

Crockery Township

Regular Planning Commission Meeting
October 15, 2019
Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:33 P.M. Roll call was taken with Commissioners Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Rich Suchecki, and Mike Munch present. Z.A. Robert Toland was also present for this meeting.

Commissioner Roy Holmes was absent.

There were seven persons seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the September 17, 2019, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Mike Munch. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved.

Agenda Item 4. Announcements

Commissioner Rich Suchecki advised the Board approved the last package of zoning ordinance amendments. Commissioner Suchecki also advised State regulations may change regarding where Caregivers are allowed to operate (marijuana) grow facilities.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comment

Mr. Dave Willis thanked the Commission for their work regarding accessory buildings.

Agenda Item 7. Action Items

A. Brown – Rezoning R-2 to R-5 Resolution of Intent to Hold a Public Hearing.

The Planning Commission has received a request from Ms. Francine Brown to rezone parcel #70-04-14-351-005 (4.4 acres), located at 11115 Cass Street, from R-2 Medium Density Residential to R-5 Village Mixed Use. This request is consistent with the Township's Master Plan (future land use).

Commissioner Ryan Arends made a **motion, via resolution**, to hold a public hearing regarding this matter on Tuesday, November 19, 2019, at the Township Hall, at 7:30 P.M. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

B. Zambetis – Private Street - Resolution of Intent to Hold a Public Hearing.

The Planning Commission has received a request from Evan and Amanda Zambetis to construct a private street on parcels #70-04-19-400-018 and #70-04-30-200-035, running south off Leonard Road. The parcels are currently zoned Ag-2 Rural/Agricultural Preservation. The proposed private Street is less than 750 feet, and is intended to serve one residential parcel.

Commissioner Rich Suchecki made a **motion, via resolution**, to hold a public hearing regarding this matter on Tuesday, November 19, 2019, at the Township Hall, at 7:30 P.M. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

Agenda Item 8. Presentations

A. Zoning Amendments – Lot depth to width ratio, adjacent non-conforming lots.

The Commission discussed Draft #1 of these proposed zoning amendments and made several recommendations. Mr. Toland will revise the document for further study.

B. Sections 5 & 6 parcel size.

The Commission is studying Sections 5 & 6 of the Township, reviewing parcel size and current zoning designations. Mr. Toland will further prepare documents/mapping for this area for future action.

Agenda Item 9. Discussion Items

A. Gemmen Mineral Removal SLU - Review.

Based on a recent complaint (potential hauling violation), Township officials made a site visit to the Gemmen property to observe conditions. Although the alleged hauling violation could not be confirmed, there was a question regarding the premature removal of berms and lack of fencing.

Mr. Rob Gemmen was present for this review.

Mr. Gemmen indicated he is approximately 75% complete in his PMR, and his permit will expire in June of 2020. Mr. Gemmen indicated the (topsoil) berms have been used as part of the reclamation plan, per the agreement, albeit somewhat premature. Mr. Gemmen did not believe he was instructed to fence the entire operation, although it is stated in the Resolution, based on discussions with the Commission at the time of approval.

The Commission reviewed the PMR Resolution with Mr. Gemmen. The Commission recalls having a discussion regarding the safety of the site, and felt it was unlikely persons would wander into the site. It remains unclear if fencing was actually indicated in the conversation at the time of approval, although it was a requirement found in the PMR Resolution.

The Commission understood the berming was a temporary screening structure that would be utilized in the reclamation process around the created lake. The Commission believes Mr. Gemmen has complied with the spirit of the permitting rules regarding this issue. Additionally, in order to reconstruct the berm, at this point, a substantial number of trees would have to be cleared, which now serve to screen the sight, which the Commission felt would be counter-productive.

The fencing of the property, although stated in the Resolution, would seem to serve limited purpose at this point, as the PMR is nearing completion, in the opinion of the Commission.

Based on the current review and standing of the Gemmen PMR project, Commissioner Rich Suchecki made a **motion** to allow the Gemmen PMR permit to continue until its expiration in June of 2020, and that the berm did serve the intended purpose and was utilized as intended, and that the fencing of the property, at this time, would serve a limited purpose, and will not be presently required to be installed. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

B. Discuss areas for potential rezoning.

See Item 8. B. Above.

C. Parcel size discrepancy for AG buildings in AG zoning Districts.

Mr. Toland pointed out to the Commission there is a discrepancy in the allowance for actual agricultural buildings in the Ag areas of the Township, based on conformance of the parcel of land. Mr. Toland, by way of example, explained if you have a conforming Ag-2 parcel of ten acres, you can operate a commercial farm, building those structures necessary to the operation. However, if you are located in the Ag-1 zoning district, and have thirty acres, which does not meet the conformance standard of forty acres, you are limited to residential accessory building regulations, which might severely hamper or prohibit an actual commercial farming operation.

As an aside to this discussion, Mr. Dave Willis inquired why the right of way area is included in calculation of parcel area for the Ag zones, but not extended to other zoning districts. Mr. Toland advised the smaller lots in developments usually are not plotted/surveyed to include the right of way, and the question in general does not come up regarding smaller parcels, as they are generally well served by residential standards. This issue does come up in the agricultural zones from time to time.

The Commission agreed to look into these matters.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Ryan Arends at 9:18 P. M. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - November 19, 2019

Next Special Meeting - TBD