

**PAW PAW TOWNSHIP  
PLANNING COMMISSION MINUTES**

**Regular Meeting – July 16th, 2024**

**1. CALL TO ORDER AND ROLL CALL**

Chairman Kerby called the Paw Paw Township Planning Commission meeting to order at 6:00 pm.

**PRESENT:** Chairman Kip Kerby, Phil Hover, Mark Root, Chuck Felcyn, Fran Sanders, Chad Learned

**ABSENT:** Phillip Arbanas

**ALSO PRESENT:** David Jirousek of Horizon Community Planning

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**3. APPROVAL OF THE AGENDA**

A motion was offered by Root to approve the agenda with the addition of a Board update from Sanders. The motion was supported by Felcyn.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0)
- Aye: Chairman Kerby, Root, Hover, Felcyn, Sanders, Learned
- Nay: none
- Abstain: none

**4. APPROVAL OF MINUTES**

A motion was offered by Learned to approve the minutes from the meeting held on June 18, 2024, as presented. The motion was supported by Root.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0)
- Aye: Chairman Kerby, Root, Hover, Felcyn, Sanders, Learned
- Nay: none
- Abstain: none

## 5. PUBLIC COMMENT ON NON-AGENDA ITEMS

- None

## 6. BUSINESS

### a. **Public Hearing and Consideration of Zoning Ordinance Amendments:** Freestanding and Wall Signs.

Jirousek generally explained the proposal to revise and clarify requirements for freestanding and wall signs, including, but not limited to, the maximum number, maximum height, maximum size, minimum setbacks, and illumination.

Chairman Kerby opened the public hearing at 6:07 PM. There were no public comments, and the hearing was closed at 6:07 PM.

A motion was offered by Learned to recommend approval of the proposed Zoning Ordinance text amendment as presented. The motion was supported by Sanders.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0)
- Aye: Chairman Kerby, Root, Hover, Felcyn, Sanders, Learned
- Nay: none
- Abstain: none

### b. **Master Plan:** Discussion.

The Planning Commission discussed the proposed master plan community survey. Learned expressed concerns with understanding and confirming the residency of participants. The group felt there should be a clear distinction between residents of the Township versus the village and nonresidents. Jirousek suggested that a Township map be included so that participants could state the specific area where they resided or if they lived outside of the Township. It was also suggested that the open-ended question concerning specific Township regulations or policies give examples such as minimum lot size, zoning of certain areas, etc.

There were general comments about the length of the survey and whether it should ask if certain improvements or projects would be supported if taxes were increased. It was determined that the survey should stay in the same general format as presented and that a broader question base was preferred over specifics for this stage of the project.

It was suggested that a final question be asked: "If there is one thing you want us to know about the Township, what would it be?"

Jirousek stated that he could create the survey in a form where the Planning Commission members and board members could take a sample survey to come up with additional comments or revisions.

There was much discussion about different ways to get the word out. The Planning Commission generally felt that the survey should be primarily completed online and that a link could be placed on a page on the Township's website. The goal was set for the survey to be live in August, and the Township would determine the best way to send out mailers and advertise its availability.

**c. Zoning Ordinance Amendments: Solar Regulations Discussion.**

Jirousek presented the draft solar ordinance, which included definitions of terms, accessory ground-mounted solar energy systems, building-mounted solar energy systems, and principal use solar energy systems. Hover provided several insights to improve the user-friendliness of the outline. Jirousek suggested applicability statements for each type of solar system. The Planning Commission felt that accessory ground-mounted accessory systems should be restricted to the rear yard and that no administrative flexibility should be built into the ordinance. The Planning Commission felt that if there was a practical difficulty, a variance could be issued for side or front yard placement.

The Planning Commission felt that setbacks should be between 100 and 120 feet from non-participating property lines and at least 150 feet from nearby dwellings on non-participating parcels.

Hover mentioned the fence requirement and it was determined that fences should be required but could be established at the discretion of the applicant.

A decibel level of 55 was also preferred for the maximum sound level at adjoining non-participating property lines. There was a great deal of discussion concerning the requirement of soil testing and whether a baseline test should be required. Ultimately, the Planning Commission felt that a baseline test should not be necessary, but the decommissioning plan should include soil testing and a soil restoration and cleanup requirement if there is any contamination upon decommissioning. Learned recommended Resource Conservation and Recovery Act (RCRA) Toxicity Characteristic Leaching Procedure (TCLP) and heavy metal testing.

Additional work is needed on the decommissioning provisions and it was stressed that the performance guarantee must adjust for inflation.

The Planning Commission determined that additional work would be carried out on this project at future meetings.

**7. ADDITIONAL PUBLIC COMMENT**

- None

**8. ADDITIONAL DISCUSSION**

Sanders mentioned that the Township Board was generally not receptive to adopting ordinances concerning tall grass and weeds. Learned felt that it would be important for the Planning Commission to pass along a recommendation on edits to the International Property Maintenance Code, as discussed at the June meeting. Jirousek referenced the International Property Maintenance Code document and the sample ordinance and mentioned that it could be calibrated locally. For instance, the tall grass and weed section could only apply to subdivision and site condo developments instead of Township-wide. The

Planning Commission was generally open to looking into a selective application of that section and felt that additional discussion was warranted.

## **9. ADJOURNMENT**

Felcyn made a motion to adjourn the meeting at 7:40 pm. The motion was supported by Learned.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0)
- Aye: Chairman Kerby, Root, Hover, Felcyn, Sanders, Learned
- Nay: none
- Abstain: none

Prepared by: David Jirousek, July 24, 2024

Approved: August 20, 2024