

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
OCTOBER 15, 2013

7:00 PM

**UNAPPROVED
MINUTES**

CALL TO ORDER -

Chairperson Larabel called the meeting to order at 7:00 pm.

ROLL CALL -

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

Webster was absent with notice.

It was noted that Kyle De Haan had resigned.

INVOCATION -

Larabel gave the invocation.

APPROVAL OF THE SEPTEMBER 17, 2013 MINUTES -

Dykstra moved and Keppel supported that the September 17, 2013 minutes be approved.

MOTION CARRIED – UNANIMOUSLY.

APPROVAL OF THE OCTOBER 15, 2013 AGENDA -

Keppel moved and Tacoma supported that the October 15, 2013 agenda be approved.

MOTION CARRIED - UNANIMOUSLY.

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

Ron Koroleski, of 2967 8th Avenue, pointed out the vacancy on the Planning Commission, caused by the resignation of Kyle De Haan. He went on to state that he would like to present himself as a candidate for this vacancy. Mr. Koroleski commented that he would love to have the opportunity to serve his community with the present Commissioners. Ron mentioned that he would count it such a privilege, he would be glad to serve without pay.

Larabel acknowledged Mr. Koroleski's desire by stating appreciation for his interest and informing him that this was something that the Commissioners were planning to address later in this meeting.

NEW BUSINESS -

Larabel asked Planner Ransford to review the first item of new business – Jay Mayer, of 2040 Riley Street, and his Application for Special Use to operate a firearms sales and gunsmithing business, as a home occupation.

Ransford briefly summed up the applicant as being in compliance with Section 3.4 – Home Occupations of the Jamestown Charter Township Zoning Ordinance, stating that the application had been reviewed and found complete.

Chairperson Ransford requested a motion to open the Public Meeting.

Tacoma moved and Dykstra supported that a Public Meeting be opened.

MOTION CARRIED – UNANIMOUSLY.

Jay T. Mayer started the Public Meeting by explaining that he had operated a firearms sales and gunsmithing business from his home in Forest Grove during the past three years and had moved to 2040 Riley Street this past summer. He pointed out that his customers are always scheduled one at a time and there had never been a parking problem in Forest Grove, even though it is a smaller community.

Commissioner Keppel asked for more details pertaining to Mr. Mayer's business.

Mr. Mayer explained that most gun sales in the United States today take place over the internet. However, he stated his business is very small, relying mostly on word-of-mouth, with only 10% of his work being gunsmithing.

Commissioner Dykstra requested information on the display of guns in the home that would be used for this business.

Mr. Mayer replied that he had no inventory and did not display guns. He further informed the Commissioners that the largest number of guns he had ever had at his home business in the past was four at a time. He also pointed out that he never dealt in high volume and did not deal in the retail of ammunition.

Jeff King, of 1440 Riley Street, located across the street from Mr. Mayer's home, expressed emphatic support for Mr. Mayer, stating, as his opinion, that guns had historically brought our nation peace and prosperity.

Bonnie Tolar, of 3136 Stonewood Lane, explained that there are a lot of elderly people living very close to this proposed business, and that most of their neighbors are not thrilled with the idea of a firearms and gunsmithing business operating in their neighborhood.

Richard Tolar, of 3136 Stonewood Lane, expressed neighborhood concern regarding children getting a gun and someone being hurt or even killed. He explained that he and his wife, Bonnie, lived behind the Mayer home.

Ron Koroleski asked everyone to consider Chicago, and the strict gun laws there, and it being one of the worst cities in the U.S. for gun-related crimes. He stated that he applauded Mr. Mayer's desire for a small business, and, it was his opinion that small business represents today's world.

Richard Tolar explained that he, personally, has no problem with guns. And that, in fact, both he and his son owned a gun. He stated emphatically, however, that he does not want them being sold in his own "backyard".

Aaron Compagner, of 2105 Riley Street, wanted to stand with what, in his opinion, this country was built on, and stated that he, too, applauded small businesses and their owners.

Chairperson Larabel asked for further comments. There were none.

Tacoma moved and Dykstra supported that the Public Hearing be closed.

MOTION CARRIED – UNANIMOUSLY.

Commissioner Tacoma stated that he understood some neighbors were very concerned about this new home business and asked Jay Mayer to reiterate the situation regarding the sale of ammunition.

Mr. Mayer explained that he had stopped selling ammunition.

Tacoma then requested information pertaining to security measures.

Mr. Mayer stated that he had always complied with Federal Standards for his business which required locked storage.

Commissioner Dykstra asked for further information regarding the Federal Standards for a business of the type.

Mr. Mayer explained briefly the application, inspection, and licensing process.

Commissioner Dykstra assumed that Planning Commission approval was necessary before the ATF would approve and issue a license for Mr. Mayer's business.

Jay Mayer verified that the Planning Commission approval of the Special Use Application was a necessary step before licensing.

Chairperson Larabel asked about the frequency of inspections and what, specifically, was inspected.

Mr. Mayer replied that he believed there is no set schedule for inspections. In his business in Forest Grove, he had had one inspection in three years, and that the locked storage was what was inspected. He also stated that his hours for business were 6:00 to 9:00 pm.

Chairperson Larabel asked if Mr. Mayer had ever had a break-in.

Jay Mayer replied that he had never had a break-in and that prevention of burglary was one reason he relied so heavily on word-of-mouth for his advertising.

Larabel then requested a rough average of weekly customers.

Mr. Mayer explained that he may have three customers one day, and then none the next day.

Commissioner Dykstra asked if Mr. Mayer could estimate that there were less than twenty customers a week.

Jay Mayer replied in the affirmative.

Chairperson Larabel asked for further concerns or questions. There were none.

Tacoma moved and Keppel supported that the Planning Commission approve the Application for Special Use by Mr. Jay T. Mayer.

MOTION CARRIED – UNANIMOUSLY.

TEXT AMENDMENT -

Dykstra moved and Keppel supported that a Public Hearing be opened to consider proposed Text Amendments for Sections 10.2P, 11.2L, and 13.2A7, regarding Permitted Uses, in the Jamestown Charter Township's Zoning Ordinance.

MOTION CARRIED - UNANIMOUSLY.

Chairperson Larabel asked for questions.

There were none.

Tacoma moved and Keppel supported that the Public Hearing be closed.

MOTION CARRIED – UNANIMOUSLY.

As the memorandum regarding the proposed Text Amendments had been carefully studied by the Commissioners and there were no questions or concerns, it was the consensus of the Commissioners that the proposed changes be adopted.

Keppel moved and Tacoma supported that it was the recommendation of the Planning Commission to approve the proposed changes for Sections 10.2P, 11.2L, and 13.2A7 to the Zoning Ordinance, in order to remedy several incorrect language references.

MOTION CARRIED – UNANIMOUSLY.

ORDINANCE AMENDMENT TO SUBDIVISION ORDINANCE -

Larabel asked Ransford to verify that this amendment had gone first to the Township Board, was coming to the Planning Commission for review, and then went back to the Board for final approval.

Ransford replied that this was true.

Larabel stated that his main concern occupied Section 1.6 – Extension of Time. He felt that the word “waiver” in the second sentence of this section may be a poor choice, and thought that a better word may be “request”. He also expressed the concern that the last sentence in this section could use further work in order to be better understood, as well. He then asked Ransford if this was the Township Lawyer's choice of language.

Ransford said that it was, indeed, the lawyer's choice of language, and that the Planning Commission could make a recommendation to the Township Board to clarify the two sentences being considered.

Tacoma stated that it could be difficult for even an English Major to diagram the last sentence of

Section 1.6, and that he fully agreed that this sentence was confusing and needed clarification.

Woltjer pointed out that changing the word “waiver” in the second sentence of Section 1.6 to “request” may not result in the meaning being looked for.

After studying Section 1.6 further, Larabel retracted his desire to change the word “waiver” to “request”, but still believed the final sentence of Section 1.6 to be in need of re-wording and clarification.

This was the consensus of the other Commissioners and no one had further comments.

Dykstra moved and Keppel supported that the Ordinance to Amend the Jamestown Township Subdivision Ordinance be sent to the Jamestown Charter Township Board for approval, with the recommendation that the last sentence of Section 1.6 – Extension of Time – be further clarified.

MOTION CARRIED – UNANIMOUSLY.

OLD BUSINESS -

32nd Avenue/M-6 Corridor Overlay Zoning District

Larabel asked Ransford for a review of proposed revisions.

Ransford briefly pointed out proposed additions and deletions.

Larabel stated that he had spent time reviewing these revisions, liked them, and had no further comment.

Dykstra asked if there would be a Public Hearing before approval of the revisions.

Ransford affirmed that there would.

Dykstra moved and Woltjer supported to bring the 32nd Avenue/M-6 Overlay Zoning District revisions, as proposed, to a Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

None.

CORRESPONDENCE -

Larabel commented that with Kyle De Haan's recent resignation, the process for his replacement needed to be started.

Ransford stated that the legal process called for the Supervisor, Ken Bergwerff, to appoint someone and then this name would go to the Planning Commission for approval. If the Planning Commission did not approve, the Supervisor would appoint someone else for the Planning Commission's approval, until they did approve.

Larabel pointed out that the Commissioners were waiting on the Township Supervisor, Ken Bergwerff, for an appointment.

PLANNING COMMISSION MEMBER COMMENT -

None.

ADJOURNMENT -

Woltjer moved and Tacoma supported that the meeting be adjourned.

MOTION CARRIED - UNANIMOUSLY.

Meeting adjourned at 7:40 pm.

Minutes submitted by -

Sandy VanAntwerp