

Van Buren County Planning Commission
March 22, 2006
Human Services Building
801 Hazen St., Paw Paw
6:30 PM

Minutes

Call to Order: 6:30 pm

Members in attendance: Jeff Radtke, Celinda Gilmore, Pam Stermer, John Lauck, Scott Cedarquist, Kurt Doroh, Jerry Campbell, Connie Selles, Dan Gehl, Kelly Getman-Dissette

Attendance note: Gehl and Stermer left at 8:00 p.m., and did not vote on the Hartford Community Recreation Plan or the Green Infrastructure Resolution.

Absent: Jim Ray

Public present: None.

Agenda: Approved on a Campbell, Doroh motion.

Minutes of February 22, 2006 – Approved as amended on a Gehl, Lauck motion.

Public Comment: None

Reports:

County Commissioner – No report.

Southwestern Michigan Commission Representative – No report.

LPB – Radtke reported that the LPB received a PDR application, and there was another landowner at the last meeting who is considering applying. While LPB members were pleased, the board also realized that there is still much information to gather and there are many tasks to accomplish. Raising funds for appraisal and legal fees is still a concern.

Local Visits – Cedarquist attended a luncheon provided by the Berrien County Ag Service Club. Representative Proos was present and discussed House Bills 5711-5715, which are related to farming and the environment, including following pollution prevention standards of the Michigan Agriculture Environmental Assurance Program (MAEAP). Brief summaries of the legislation can be found at <http://www.michiganvotes.org/>.

Unfinished Business:

Bylaws/2006 Budget

The 2006 planning commission (PC) budget is \$4500, while the costs for members' per diems and mileage total \$561 per meeting. The \$4500 will not cover 12 meeting costs, and members still desire to be able to attend trainings using PC budget. Therefore, if there is limited business, meetings will be cancelled.

The possibility of rewriting the bylaws in order to accommodate members with long-term absences as a cost saving measure was again discussed. It was decided that bylaws would not be changed for this purpose. However, it was suggested that bylaws be amended to account for e-mail input from members who need to miss a meeting. Members must be present at the meeting in order to receive the per diem and mileage, but allowing their input on agenda items through e-mail would help to ensure more active participation from all members.

On March 27th, Selles and Getman-Dissette will be attending the MSU Land Policy Program “Planning for Prosperity” land use summit, as a part of a regional “prosperity team” that includes members from Cass, Van Buren, and Berrien Counties. Campbell moved (seconded by Lauck) that the registration fee of \$60 for Selles be paid from the PC budget. Motion approved unanimously.

February 22nd Meeting Minutes

The February 22nd meeting was summarized for Getman-Dissette, who had been absent, in order to complete the minutes and follow up with correspondence to the townships with agenda items.

On February 22nd, Ryan Servatius, planning commission chairman from South Haven Township, expressed intent to send additional information regarding the proposed PUD zoning amendments to Getman-Dissette. Getman-Dissette did not receive any additional information, and will contact the township.

The following comments were added to the record regarding the Village of Paw Paw Recreation Plan:

The CPC appreciated several things about the plan. It is based on the community’s master plan, it was developed using public input, and it discusses current land use and demographic information. In addition, the recreation inventory was easy to read, and there are reasonable goals, including a desire to cooperate with other communities and budget information.

New Business:

Antwerp Township Zoning Amendments

Motion by Cedarquist, support by Stermer, not to concur with the decision of the township planning commission to recommend the rezoning of Cervan and Morrison properties based on the following reasons. Motion approved.

Firstly, the CPC recognized that the township’s future land use map identifies the properties in question as medium-density residential. However, members raised several concerns (discussed below) regarding the rezoning of the “Morrison” and “Cervan B” properties on Red Arrow Highway (182.6 acres) from Agriculture/ Open Space (AG) to Single Family Residential (R-2).

1.) Need for Housing - Is there a demonstrated need for this much new housing? The CPC noted that the township planning commission felt that no additional R-2 land was needed in the township at this time (page 5, November 16, 2005 of the Wade Trim analysis), and no evidence to the contrary has been offered. Furthermore, the CPC wondered whether there were existing R-2 developments that could be filled to a greater capacity, rather than developing new ground.

2.) Land use conflicts – As also stated by the township planning commission (page 5, November 16, 2005 of the Wade Trim analysis), active farmland remains in the northern section of the township. Allowing medium-density residential development in this area could create problematic land use conflicts. Slow farm equipment on county roads is incompatible with other

motorists traveling at high speeds. This conflict only increases as farmland is further and further fragmented, and the results of an accident are devastating to both the farmer and the motorist.

Furthermore, many farm management practices, such as the use of pesticide sprays and manure, are ill suited for dense residential areas. Residents desire to be free from the spraying, odors, dust, and noise, yet farmers need to continue to operate their businesses.

3.) Infrastructure – Has the township determined how the schools, hospitals, roads, and other infrastructure will handle this much growth?

The traffic study, which was not conducted by a neutral third party, seems inconclusive. The study references congestion at peak hours and suggests routing traffic down CR 653 to avoid delays. However, advising that traffic utilize this route meets similar land use conflict concerns as described above.

Furthermore, the area is not pedestrian-friendly. Sidewalks and bike paths are minimal, despite the location of the high school, necessitating vehicular transportation. In addition, while the area may be among the first to be served by municipal water and sewer, the fact is that this infrastructure is not available now. Any residential development will require wells and septic systems, which are not the best solution for higher density developments.

4.) Lack of public support – As indicated by township meeting minutes, the public is not supportive of the rezoning. Several landowners indicated concerns with increased traffic, losing farmland, over-development of the land, and a saturation of housing. Further, several residents expressed that their recent requests for rezoning had been denied, yet their properties were closer to already developed land near the Village.

The lack of public support and the seeming inconsistencies in land use decisions are of particular concern to the CPC. If the township desires to preserve farmland and open space, as described in the township master plan, development should occur in a pattern that supports this claim.

Based on the above concerns, the CPC voted not to concur with the township planning commission's decision to rezone the "Cervan B" and "Morrison" properties from AG to R-2. Approving the rezoning requests at this time is not consistent with the County Comprehensive Plan, which supports the preservation of farmland and open space as well as the tenets of smart growth, as identified by the Michigan Land Use Council in their report, Michigan's Land, Michigan's Future.

Hartford Community Recreation Plan

Motion by Lauck, support by Doroh, to approve sending the following recommendations to the Hartford Community. Motion approved.

Overall, the CPC felt that the document was clear, succinct, well done, and was consistent with the Van Buren County Comprehensive Plan. The CPC appreciates that the current document was built upon a previous plan, and commends the Hartford area on its efforts to collaborate, utilize public input, and produce a community-wide plan. In light of this collaborative process, the CPC wondered if there might be ways to further consider the Hispanic and Potawatomi populations and celebrate their distinct cultures.

The CPC would also like to encourage the community to consider whether local zoning ordinances will follow the recommendations made in the plan, especially with regard to maintaining buffers and setbacks when building on or near the Paw Paw River. The CPC also noted that the newly constructed bridge over the Paw Paw River on the Van Buren Trail enhances this plan by allowing full access to the trail from Hartford to South Haven.

In conclusion, the CPC felt that the plan demonstrated the diversity of recreational opportunities available in the community, and one commissioner felt that the “Top 10” lists were an excellent addition.

Discussion of Members with Expiring Terms

PC terms for Lauck (Vice-Chair), Stermer, and Campbell are set to expire on April 1, 2006. Stermer and Campbell would like to be reappointed by the Board of Commissioners for another 2-year term. Lauck will not be able to serve for another two years, so the March meeting will be his last. He will be missed. A nominating committee will be selected at the next meeting in order to appoint a new Vice-Chair.

Green Infrastructure Planning Grant Resolution

Stermer and Gehl left the meeting at this time (8:00 p.m.).

On March 27th, Selles and Getman-Dissette will be attending the MSU Land Policy Program “Planning for Prosperity” land use summit, as a part of a regional “prosperity team” that includes members from Cass, Van Buren, and Berrien Counties. The team will not only attend the summit, but will also apply for grant funding in order to develop a regional green infrastructure plan. Organizers of the summit are offering grant funding, but an application will also be made to “Partnerships for Change.” This application requires several resolutions of support from local units of government. Marcy Colclough, Senior Planner with Southwestern Michigan Commission, has asked for County PC support.

Doroh moved (seconded by Lauck) that the county planning commission support the resolution below. It passed unanimously.

Roll Call:

Selles – Yes
Doroh – Yes
Gilmore – Yes
Campbell – Yes
Radtke – Yes
Lauck – Yes
Cedarquist – Yes

**Resolution of Support for
Growing Greener in Southwestern Michigan**

WHEREAS, the Southwestern Michigan Commission is applying for a Partnerships for Change grant to develop a Green Infrastructure Program in Berrien, Cass and Van Buren Counties. The Green Infrastructure Program meets the Partnership for Change mission to foster intergovernmental cooperation in the development and adoption of multi-jurisdictional plans and policies that help to preserve and protect valuable cultural and natural resources and help to encourage urban redevelopment and discourage urban sprawl.

WHEREAS, the Southwestern Michigan Commission will lead the planning effort with participation from local units of government. The Southwestern Michigan Commission will provide in-kind assistance with administrative duties and will contribute the required matching funds for the Partnership for Change grant. The local units and counties participating in the Green Infrastructure Program will ensure that their trails, parks and other assets are included in the mapping and planning effort. Local units of government will then reap the benefits of their local projects being part of a regional, connected effort, which will lead to coordination of resources.

WHEREAS, SWMC will maintain the Green Infrastructure plan, map, and web-based tools which will apply directly to current and future efforts in our region including, but not limited to:

1. Compliance with new federal law (SAFETEA-LU), which requires environmentally sensitive areas to be addressed in transportation plans for Benton Harbor/St. Joseph and Niles/Buchanan.
2. Local, regional and statewide (MI Trails and Greenways Alliance) trail planning, which will coordinate with MDOT's road improvement plans.
3. County and SWMC review of plans (master, zoning, parks & recreation)
4. Watershed planning and implementation in the Rocky, Paw Paw, Black, St. Joseph, Galien, & Dowagiac River Watersheds.
5. Heritage route and tourism planning for US 12 and Red Arrow Highway.
6. SWMC's Comprehensive Economic Development Plan for the EDA.
7. County Conservation Districts' Resource Inventory Plans (required by the State).
8. County Hazard Mitigation Plans (required by FEMA).

WHEREAS, the Southwestern Michigan Commission will develop a plan and program that reflects the needs of the community, the local units of government and counties within the region. However, strategies may need to be implemented at the local level or with cooperation from the local units. To achieve these objectives, local input is an essential element of the planning process.

NOW THEREFORE, BE IT RESOLVED that the Van Buren County Planning Commission will support the Southwestern Michigan Commission's proposal to Partnerships for Change. The Van Buren County Planning Commission will participate in the process by doing the following:

- Work with other municipalities/counties in the region in good faith, striving to reach agreements on a Green Infrastructure Program.
- Share information with the Southwestern Michigan Commission and LIAA such as location of parks and trails (in digital format if available).
- Provide meaningful participation in the Charette workshop.

Adopted:

Date _____

Signed _____

Next Meeting: The next meeting will be on April 26th at 6:30 in the same location.

Adjourned at 8:20 p.m.

Submitted by Kelly Getman-Dissette.