

These are the minutes of the May 4, 2006 Planning Commission meeting.

Meeting called to order at 7:30 p.m. by Chairman Shields.

Present: Shields, Heasley, Myers, Coffey, Davis, Parmelee and Mark Sisson.

Absent: Demaray

Davis made a motion to approve the minutes of the April 13, 2006 meetings as presented, Parmelee seconded, motion carried.

Township Board Update - Parmelee stated there was no meeting since last month.

Shields - status of Demaray: His term has expired and no one else has been appointed for his position. We are temporarily a six member board. Davis has been reappointed.

Sisson suggested that if no one new has been appointed, the positive choice would be for Demaray to remain and continue to be on the PC until there is a formal appointment.

The consensus of the PC was that they would like Demaray to remain on the PC. Parmelee will convey this information to the Township Board.

Sally DeBoer SUP - tabled at the April 13 meeting. The question of whether the proper land divisions had been filed was the reason for tabling of the request. Bob Jones conveyed to the PC that the land division was approved 2-3 years ago; however they did not follow up with the proper deed. PCI issued a permit upon the land division. The easement listed in the deed is for use of the building by the other piece of property because of the split size.

It was noted that the SUP meets the minimum requirements. The same owner owns both properties; but the easement goes with the deed should they sell one or both of the lots.

Parmelee made a motion to approve the SUP, Coffey seconded, motion carried.

Demaray SUP - remains tabled

## Sand Mine Annual Reviews:

Bob Jones presented the following information:

- 1) Salem Development Group - is here tonight to review
- 2) DeBoer is here tonight to review
- 3) Smith is here tonight to review
- 4) Don Berens - farm permit
- 5) Wendell Loew - farm permit (will stop for next 1-2 years)
- 6) Daryl Coffey - is closed right now. When crops are off in August, he will reclaim and close.

Smith Sand Mine: The applicant did not submit anything in writing at this time for review. They haven't done much over the last year, but will start in another week. The lease supersedes the death of Elmer and they will need another year to finish (phase 8). At the April 05 review, the mining was stopped for Elmer's health.

They went from Phase I to Phase 8; they wanted the front done first to hide most everything going on. The berm was placed in front. They are considering a small detention pond in the NW corner.

It was requested by the PC for the applicant to submit their review updates in writing to Mark for the June meeting. Insurance will also need to be updated.

Salem Development Group sand mine - Dar VanderArk presented an overview of the project to the PC in writing. The supply/demand has been down so not much sand was taken out this past year. They anticipate 50,000 cubic yards coming out this year if the bids come in.

They did put in a new orange fence and overall not much change from last year. The applicant is in compliance and is renewed for another year.

DeBoer Sand Mine - Ross Veltema presented an overview of the project in writing to the PC. They had a pretty decent year, not much clay has come in. The figures were on the handout to the PC. They are in Phase I and working to the West right now.

Bob Jones will get pictures of the area to track, and the insurance and letter of credit need to be updated by June 24, 2006.

It was noted by several PC members that the seeded berm and entry way into the sand pit looks very nice, very professional, and hides the sand mine very well. This applicant is in compliance and is renewed for another year.

Home Occupations - Mark Sisson.

Mark presented the PC with another handout of the current home occupations section of the ordinance vs. one with considered changes.

General discussion revolved around the following issues: should we limit Type II to three employees unless at the time of the SUP application or subsequent application, they specifically request more it will be limited to three.

Shields - the PC is mature enough to negotiate case by case basis. We should have wording in the type II to accommodate these requests.

Jones responded that they you are putting a lot of responsibility on the Zoning Administrator.

Can't the PC make decisions without putting more on the ZBA? What decisions are being made to bring those to the ZBA in the first place?

Are you trying to allow for more flexibility?

If you allow five employees for one applicant, how do you limit the next one that comes in? Allow flexibility to gauge the situation?

Parmelee - has a concern of more traffic coming in, parking, exterior of premises. This is supposed to be residential not business.

Public comment: your job is to protect the community. Why are you trying to change the ordinance prior to requests? Why not wait until the complaints come in?

This issue was discussed. The whole home occupation deal can get out of hand and then when the PC tries to stop them, the home occupant will have to fire people and we don't want to go that route.

The need for planning for residential for future years is our goal. We cannot allow five employees in a home occupation in a residential area and expect the area to remain residential.

Shields - what are we going to accommodate: housing or entrepreneurship?

Mark - the main concern should be keeping residential and not letting it get out of hand. We want to keep the SUP within the PC and not continually submitted to the ZBA.

Under what circumstances do you want to permit additional employees?

Shields - extenuating circumstances should be considered.

Bob Jones - Type II must comply with applicable standards in the construction code. Maybe add to our provisions that the applicant must be brought into code when issued the SUP.

Who does decide that it is a commercial use?

Mark then went over a handout regarding Regulating Small Rural Businesses Not Defined As Home Occupations.

It was suggested that a subcommittee be formed before the June meeting to discuss the issues at hand. Shields will organize this and report at the next meeting.

Earl Collier of Monterey Township was at the meeting tonight and forwarded the following information: The County Land Preservation has been approved and is going forward. This needs to be incorporated into the master plan for the township in order for farmers to participate. You need to designate which farmers are able to sell their development rights.

General discussion followed regarding this subject.

Davis made a motion to adjourn, Coffey seconded, motion carried. Meeting adjourned at 9:45 p.m.

Submitted by,

Cris Heasley, Secretary  
Salem Township Planning Commission