



# DEERFIELD TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

July 14, 2009

Deerfield Township Hall

**CALL TO ORDER:** Meeting was called to order by chairman, Jim Wynes at 7:00 pm.

**PRESENT:** Al Johns, Virginia Wood, Jim Wynes, Janice Zeien, Ward Farquer

**ABSENT:** Janine Janoski

### **AGENDA REVIEW:**

**MINUTES OF LAST MEETING:** Minutes of the last meeting were presented. Motion to approve made by Al Johns, seconded by Ward Farquer.

### **Zoning Administrator's Report:**

- 2) 700 W. Bluegrass: Still trying to find out who actually owns the property in question. No response from letters sent to residents in the area.
- 3) 14 W. Bluegrass: Letters sent to owner and mortgage holder. Got return letter from Flagstar, but nothing from the owner.
- 4) Written complaints filed on 2 properties concerning unlicensed vehicles in yards. One at 4257 W. Bluegrass, and one at 3991 W. Remus. Letters will be sent.

**Unfinished business:** Applicants for opening on Planning Commission: Jack Long introduced the applicants who came to the meeting to the commission. Gary Knight, Josh Wheaton, Jim Ball and John Montross were present. Each applicant was asked to speak about why they would like to be on the planning commission and answered questions from the commissioners.

The job of the commission is to recommend one individual, chosen by simple majority, to the Township Board as our choice to fill the vacancy. They will make the final decision as to whether or not this person should be appointed.

Motion was made by Al Johns to recommend Gary Knight to the Board, seconded by Ward Farquer. A rollcall vote was called for with a vote of 3 to 2 in favor.

Janice Zeien: No

Ward Farquer: Yes

Al Johns: Yes

Virginia Wood: No

Jim Wynes: Yes

Chairman Jim Wynes brought in some information about some points of order brought up at the last meeting. One question was if the chairman can vote, and the answer (according to the MTA) is yes. It also explained a “simple majority” and a “super majority, as well as when a planning commission member should abstain from voting.

#### **NEW BUSINESS:**

- 1) Deerfield Township Fire Dept. is asking for a special use permit to put up a new communications tower on the townships property. The commission went over the application and the ordinances pertaining to communication towers. Only one requirement was not met : Sec. 15.05, #8, sub “h” reads: “ Tower base shall be set back a distance equal to one and a half times the height of the tower” ( from any buildings or property lines). The proposed tower is 100 feet tall and the set back from the building is only 70 feet. Also in the same Section letter “v” regarding security bond to be posted to ensure removal when abandoned; this was no addressed at all.

Motion to deny the application made by Al Johns and seconded by Virginia Wood. Vote taken and was 5 to 0 to deny.

- 2) Set backs from the Township’s dry hydrants for the Fire Dept.: Questions raised about the laws ruling dry hydrants and who is to enforce them. Fire Chief Ryan Martin will check with the County Sherriff, and Al Johns will check with the MTA to see what the guidelines are.
- 3) Township noise abatement: Sec 22, sub sec. 22.02. No action required, error on internet site will be fixed.

**INFORMATIONAL ITEMS:** None

**PUBLIC COMMENT:** Ken Hubble, Kay Purtill, and several other residents voiced concerns about Hubschers Gravel Pit located on Broomfield road west of Gilmore road. Complaints about noise, dust, set backs, and property values were just a few brought forward. Kay Purtill asked if a Special Use Permit had been applied for by Hubschers for the pit in question. Al Johns said he has checked with the county, and no SUP was issued

for the operation but was not sure one was needed because of the “Grandfather” clause. Ken Kopke (former Zoning Administrator for Deerfield Township) said Hubscher would have to get an SUP for any new section of gravel operation opened since the township became incorporated in 2000. Al Johns will contact the Township attorney to see where we stand on this and other complaints made by the residents of the area, but first they have to fill out a regular complaint form with the current Zoning Administrator.

It was suggested to the residents that they contact Mr. Hubscher to set up a meeting with him to ask about their concerns. The Commission will look into this further to see what legal steps can be made to address the complaints.

Motion to adjourn at 8:45pm made by Virginia Wood, sec. by Al Johns.

**NEXT MEETING: September 8, 2009 at 7pm**