

**SHERMAN TOWNSHIP ZONING/PLANNING COMMISSION MEETING**  
**May 14, 2019**

Chairman Ford called the meeting to order at 7:00 PM.

Members Present: Alan Ford, Roger Krontz, Vince Mifsud, Bill Pueschel, Frank Kalasky (As a result of Mr. Thornton's resignation and Ms. Sahli's pending retirement in August, the Township Board at their April meeting decided to reduce the size of the Planning Commission to five members.) Ms. Sahli will attend the Planning Commission meetings as a non-voting member until her retirement.

Members Absent: None

Visitors: Jamey Rouch, Ben Rouch, Rod Borgert, Steve Wolf, Les James, James Eash, Matt Eash, Elena Meadows, Lee Adams, Allan Kasdorf, Antionette Hart, Jeff Brazo, Don Leeth, Raymond Miller, Kenneth Wojcik, Nancy Lawrence

Minutes: Motion by Pueschel, support by Mifsud, to approve the April 9, 2019 minutes as presented. Motion carried 5-0.

Agenda: Mr. Krontz requested an additional item under New Business regarding accessory building size in Medium Density Residential zoning areas. Revised agenda approved by consensus

Public Comment: There were no public comments

Old Business:

Chairman Ford continued the discussion on the proposed sport shooting range ordinance. Regarding questions from the April 9, 2019 meeting, Roxanne Seeber (Bauckham, Sparks, Thall, Seeber & Kaufman PC) in an email dated February 20, 2019, stated that ... "Requiring a proposed range owner to get a professional range designer would, in my opinion, be overly restrictive." Based upon the required acreage, access from certain highways, and restricting to the AG and RP zoning districts, the number of possible locations for commercial shooting ranges in the Township is strongly restricted and a defined limit in the ordinance would not be necessary. Secretary Kalasky conducted an informal study and located ten (10) to twelve (12) possible sites on Featherstone Road.

Jeff Brazo (representing the St. Joseph County Conservation & Sportsman Club, 23640 Featherstone Road) requested permission to address the Commission. He stated that the Conservation Club has been at the present location for over 80 years and how would the proposed ordinance effect their operation? Would the Conservation Club be "grandfathered" in? He specifically was concerned about the hours of operation limits in the proposed ordinance as the Conservation Club does at times conduct night shoots on the shotgun ranges. Chairman Ford stated that if adopted by the Township Board, the ordinance would apply to all parcels in the Township but as with many other previous cases involving new ordinances, existing parcels could continue to exist as nonconforming uses. A nonconforming use is a use that complied with zoning and development regulations at the time it was established but which, because of subsequent changes to the zoning and/or development regulations, no longer fully complies with

those regulations. Nonconforming uses are not illegal uses; they are generally allowed to continue as is, subject to local restrictions.

A motion was made by Ford, support by Pueschel, to remove the hours of operation provision in the proposed ordinance. Hours of operation for future shooting ranges would be addressed in the Special Land Use Permit or Planned Unit Development process. Motion passed 4-0 (Ayes, Ford, Krantz, Pueschel, Kalasky; Mifsud, Abstain).

Secretary Kalasky requested that a provision be added to the proposed ordinance to address adherence to environmental regulations. The Michigan Department of Environmental Quality publishes guidelines regarding best management practices at active shooting ranges. A motion was made by Kalasky, support by Mifsud, to add specific language to the proposed ordinance to require operators of shooting ranges to adhere to all applicable federal, state, and local environmental regulations. Motion passed 5-0.

A motion was made by Mifsud, support by Pueschel to forward a draft ordinance for “sport shooting ranges” to the County Planning Commission for their review regarding consistency with the County Land Use Plan. Motion passed 5-0.

Secretary Kalasky to forward a copy of the proposed ordinance and support documents to the County Planning Commission for review at their May 2019 meeting.

#### Master Plan Update:

Lee Adams, Southcentral Michigan Planning Council, distributed copies of the final draft of the revised Master Land Use Plan for Commission members to review. Comments will be discussed at the July PC meeting.

#### New Business:

Chairman Ford opened the public hearing on the rezoning of 62274 M-66 from Rural Preservation (RP) to Neighborhood Commercial (NC) at 7:46 PM. The property has been purchased under land contract by Matt and James Eash who intend to operate a retail variety store offering liquidated merchandise from big box stores. Antoinette Hart (64775 Prairie Lake Road) objected to the rezoning and the loss of rural preservation property. In her opinion the Planning Commission does not care about residents of the Township and is more concerned about businesses. She believes citizens are not treated properly and the average citizen has no respect for the Planning Commission. Mr. Krantz responded to Ms. Hart’s comments stating the topic for the revised agenda for the meeting this evening originated from a resident in the Township.

Chairman Ford asked if there were any other public comments and hearing none, closed the public hearing at 8:00 PM.

The discussion continued with the Planning Commission members. The Township Master Land Use Plan designates a corridor along M-66 for commercial zoning. Based upon the history of the property being used as an auto repair/sales facility, this rezoning would correct a long standing nonconforming use.

A motion was made by Pueschel, support by Mifsud to forward a draft ordinance for the rezoning of property 014-001-006-00 from Rural Preservation to Neighborhood Commercial to the County Planning Commission for their review regarding consistency with the County Land Use Plan. Motion passed 5-0.

Secretary Kalasky to forward a copy of the proposed ordinance and support documents to the County Planning Commission for review at their May 2019 meeting.

Chairman Ford opened a discussion regarding commercial solar installations in the Township and whether an ordinance for this type of project was needed. Proposed solar installations in nearby locations (Mendon, Burr Oak and Sturgis) indicated an ordinance for Sherman Township

would eventually be required. Supervisor Wolf stated that he and Chairman Ford were to attend a solar installation seminar presented by Southcentral Michigan Planning Council in the next few weeks.

A motion was made by Mifsud, support by Pueschel, to table the discussion on solar installation ordinances until receiving feedback from Mr. Wolf and Chairman Ford on their seminar experiences. Motion passed 5-0.

Mr. Krontz opened a discussion on the size of accessory buildings permitted on properties in Medium Density Residential (MDR) zoning areas. Currently ordinance 6.03 limits the size of an accessory building to fifty percent (50%) of the ground floor area of the residence. This is an obstacle to residents with larger lots who would like to erect a storage building. Mr. Adams, Southcentral Michigan Planning Council, stated that other municipalities control the size of buildings on a property based upon total percentage of coverage of the lot area (including the main residence and all accessory buildings). He will forward copies of possible ordinance language to the PC for the June meeting.

Adjourn: Motion by Pueschel, support by Krontz, to adjourn. Motion passed 5-0 at 8:35 PM.

Next scheduled meeting: Tuesday, June 11, 2019, 7:00 PM at the Township Hall.

Respectfully submitted,

Frank J. Kalasky, P.E.  
Secretary