

Banks Township Planning Commission

Regular Meeting Minutes

May 14, 2024

Banks Township Hall – 6:00 p.m.

1. Call to Order: Meeting was called to order by R. Diebold at 6:00 p.m.
2. Present – R. Diebold, J. Waterman, P. Howes, A. Hoeksema Absent (excused) F.Hersha  
Recognition of guests and visitors – Ken Lane, Beckett & Raeder, Kurtis Busman, Zoning Administrator, Irene Shooks, temp rec/sec, Don Miles, Nancy Hoffmann.
3. Approval of minutes: MMS by J. Waterman, P. Howes to approve minutes. MC
4. Announcements/Correspondence: None
5. Public Comment:
  - a. Don Miles Is looking into a cabin on Brandt Rd, wondering about a reverse ADU.
6. Reports:
  - a. Zoning Board of Appeals: no meeting
  - b. Zoning Administrator, Kurtis Busman
    - i. A few zoning permits issued, some land division requests, looking at the need for some language change in AG Zone. Ken & Kurtis will propose revisions.
  - c. Township Board Representative Julie Waterman-reviewed the Board minutes.
  - d. Planning Consultant: Ken Lane
    - i. Commented on the final version of the survey, hopefully to be sent out the end of June. Different scenarios of distribution, addition of QR code on cards, etc.
7. Unfinished Business
  - a. Master Plan 5 yr Revision update
  - b. Proposed ordinance re Transitory Extraction Planned Unit Development & Soil Removal - the commission reviewed, posed questions, and discussed the proposed zoning ordinance and proposed police power ordinance. Summary of highlights discussed re the proposed zoning ordinance included: the findings section of the moratorium ordinance provides the rationale for reviewing and revising the current ordinance so that it complies with the Zoning Enabling Act (ZEA); the proposed ordinance to resolve conflicts within the ZEA to make the current ordinance compliant; shifts from extraction as a use by special approval to extraction as a transitory use in designated planned unit developments (PUD); clarifies relevant issues of the ZEA including that a township cannot deny an application for extraction unless very serious consequences are likely to occur, and that applicant bears burden of proof to establish no very serious consequences will occur; outlines application requirements addressing very serious consequences; changes planning commission as reviewer and decision maker on applications, and designates township board as decision maker after review and recommendation by PC; establishes 2 step process for PUD designation which qualifies owner eligible to

apply for renewable, biennial permit extraction under soil removal police power ordinance. Permit to be considered for approval by township after application including operating plan, and agreement, and remediation plan submitted and reviewed.

- c. Proposed moratorium ordinance - the commission confirmed its April discussion to continue fulfilling timeline and notice requirements for extension of the current extraction review moratorium as a contingency if needed that could be adopted or rejected prior to the moratorium's expiration
8. Public Comment:
- a. Don Miles. A previous discussion on property divisions occurred by previous Planning Commission members, and the number of splits remains, but the size of the splits was defined.
9. Next Regular Meeting: Tuesday, June 11, 2024
10. Adjournment: MMS by J. Waterman, P. Howes to adjourn at 7p.m . MC