

Planning Commission
Preliminary Meeting Notes

February 1st, 2017

Meeting called to order by Tarkowski at 7:00 pm

Roll Call: Tarkowski, Mason, Pachulski, Pike, Hodges, Ostrander, and Johnson

Approval of Agenda: Mason made a motion to approve agenda, with a second from Johnson. Passed 7-0

Approval of Minutes: Mason made a motion to approve the January 4th 2017 Preliminary meeting minutes, with a second from Johnson. Passed 7-0

Public Comment:

None

Zoning Administrators Report:

Marc stated that a zoning compliance permit was issued for 6848 Whites Bridge Rd for a single family dwelling construction.

A complaint was issued as a result of a 2016 investigation by the DEQ for 4944 Flat River Trail. The owner was found in violation of wetlands and has been given a Wetlands recovery plan from the DEQ.

Marc stated the complaint tracking software from Addorio Technologies has been implemented. Highlights include ability to scan documents and retain them in an orderly electronic file system.

The Parcel filing system is currently being updated in order to more efficiently make individual searches of parcels for Special Land Use, Variances, Home Occupations, Home Based Businesses, and Zoning Compliance Permits.

Board Committee Report:

Johnson gave the commission the TWP board report. Johnson stated Laura Staats has left a list recycling items to hand out to people coming for a land fill voucher to help promote it.

Paul Spitzley, the highway county engineer, attended the board meeting and gave the board a report on roads and bridges in the TWP that are in need of maintenance and repair. He notified the board of speed limit changes. Whites Bridge will increase to 45 and Button to 35 later this spring.

The board agreed will have our joint workshop meeting on March 8th at 7:00 pm.

The board passed a motion to bring back the newsletter. The newsletter will be mailed out twice a year.

There was discussion with the board and the public regarding the TWP hall addition. Daller moved that Sower provide a floor plan layout of voting set up in the addition at next months' meeting to prove or disprove if the room will be adequate.

ZBA Report:

Mason stated they approved minutes and elected officers. They approved Kerkstra Portable Toilets at the old Clark Tire location and Adams Acres. They also scheduled meetings.

Public Hearings:

1. 10368 Ellis Rd – Special Land Use Request

This is in regard to Preston Ostrander needing a request to build a home in an Agricultural zone and needing a variance to build behind an already existing pole barn.

Preston Ostrander presented the commission with his site plan. There was some discussion regarding his setbacks. The health department determines the setbacks and was agreed his drawing meets the requirements. The perk test was approved. He stated distance from his house to pond would be 85 feet. There was some concern regarding the driveway going over the septic system.

Pachulski made a motion, second by Johnson, to approve special land use request with the condition that Preston work with Marc to create a more accurate site plan and has to be approved by the ZBA. Passed 7-0

2. 9100 Ellis Rd – Rezoning Request

This is in regard to request this 40 acre parcel currently zoned Residential be re zoned to commercial.

Gary Zarkowski, the potential buyer began the hearing by explaining his plan to build store lock buildings at this location and he stated he will not need all 40 acres but the seller wants to sell all of it.

There was a lot of public comment on this matter. Most of the residents living around the 40 acres do not want to see the land re zoned commercial.

Mark Linebaugh – State this property has up to 7 splits and believes re zoning it will depreciate his property value.

Jeff Barger – Stated there are a lot of other vacant buildings in the area to use instead of building there.

Jason Finely – Just south of the 40 acres recently bought to build a 100% Solar panel home is not happy about the increased traffic.

Gary Zarkowski – stated is willing to build on only south end of 40 acres if he can fit his buildings there. There was discussion that most of south end next to Save a Lot is wet land and not buildable.

Lori Cummings – Lives on west side of 91 and doesn't agree with commercial in middle of residential zone.

Stephanie Barger – Was concerned taxes would rise.

Our TWP Planner- stated the property listed as commercial is in line with the TWP 5 year plan. He made recommendation to rezone less.

Marc – Stated it is possible after re zoned it could be annexed to the city.

Mason made a motion, second by Tarkowski to table a decision for a month, until Gary can look into possibility of building on the south end and dividing the 40 acres residential and commercial. Passed 7-0

New Business:

Marc stated the TWP was in the process of accepting applications for the Zoning Administrator position and he would stay through the end of February.

Annual Review of Lehman Farms Trucking Level II:

Marc stated that in the last year there were only two complaints.

1st – Complaint on parking trucks - Was addressed and problem solved.

2nd- Complaint of travel direction of Andy leaving home at a certain time of day. Marc stated as per agreement there was no way to enforce this and he told both parties this would be the case when agreement was typed up.

Tom Daller was present at meeting. He stated the language in the original agreement was not correct and argued that if it was in writing it should be enforced. He also disputed Marc told him the travel of traffic times in agreement was not enforceable.

The commission agreed the verbiage in the agreement was not correct.

Pachulski made a motion, with a second from Mason, to take out line number 4 in the original agreement and renew with modification of the direction of travel to state:

Direction of Travel – Between the hours of 5:00 am to 8:00 am and 6:00 pm to 11:00 pm, Lehman Farm Trucking must use travel route from 8226 Jacoby to Miriam when leaving and Miriam to Jacoby when returning, during those specified hours only. Passed 7-0

Unfinished Business:

Approved meeting of March 8th at 7:00 for joint workshop

Proposed Mtg Agenda for March 1st 2017

1. Special Land Use Request Zahm rd address
2. Rezoning of 40 Acres

Motion to Adjourn: A first by Mason and a second by Pachulski. Passed 7-0 at 8:51.

Respectfully Submitted by, Cara Johnson