

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
JULY 16, 2013
MINUTES

**UNAPPROVED
MINUTES**

CALL TO ORDER -

Since Planning Commission Chairperson Larabel was absent for illness, Dykstra moved and Tacoma seconded the motion that Christine Webster be appointed temporary chairperson for this meeting.

MOTION CARRIED – UNANIMOUSLY.

Call to order was made by Webster at 7:00pm.

ROLL CALL -

Dykstra, Keppel, Webster, Woltjer, and Tacoma were present.

Larabel and DeHaan were absent.

Kirk Sharphorn, Jr., Zoning Administrator, was present by invitation from Planner Ransford.

INVOCATION -

Jim Keppel gave the invocation.

APPROVAL OF MINUTES FROM JUNE 18, 2013 REGULAR MEETING -

Keppel observed that line 2 of page 2 of the June 18, 2013 minutes should have read Jackson Street instead of 8th Avenue.

Tacoma moved and Dykstra seconded the motion that the minutes from the June 18, 2013 meeting be approved with the proposed change.

MOTION CARRIED – UNANIMOUSLY.

APPROVAL OF AGENDA -

Dykstra moved and Keppel seconded the motion that the Agenda for the July 16, 2013 meeting be approved.

MOTION CARRIED - UNANIMOUSLY.

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

None

NEW BUSINESS -

*Public Hearing regarding text amendment of Section 3.5A – the keeping of animals and poultry.

Dykstra moved and Keppel seconded the motion that the Public Hearing be opened.

MOTION CARRIED – UNANIMOUSLY.

Tina Hules of 2325 Riley Court was present and was invited to speak. Mrs. Hules requested clarification of the existing ordinance as well as the proposed change.

Ransford explained in detail the reason for the need to re-word Section 3.5 of the Zoning Text Ordinance, and reviewed the old wording as well as the proposed changes.

Mrs. Hules commented that her family owns $\frac{3}{4}$ acre, has 5 chickens, and desires to retain them.

She believes their property is zoned R 1. They have asked the neighbors if the chickens are a source of any trouble. The neighbors had no concerns at all.

Kirk Sharphorn, Jr., Zoning Administrator, stated that Riley Court differed as to zoning , depending on if they lived on the north or south side of the street. He commented that it was possible that owning chickens there was against the ordinance.

Webster expressed a desire to know approximately how many citizens of Jamestown Township any changes to Section 3.5 would affect.

Sharphorn stated that urban farming is becoming very big and will continue to grow.

Webster stated her opinion that the Planning Commission should have more information and should take the time to look into all factors more thoroughly.

Ransford remarked that the city of Grand Rapids had strict zoning rules for poultry because of concerns regarding chickens/poultry bringing predators (in particular – coyotes), as well as disease. He agreed with the need to look at this carefully.

Keppel reiterated the need to know how many land owners this would affect.

Ransford stated that Tallmadge and Olive Townships are very accommodating in regards to the keeping of animals.

Sharphorn commented that he was familiar with a wide range of township rulings and gave examples. He also explained that his office had received 10 calls just this past spring, regarding Section 3.5 of the Zoning Ordinance, all in favor of keeping chickens/poultry.

Dykstra stated that 90% of what happens in Jamestown Township is complaint-driven.

Webster asked if the commission needed more data, wondered if it was truly a problem, and stated that they did not want to be enforcing an ordinance that was not meeting the township's needs.

Tacoma suggested changing the wording from “poultry” to “hens”, so as to differentiate from roosters, that could potentially be a serious problem for neighbors. He then asked Tina Hules for any further comments.

Mrs. Hules brought up the Right to Farm Act and said she had been researching this.

Ransford stated that this Act did not allow for violation of zoning ordinances.

Mrs. Hules then asked the Commission what the effect would be of any changes in the ordinance for those land owners who already had chickens.

Webster suggested that this would be one more concern that the Planning Commission would need to consider.

Dykstra asked if re-wording the proposed amendment was something to look at.

Sharphorn suggested that properties of 15 – 20 acres in districts zoned R-1 be looked at as special cases.

Ransford advised the commission that another Public Hearing may be necessary.

Consensus of commission members was that another Public Hearing was necessary in order to address this concern properly.

Tacoma pointed out another potential problem for neighbors of those who owned chickens – the great increase of flies.

Webster reiterated the need for more distinct language in the ordinance.

Sharphorn suggested the possibility of enforcing the ordinance by complaint only. His thought was that most likely there are many land owners who have not met the requirements, but have not given their neighbors any concerns.

Ransford offered to bring examples of ordinance wording from other townships similar to Jamestown, so that the Planning Commission members could consider all angles.

Webster moved and Tacoma seconded the motion that the Public Hearing be closed at this time.

MOTION CARRIED – UNANIMOUSLY.

PLANNING COMMISSION MEMBERS FURTHER DISCUSSION -

Woltjer stated that as a general rule he did not like special use permits. However, he wondered if that might be one way to deal with this issue.

Tacoma suggested that then a special permit would be necessary in order to have chickens.

Woltjer commented that if a land owner knowingly broke the ordinance it would have to be enforced.

Dykstra gave his opinion that a special use permit can be unwieldy and awkward.

Webster stated her opinion that another Public Hearing was necessary.

Ransford suggested that adopting the Zoning Text Amendment that he submitted would fix the "broken language" on the books.

Dykstra requested zoning text models from other townships similar to Jamestown, such as Tallmadge and Robinson, but not Grand Haven.

Tacoma stated that he would still like to see the wording changed from "poultry" to "hens" and Dykstra agreed.

Webster suggested adopting the proposed wording, just for now.

Ransford advised that the commissioners be assured of no conflicts in the wording of the proposed amendment.

Tacoma addressed Mrs. Hules and asked her how she felt about no ruling being made at this time. She responded, "Not good".

Consensus of Commission members – pass it as is, with the understanding of the future necessity to dig deeper and get a better grasp of the community's needs.

Dykstra asked why the B/I Zoning District is included with the AR Zoning District in letter "A" of Section 3.5.

Sharphorn mentioned that 30,000 square feet or 2/3 of an acre is zoned R1.

Woltjer brought up letter "C" in the proposed language and asked about the words "Building or Structure" meaning fencing.

Sharphorn stated that this wording did not refer to fencing.

Webster saw this as a potential problem.

Members discussed codes and permits for "Buildings or Structures".

Sharphorn pointed out that in some communities, land owners keep chickens in their garages, letting them out during the day into fenced yards.

Tacoma made a motion and Dykstra seconded that the Planning Commission approve the proposed new wording of letter "A" in Section 3.5 of the zoning ordinance.

MOTION CARRIED – 4 IN FAVOR AND 1 OPPOSED.

Woltjer explained that he voted against the motion because he felt they were trading one set of problems for another.

Ransford made the observation that the Commission would want more information and possible solutions.

DISCUSSION ITEM – Land Division Lot Depth to Width Ratio

Webster stated that after reading Ransford's memorandum regarding the Land Division Act, she agreed no action was necessary.

Ransford briefly summarized the memorandum.

Webster commented that "we're good".

OLD BUSINESS -

None

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

CORRESPONDENCE

None

PLANNING COMMISSION MEMBER COMMENT

Keppel observed that DC Storage had built 2 new buildings and wondered when they had been approved.

Webster stated the approval had taken place last year.

Sharphorn elaborated that final PD approval was granted and that there had been some problems with trees having been cut down but that this was being taken care of.

Tacoma said that he had had a land owner comment to him with concern regarding private internments being only 10' off a lot line.

Dykstra expressed his opinion that this last year on the Planning Commission, many strange things had come up.

Webster stated that this happens as a township grows.

ADJOURNMENT

Woltjer moved and Dykstra seconded the motion that the meeting adjourn.

MOTION CARRIED – UNANIMOUSLY.

Meeting adjourned at 8:02 pm.

Minutes submitted by:

Sandra Van Antwerp