

**VALLEY TOWNSHIP PLANNING COMMISSION MEETING MINUTES OF TUESDAY June 26, 2012**

**Call to Order:** The meeting was called to order at 7:03 pm by Chair Garofalo.

**Roll Call:**

Members present: Brandee Ellis, Harry Smith, Carol Browne, Fred Lewis, Tony Garofalo  
Zoning Administrator, Paul Shamblin

**The Pledge of Allegiance was recited.**

**Minutes:** Harry Smith made a motion to approve the minutes supported by Fred Lewis. The May 22, 2012 Planning Commission minutes were approved as read.

**Approval of Agenda:** Harry Smith made a motion supported by Fred Lewis to approve the Agenda of June 26, 2012. Agenda was approved.

**Old Business:**

**A. Ordinance on the Use of Solar Panels**

Attorney Lohrstorfer responded to the Solar Panels ordinance with several suggestions for revision. In response, the Planning Commission made the following changes:

1. First page reformatted to align with an amendment to the zoning ordinance. Clerk Ellis will assign a section number. Made "Definitions" new Section I.
2. Section III (new Section II Zoning Application and Installation) A4: changed planning commission to "township zoning administrator."
3. Section II: A6: changed "township" to "Planning Commission."
4. Section II A7: changed wording to "The Township may hire a consultant and/or expert necessary to assist the Township in reviewing and evaluating an application. The cost of the consultation will be the responsibility of the applicant."
5. Section II A9a: wording changed to read "be located in a side or rear yard only except in the case of lake front property where further review may be required."
6. Section II A9c: changed "zoning officer" to "township zoning administrator."
7. Section II B3: added "These modification must be approved by the Valley Township Zoning Board of Appeals."
8. Section II B6b: removed by motion from the Chair. Motion passed unanimously.
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9. Section II B6c (now B6b): Eliminated references to wireless towers and substituted solar panels.

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10. Section II B6d (now B6c): Eliminated reference to 125% cost to remove unused solar panels.

Motion to approve the revised Solar Panel Ordinance made by Harry Smith supported by Brandee Ellis.  
Motion passed.

A public hearing on the Solar Panel ordinance will be held on July 24, 2012 during the regularly scheduled Planning Commission meeting. Clerk Ellis will notify the newspaper of the announcement.

**B. Adult Entertainment Ordinance**

An earlier draft of an ordinance written by a previous Plan Commission was reviewed along with Allegan Township's ordinance. Secretary Browne was asked to write a new draft for discussion at the next meeting based on the earlier draft and incorporating recent amendments added by Allegan Township.

**New Business:**

A. Chair Garofalo reported the Legislature is requiring expedited special use approval for radar units being added to existing cell towers. More information is needed on this topic and how it affects the implementation of the township cell tower ordinance.

B. Chair Garofalo reported HB 9207 prohibits burning certain materials but does not prohibit burning leaves, brush and paper products. Our current open burning ordinance is consistent with HB 9207.

C. Fireworks are now legal to buy and sell in Michigan. The township may need to address this issue through our noise ordinance if it becomes a problem.

**Zoning Administrator Report**

A Lake Winds Energy Park has been established at Ludington. There will also be a wind tower erected in Lake Michigan half way between the shores of Michigan and Wisconsin.

**Open Discussion on Non-Agenda items**

"Fracking" is being used at Gull Lake in Barry County. Gas companies are attempting to buy mineral rights to land where fracking can then be used to mine natural gas. The consequences of Fracking are important to the township. An information meeting is being held.

MTA is having a meeting on Tuesday, August 7th at Battle Creek on Zoning Amendments (5 pm). Planning Commission members are encouraged to attend.

Question from Melodie Dobbins concerning a special Planning Commission meeting held on Thursday April 26th. She will be provided with minutes from the meeting.

**Adjournment**

Harry Smith made a motion to adjourn supported by Fred Lewis. Meeting adjourned at 8:53 pm.

Respectfully submitted,

Carol S. Browne, Secretary