

PLANNING COMMISSION MEETING MINUTES - SEPTEMBER 24 2024

The meeting was called to order at 6:02 pm by chairperson Larry Shaffer.

MEMBERS PRESENT: Larry Shaffer, Lou Lundquist, Walt Mixon, Rod Lowe, Jenny Irvine, Phil Bontrager, & Christine Lundquist.

Larry introduced consultant Pat Coleman to the people present.

AGENDA: Motion by Christine with support by Rod to approve the agenda as presented.

MINUTES: It was noted that the minutes from 8/22/24 have not yet been provided for the meeting.

Motion by Rod with support by Jenny to approve minutes from August 28, 2024.

PUBLIC COMMENT: Larry read correspondence from several people received since the last meeting:

1. Mark & Linda Steinke suggest tabling further action on the zoning ordinance until after the election.
2. Kassandra & Randy Hildebrant suggested a need for a balance between the vagueness of the current zoning ordinance and the detail of the proposed ordinance. They specifically suggested 4 items:
 - a. Include special/conditional use in nearly all zoning districts.
 - b. Allow more recreational land uses and special/conditional use permits within IBZ, but not large resorts/hotels.
 - c. Article 4 Table 4-1 should include all previously permitted uses, especially in the IBZ.
 - d. Additional support is needed for support of zoning laws.
3. Aleta Hubbard believes the proposal is too much. She specifically questioned limitations on yard/garage sales and poultry. She suggests that pot shops, adult themed stores and any chain stores/restaurants not be allowed at all.
4. Robert & Patti Hughes noted the following:
 - a. 4 foot fence restriction should be increased to at least 6 feet.
 - b. There should be no restriction on outdoor boilers.
 - c. Restrictions on # of poultry, non-allowed use of porch/garage for poultry & 200 foot from property line for coop unreasonable.
 - d. Sec. 7.33 related to porta potties - what if you want to buy one and have it cleaned by a licensed agent?
 - e. Why restrict pole barns in Bay Area?
 - f. Roadside stand distance from property line requirement is unreasonable.
5. Molly & Chet Tavenner expressed concerns on the following:
 - a. Sec. 7.8.8 restrictions on home heating in NR.
 - b. 7.31 restrictions on livestock are too restrictive.
 - c. 15.6 restrictions on fencing are too restrictive
 - d. Article 16 on signs is excessive.
 - e. 15.4.2 related to mowing and plant placement is excessive.
 - f. Article 21 on infractions and fines is too much for a small town.

People attending the meeting were invited to comment once the letters were read.

Jan Wilbert indicated that the Pantor construction site is a prime example of the need for more size ratio and setback requirements in the zoning laws. She suggests that page 41 of existing rules should include parts not touching the ground.

Nancy McDonald noted multiple errors & typos. She asked how an "act of god" in sec 7.8 is defined. Christine noted "parcel" terminology may need to be changed or more clearly defined.

Toni Waylee questioned the structure of the Planning Commission. Larry reviewed the process and how soon we would like input (asap) and that immediate action is unlikely.

Chet Tavenner noted he is disheartened and noted the will of the people should prevail.

Cassandra Hildebrant indicated a time frame for comments would be helpful.

Dylan Cappagrossa indicated the proposal seems like overkill for our community. He questioned section 7.8.4 related to playsets downtown and section 10.12.4 related to garage sales and mobile sawmills. He indicated he would like sexually oriented businesses and pot shops to be prohibited and suggested incentives for long-term rentals.

REVIEW BY PAT COLEMAN

Mr. Coleman reviewed the setup for the draft. He explained how sections can be referenced for particular uses, etc. so you don't need to review the whole document in relation to specific questions. He noted that it is possible that some sections will seldom be used, but that it is important to have the information available to both the public and the zoning administrator. It was noted that tables in section 4 point you to specific sections.

He noted that section 7.8.8 on outdoor furnaces have been useful in some communities but can be changed. The same is true for the poultry issue.

Mr. Coleman noted that the issues noted by Jan Wilberg would not be allowed under the proposed ordinance. He also noted that special use procedures protect the applicant and noted section 10 provided a review of these.

Toni Waylee asked how often the consultant had been to Burt Township. She noted page 4-21 on outdoor furnaces needs to be fixed, as do maps showing the Mercantile in the Bay District. She also asked about how the Township could be planning a storage building by Woodland Park given the proposed ordinance.

Dylan Cappagrossa questioned why Woodland Park was allowed to exist given the proposal. It was noted by Commission members that it had existed for many decades and that the property had been donated to the Township for that specific purpose.

Nancy McDonald asked if it would make sense to review the proposed ordinance in sections. It was noted that the Commission had used this approach, but it also needed to be reviewed as a whole to ensure conflicts were avoided.

Tom Cleary asked about grandfathering of non-conforming lots, and noted that the Voyager Motel property used to be commercially zoned but is not in the proposal. Larry asked that he work with the zoning administrator to review this so it can be brought back to the Commission.

OTHER: The Commission reviewed options for upcoming meetings. A meeting at 6:30pm on October 18 to review the Hildebrant conditional use request was planned with a site visit at 3:30 the same day. A second meeting for October 22 at 3:30pm was planned to continue discussion on the proposed zoning ordinance.

PUBLIC COMMENT: Additional comments related to pot shops and sexually oriented businesses were made.

ADJOURNMENT: Motion by Christine with support by Rod to adjourn.