

**Keeler Township
Planning Commission
February 28, 2017**

Members Present: Bill Krohne, Craig McCoy, Ron Jacobs, Dave Rawson, Carmen Fleischauer, Roberta Nichols, Jonathon Lucker

Guests Present: Allyn Anthony, Bill Kays, Carl Davis, Ed McKernin, Catherine Kaufman, Township Attorney, James DeJong, Rudolf DeJong.

Meeting called to order at 7:30 p.m. Chairman Ron Jacobs noted a quorum of 7 out of 9 members were present. The chair stated that Don Blackmond and Bill Bloom were out of state at the time of the meeting and excused.

The meeting minutes for January 24, 2017 were read and Jonathan Lucker moved to approve the minutes as corrected with the removal of the word “and” in a paragraph. Dave Rawson. seconded and all were in favor and the motion carried.

Chairman Ron Jacobs stated there were 2 items before the commission.

1st Order of Business: Special Use Permit and Site Plan Review for Mayflower Dairy. **Property Owner:** Mayflower Dairy LLC. **Applicants Name:** Rudolf DeJong. **Property Address:** 69444 County Road 687, Hartford, MI 49057. **Tax Identification #** 80-12-003-009-00. James DeJong from CJD Farm Consulting was present to represent Mayflower Dairy Farm. Mr. DeJong stated that he was present before the board due to it being a requirement of the township but that he felt that they were covered under the Right to Farm Act. Chairman Ron Jacobs stated that he was aware of the Right to Farm Act and said that he felt that act governs and preempts the townships action relative to regulating agricultural operations. Chairman Ron Jacobs ruled that the Planning Commission has no jurisdiction to require a Special Use Permit due to it being governed by the Right To Farm Act. Ron Jacobs then asked if there were any objections or questions, none were heard. Catherine Kaufman, Keeler Township Attorney, stated that Mr. Jacobs was correct in his assumption and that it falls under the Right To Farm Act. The dairy farm will have to fulfill all required permits and approval from the Michigan Department of Agriculture and then the MDA will send Keeler Township notification of permit approval. Allyn Anthony asked Mr. DeJong to give a Site Plan overview of the dairy farm. Mr. DeJong stated that they have filed with the state for the sight approval process and all other required permits. They hope to be milking cows by November. They may employ 12 more employees but, they generally will share workers with their other dairy farm down the road. Most of the milking operation is automated. The waste water pond is required to hold 6 months of waste and they are building theirs to hold 9 months as an extra safeguard. Ron Jacobs moved that the Site Plan be approved subject to the granting of necessary state approvals. Craig McCoy seconded and a roll call vote was taken. Jon Lucker-Support, Ron Jacobs-Support, Craig McCoy-Support, Carmen Fleischauer-Support, Dave Rawson-Support, Bill Krohne-Support, Roberta Nichols-Support. 7-Support and all were in favor and the motion carried.

2nd Order of Business: Chairman Ron Jacobs opened the public hearing on a proposed text amendment to the Township Zoning Ordinance 18.08, dealing with penalties. Attorney Catherine Kaufman stated that it is much easier to obtain compliance with a civil infraction as opposed to a misdemeanor. A civil infraction has a much lower burden of proof. Chairman Ron Jacobs asked if there were any other public comments. Upon hearing none, Mr. Jacobs closed the public hearing portion to entertain a motion. Carmen Fleischauer moved that the Keeler Township Planning Commission recommends to the Keeler Township Board and the County Planning Commission to amend the language in the zoning ordinance 18.08. Dave Rawson seconded and a roll call vote was taken. Jon Lucker-Support, Ron Jacobs-Support, Craig McCoy-Support, Carmen Fleischauer-Support, Dave Rawson-Support, Bill Krohne-Support, Roberta Nichols-Support. 7-Support and all were in favor and the motion carried.

Chairman Ron Jacobs asked if there were any other items before the commission or if there were any public comments before the commission. Upon hearing none the commission entertained a motion by Bill Krohne to adjourn the meeting. Roberta Nichols seconded and all were in favor and the meeting was adjourned at 9:03 p.m.

Respectfully Submitted,

Angie Sexton
Recording Secretary