the Fort Gratiot Board of Trustees for final approval and adoption.

Koob asked about the weight of storage. Buechler said storage would be the bigger batteries for hot water and would be small roof mounted.

Public Comment: None

Motion by Oprita, supported by Wurmlinger, to close the public hearing for item 7-2. Voice Vote, 6/0. Motion Carried. Public Hearing 7-2 Closed at 7:35 PM.

Board Discussion:

Buechler said there is one company that is interested in a large project within the next year. They are in the beginning stages of talking with land owners. They have secured some leases and easements from property owners. Project could encompass land in Fort Gratiot, Clyde and Burtchville. Still in early planning to see if ordinances would allow. This was one of the motivations for the amendment as we shouldn't be permitting nonpermitted requests.

Wurmlinger asked if other townships are up-to-date on solar ordinances. Burtchville and Clyde have current but they are also updating.

Koob asked who is responsible for the structural integrity of a building with roof mounted equipment. The building owner or the installer? Buechler said he doesn't think the weight is that heavy. Wilton said the building inspector would be looking at that. Buechler said the solar water heater is more of a niche thing. It works ok, saves you some money but don't see most people using it. Wurmlinger asked if any of that would need to be addressed. Wilton said that would be part of the building permit they submit.

Wurmlinger asked if anyone had any additional changes to the ordinance amendment. Not at this time. This allows us to bring into residential and commercial. Allows information on screening. Based on the sample ordinance from MSU extension it seems like they have covered just about everything.

Motion by Oprita, supported by Wurmlinger, to recommend approval of proposed Ordinance No. 226, Solar.

Roll Call Vote, 6/0. Ayes: Buechler, Hilton, Koob, Muir, Oprita, Wurmlinger; Absent: Mills

Motion Carried. Proposed Ordinance No. 226, Solar, Recommended for Approval

8. OLD BUSINESS: None

9. NEW BUSINESS: None

10. COMMISSIONER UPDATES:

Baldwin and Reckker will be attending Planning Commission meetings.

11. ADJOURNMENT

Motion by Wurmlinger, supported by Oprita, to adjourn. Vote, 6/0. Motion Carried. Time, 7:45 P.M.