

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING MINUTES
JANUARY 20, 2014
7:00 PM

**UNAPPROVED
MINUTES**

CALL TO ORDER-

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

ROLL CALL -

Commissioners Dykstra, Keppel, Webster, Woltjer, Smith, and Tacoma were present, as well as Planner Ransford.

INVOCATION -

Commissioner Keppel gave the invocation.

APPROVAL OF THE DECEMBER 16, 2014 REGULAR MEETING MINUTES -

The motion was made by Commissioner Dykstra and supported by Commissioner Smith to approve the December 16, 2014 Regular Meeting Minutes, with the addition that the Master Plan was voted on and approved "by resolution".

MOTION CARRIED - UNANIMOUSLY.

APPROVAL OF THE AGENDA -

Commissioner Dykstra made the motion, supported by Commissioner Woltjer, to approve the January 20, 2014 Meeting Agenda.

MOTION CARRIED - UNANIMOUSLY.

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

Ron Koroleski, of 2967 8th Avenue, stated that he would like to put his name on the list to be recommended to fill Commissioner Larabel's place on the Planning Commission, stating that he planned to continue to attend meetings and give input.

NEW BUSINESS -

****Election of Officers -**

Commissioner Dykstra made the motion to nominate Commissioner Webster for chairperson.

Commissioner Webster made the motion and was supported by Commissioner Tacoma to nominate Commissioner Smith for chairperson.

Commissioner Dykstra withdrew his nomination of Commissioner Webster.

Commissioner Keppel made the motion and was supported by Commissioner Smith to nominate Commissioner Webster for Vice-Chairperson.

Commissioner Smith made the motion, supported by Commissioner Dykstra to nominate Commissioner Tacoma for Secretary.

After being asked by the Commissioners, Planner Ransford stated that there was no need to vote on officers because all three positions were unopposed. Therefore, for 2015, the officers for the Planning Commission are: Chairperson Smith, Vice-Chairperson Webster, and Secretary Tacoma.

****Public Hearing -**

***Text Amendments - Section 3.5 - Keeping of Animals and Section 3.5A - Keeping of Animals, Poultry, and Fowl -**

Commissioner Tacoma made the motion, supported by Commissioner Dykstra to open the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Planner Ransford summarized the proposed Text Amendments to the JCTZO decided on at the November 18, 2014 meeting, emphasizing that the Right to Farm Act is not affected by the proposed changes.

Chairperson Smith remarked that the R-2 zoning district, where the keeping of animals other than traditional domestic pets, would be prohibited, is only approximately 1% of Jamestown Township, which actually broadens the current Zoning Ordinance significantly.

Other Commissioners noted and reiterated how the regulations had been loosened and how hard they had tried to address the concerns of the community.

Cindy Brouwer, of 3125 Coronation Court, asserted that she was a homeowner, as well as her parents, and she still felt it was unnecessary to regulate the keeping of poultry at all, since any farmer in the area would know how to regulate his own animals. She stated that she hated to think people in sub-divisions could not have 1-2 chickens for the educational benefit of their families and the decrease of their environmental footprint, believing there is an increasing market for residents to own animals.

Scott Wagner, of 3875 Sunbrook Court, reflected that he supported Cindy Brouwer's statement and observed that the government should not be involved in this aspect of a rural Township, but that residents should be taking care of themselves, not the government.

Joel Knierim, of 270 Adams Street S.W., asked Commissioners to clarify what constitutes the R-1 Zoning District, where farm animals and poultry would be allowed.

Commissioner Dykstra, along with other Commissioners, used a map of Jamestown Township in order to assist in visualizing specifically what and where the R-1 Zoning District is, emphasizing that this District would now allow the keeping of animals because of the changes that were proposed.

Mr. Knierim asserted that he believed small acreage owners, even sub-divisions, should be allowed to have chickens.

Planner Ransford explained that these land owners could still own animals with the proposed language, by going to the Zoning Board of Appeals for a variance, although he believed it could cost as much as \$500.

There were no further comments by residents.

Commissioner Webster made the motion, supported by Commissioner Keppel, to close the Public Hearing.

MOTION CARRIED – UNANIMOUSLY.

Planning Commission discussion ensued, including: a possible permit system allowing R-2 residents to have a small number of farm animals or poultry, special use approval cost being prohibitive, the difficulties this would involve possibly having a snowball effect, and the wisdom of revising the text of the JCTZO, instead.

Planner Ransford recommended changing the text of the proposed amendment, if Commissioners wanted to allow poultry in residential areas, mentioning there was a lot to consider if this was to be attempted.

Commissioner Dykstra pointed out the necessity of considering every situation, since this is not a perfect world with perfect neighbors and one's rights end where one's neighbor's begin. He also encouraged fellow Commissioners to remember that R-2 lots are very small.

Commissioner Webster reflected that it would be nice to have a permit system, in order to allow residents to try keeping animals on a small scale, or in some way include wording that permits residential areas to have a few chickens.

Commissioner Tacoma mentioned the possibility of allowing it by the discretion of the Zoning Administration, noting that in the case of chicken houses, he believed no permit was needed for an outbuilding of less than 100 square feet.

Commissioner Woltjer observed that the keeping of poultry often brings predators to an area, such as coyotes, skunks, and owls, etc.

Planner Ransford remarked that he had seen that happen in another township.

After Commissioners turned over various other possible changes to this section of the JCTZO, Chairperson Smith proposed tabling the issue for the night and appointing 3 volunteers to work on the language of Sections 3.5 and 3.5A of the Jamestown Charter Township Zoning Ordinance, to research even further into criteria, and bring an agreed upon proposal to the Planning Commission next month.

Commissioners Dykstra, Webster, and Smith volunteered to work with Planner Ransford on this project.

Commissioner Tacoma made the motion, supported by Commissioner Dykstra, to table the amendment of Section 3.5 and 3.5A of the JCTZO, in order for Commissioners Dykstra, Webster, Smith, and Planner Ransford to bring improved language for the Planning Commission's perusal next month.

MOTION CARRIED – UNANIMOUSLY.

****Planned Development – Final Plan for Jamesfield Major Change -**

Kurt Snidinski, representing Eastbrook Homes, explained that the company had added landscaping and stated that he believed all the Planning Commission's concerns had been addressed.

Chairperson Smith mentioned the condition that the payment for a bike path be resolved.

Planner Ransford asserted it was the Township's contention that this fee had not yet been paid. He also mentioned the Planning Commission had yet the option of a discretionary Public Hearing, but that the Township Board was required to have a Public Hearing before final approval.

Mr. Snidinski reiterated if there was proof that the fee for a bike path had not been paid, they would pay it.

At this time, Chairperson Smith made this motion:

“Being satisfied that the applicant has met the standards for approval in Section 19.9 of the JCTZO, I move that the Planning Commission recommend to the Board of Trustees that they grant final approval of the Jamesfield P. D. Phase 4 Plan, with the condition that the Bike Path construction or payment in lieu of construction is resolved between the applicant and the Board of Trustees.”

Commissioner Dykstra supported the motion.

MOTION CARRIED – UNANIMOUSLY.

OLD BUSINESS -

****Home Occupation Language -**

Chairperson Smith briefly reviewed the reasons for updating this section of the JCTZO.

Commissioner Webster recommended a 2-tiered approach, using the posted miles per hour speed limit for a guide. Opining that she saw no problem with resident Jeremy Bodbyl's home business sign, she illustrated the size of the proposed signs with a tape measure, stating that the Township would not want a 2 x 3 sign in a sub-division, but could increase the allowable size as the speed limit in an area increased.

Commissioner Woltjer affirmed that he had been thinking in the same terms. He stated that in the age of cell phones and GPS, if one is looking for something, one will be able to find it. Mr. Woltjer stated that in Section 3.4C a sign posted on the mail box should still be an option, mentioning various possible sizes.

Commissioners discussed the proposed language of Section 3.4C thoroughly.

Commissioner Tacoma moved, supported by Commissioner Keppel, that Section 3.4C of the JCTZO be amended to permit a non-illuminated sign, not to exceed two square feet in area, in the R-1 or R-2 Zoning District on roads of 35 miles per hour or less; also, to permit one non-illuminated sign, not to exceed six square feet in area, in the R-1 or R-2 Zoning District on roads of more than 35 miles per hour.

MOTION CARRIED – UNANIMOUSLY.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY -

None.

CORRESPONDENCE -

****Georgetown Township Notice of Intent to Plan -**

Chairperson Smith reviewed this letter which notified Jamestown Charter Township of the intent by Georgetown Township to initiate the process to amend their Master Plan, asking for their cooperation and assistance in the process.

****Byron Township Amendment No.1 to the Master Plan -**

Chairperson Smith summarized this letter inviting Jamestown Charter Township's review and comments as they amend the Byron Township Master Plan of 2009

PLANNING COMMISSION MEMBER COMMENT -

Commissioner Keppel informed his fellow Commissioners that he would be in Florida next month, and so would be absent.

Commissioner Tacoma stated that he believed February would be a busy month, in part because evidently Davon Manufacturing were told in 2010 that they could not expand, and now that Smallegan Slaughter House was to be taken down, Davon Manufacturing is planning on expanding their boundaries, making several neighbors unhappy and causing some confusion.

Commissioners discussed this matter briefly.

ADJOURNMENT -

At this time, Commissioner Woltjer made the motion, supported by Commissioner Keppel, that the meeting be adjourned.

MOTION CARRIED - UNANIMOUSLY.

Time: 8:35 PM.

MINUTES SUBMITTED BY -

Sandy VanAntwerp