

JAMESTOWN CHARTER TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
MAY 20, 2014
MINUTES

7:00 PM

UNAPPROVED
MINUTES

CALL TO ORDER –

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

ROLL CALL –

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

Smith was 15 minutes late, with previous notice.

Also present: Planner Ransford.

INVOCATION –

Dykstra gave the invocation.

APPROVAL OF APRIL 15, 2014 MINUTES -

Dykstra made the motion and it was supported by Keppel to approve the April 15, 2014 Minutes with the following revision on the first page, line two, under New Business:

“Ted Keppel” should read “Ted Woltjer”, was asked to serve as chairperson.

MOTION CARRIED – UNANIMOUSLY.

APPROVAL OF THE AGENDA -

Motion made by Tacoma and supported by Dykstra that the May 20, 2014 Agenda be approved.

MOTION CARRIED – UNANIMOUSLY.

GENERAL CITIZEN COMMENTS REGARDING NON-AGENDA ITEMS -

None.

NEW BUSINESS -

* Zoning Ordinance Text Amendment Discussion -

Planner Ransford highlighted the proposed revisions, including: permitting home occupations within accessory buildings with a maximum of 500 square feet; providing clearer language regarding retail sales; permitting small engine repair and similar small businesses; allowing reasonable equipment usage; and preventing excessive noise, light pollution, and other possible residential nuisances. Mr. Ransford also mentioned this proposed revision provided for: the definition of Home Occupation to be only within detached single family dwellings; allowing equipment so long as it did not disturb the neighbors; and a 50% maximum restriction of the gross floor area used for the business to be designated for retail sales.

Discussion ensued and included: dealing with the issue of medical marijuana as a home business; the number and type of vehicles allowed to be parked outside of the home business; special use versus permitted use; keeping the language broad enough so that the Commission can address individual concerns; display of merchandise; the 50% limit of the floor area or premises to be used for retail sales; garage sales; homes with and without acreage; and the need for the language to cover any

and all possible home businesses.

After thorough exploration, the consensus of the Commissioners was that, although the Planning Commission had grappled with this language a year ago, the time had come to dig in and make decisions; the issue of medical marijuana should be dealt with separately from home occupations; and the Commission needed more time to peruse the attorney's recommendations.

Dykstra made the motion, supported by Smith, to table the decision regarding the proposed Home Occupations language for the JCTZO, until Commissioners had more time to examine the issue and study the Township's attorney's letter.

MOTION CARRIED – UNANIMOUSLY.

***Section 3.5A – Keeping of Animals, Poultry**

Planner Ransford explained that this section had been sent back to the Planning Commission, from the Township Board, in order to re-word it to specifically exclude roosters.

Discussion followed regarding this concern, including the nature of roosters to be noisy and aggressive, and the need for the Commissioners to be educated about farm animals in order to make an informed decision.

Tacoma offered to go back to the Township Board and talk to them, and then to hand it over to Planner Ransford to write it up, in order to be voted on by the Board.

All Commissioners were in agreement.

***Section 19.15 – Modification of a Planned Development**

Ransford explained that this section was set forth for discussion because of the request by Spring Meadows to add multi-family units.

Commissioners discussed the best interests of existing neighbors, residents purchasing on assumption of there being only single dwelling homes, and the major change this would be for the development.

Commissioner consensus was to not allow the addition of multi-family units or to return to this topic again.

***Mineral and Soil Removal Ordinance Discussion**

Planner Ransford asserted that this ordinance was brought before the Planning Commissioners because of the recent recommendation for approval of the Perry Street Sand Mine applicant. Since then, the Jamestown Township Board of Trustees were asking for more detailed direction pertaining to reasonable end use, safety, hydrogeological effects, and tipping fees, etc.

Planning Commission members discussed present and proposed wording, as well as concerns regarding:

- How to set the tipping fee, using the terminology “escrow” instead of tipping fee, comparison to similar townships (such as Olive and Tallmadge) and how they have handled said fee, accountability, and how to set a fee schedule

- End uses, the case of tillable ground, and the dramatic slope and safety concerns with Perry Street Sand Mine specifically

- Water table, evaporation, neighbors' concern about their well water being affected, and the requirement, timing, and cost of a hydrogeological study

Commissioners concurred after this discussion to have the Township Planner, Mr. Ransford, do some homework, and strengthen and consolidate the language in the Mineral and Soil Removal Ordinance, and bring it back to the Planning Commission.

OLD BUSINESS -

None.

EXTENDED PUBLIC COMMENTS REGARDING AGENDA ITEMS ONLY-

Jeremy Bodbyl, of 3940 Gordon Street, requested clarification regarding Section 3.4 - - specifically, Number 2, the total footage allowed for the home business, and Number 6, the size of sign and advertizing allowed; and how they would affect his small engine repair business.

Chairperson Larabel proceeded to explain both, to Mr. Bodbyl's satisfaction.

Commissioner Smith reflected that the purpose for both regulations was to prevent changing the residential character surrounding a home business.

Mr. Bodbyl commented that he would have to change his sign, as it was now too large.

Larabel noted that home businesses relied on friend-to-friend advertizing.

Ron Koroleski, of 2967 8th Avenue, remarked that he especially appreciated the language in the proposed wording of Section 3.4 that referred to materials left outside (Number 7) and the limit of vehicles allowed (Number 8). He stated that all businesses must start small, giving the example of Steelcase. He then asked if Jeremy Bodbyl was "good to go" now.

Smith responded that this was the primary reason the Commissioners were working on the language so diligently, stating that originally Mr. Bodbyl could not even have applied for a special use permit.

CORRESPONDENCE -

None.

PLANNING COMMISSION MEMBER COMMENT -

Tacoma stated that there was news from the Township Board regarding the CIP (Capital Improvement Plan) Fund for those who do not qualify for paved roads.

Larabel asserted that this had been worked on before.

Dykstra pointed out that the Township is now under "new management" and the outcome could be different.

Commissioners considered areas of the Township that need paving, such as Quincey and 40th. Issues explored included: special assessment districts – where the residents pay for paving; areas where the farmers own one side of the road; the probability that a paved road increases property worth; one mill, although two mills are actually needed, being levied to improve roads; the grating of county roads being rated by letter; and the importance of prioritizing our roads.

ADJOURNMENT -

The motion was made to adjourn by Dykstra and was supported by Webster.

The time was 8:15 pm.

MOTION CARRIED – UNANIMOUSLY.

MINUTES SUBMITTED BY -

Sandy VanAntwerp