

Un-Official

ATHENS TOWNSHIP PLANNING COMMISSION

Minutes of May 19, 2016

Athens Township Government Center

1. *Pledge of Allegiance:* The Pledge of Allegiance was recited.
2. *Roll Call:* The meeting was called to order at 7:00 p.m. by Chairman Lyle Reynolds, Members present were Lyle Reynolds, Cindy Anderson, Marlys Balfany, Jake Carpenter, Dan Woodfill and Dave Henderson. Absent was Ian Ebeling. Also present were Jim & Carolyn Braun, Staff Members. Guests (See attached attendance sheet).
3. *Approve Agenda:* Added to the agenda was a note on the July 18, 2016 meeting between the Board and the Planning Commission. Secondly, Staff has a small report on the Standal lot split. Both to be added under new business. Motion to approve the agenda as amended was made by Marlys Balfany, seconded by Cindy Anderson. Motion carried unanimously.
4. *Minutes of March 17, 2016:* Motion to approve as presented by Dan Woodfill, seconded by Dave Henderson. Motion carried unanimously.

Minutes of April 21, 2016: Motion to approve as presented by Dave Henderson, seconded by Jake Carpenter. Motion carried unanimously.
5. *Open forum:* No one was on hand for the open forum portion of the meeting.
6. *Public Hearings:*
 - a. *Rural Tourism Business Ordinance:* Carolyn Braun told the Commission that the draft before them included all the changes that were suggested at the last meeting.

Carolyn went over each section of the ordinance and explained the changes that were suggested and made mention of some changes that will have to be made in other areas of the Town Code to reflect these changes. It was noted that a couple of pages were highlighted, the text will remain and the highlights will be removed in the final draft. Chairman Reynolds asked if the Commission had anything to add, all were quiet.

Chairman Reynolds then opened the public hearing at 7:08 p.m.:

Dave Beckstrom asked if there would be conflict with “special events” and “mas gatherings” There was brief discussion on that matter, Carolyn will check for language for mass gatherings. No other discussion from the public.

Chairman Reynolds closed the public hearing at 7:12 p.m.

With no additional comments Marlys Balfany made a motion to recommend approval of the Rural Tourism Ordinance, seconded by Cindy Anderson. Motion carried unanimously.

- b. *Farm Wineries, Craft Breweries and Micro Distilleries Ordinance:* Carolyn Braun told the Commission that this is the final draft of the ordinance that the Commission has been working and studying for a few months.

Carolyn explained that this ordinance has a brief definition section and will become part of the Town Code under Section 20. It was noted that Nuisance Standards was highlighted, the highlighting will be removed in the final draft.

After some discussion, Chairman Reynolds opened the public hearing at 7:16 p.m.

No public comments

Chairman Reynolds closed the public hearing at 7:17 p.m.

Being there were no further comments from the Commission, Dave Henderson made a motion to recommend approval of the Farm Wineries, Craft Breweries and Micro Distilleries Ordinance, Seconded by Marlys Balfany. Motion carried unanimously.

7. *Old Business: Update on finding from other jurisdictions – home occupations:* Jim Braun has been checking with other jurisdictions on how they handle home occupations. The Town Code only allows 25 percent of an existing dwelling or 1200 square feet of an accessory structure to be used for a home occupation.

With the change in the Town Code to larger accessory buildings on smaller lots and no size limitations on lots larger than five acres, it brings into question how to control home occupations. Jim feels that maybe an increase of square footage is needed for some types of home occupations. If the Town stays at the 1200 square feet but larger structures are built to contain the 1200 square feet how do we police the size so that the home occupation does not grow into other parts of the building.

Jim finds that very few jurisdictions follow the 25 percent or 1200 square foot rule anymore. Jim is not sure if it is the space requirements needed for some of the operations or if the jurisdictions like the commercial “tax base” they receive off of the small businesses.

Dave Henderson wants to be careful not to allow too large of structures. Lyle Reynolds wants to see how others are handling the size limitations, could it be by the numbers of employees?

Jim will keep working on this and will have a full staff report in the next couple of months for the Commission.

8. *New Business:*

- a. *Legislative update – new proposed changes:* Carolyn Braun told the Commission about new bill on Temporary Dwelling Legislation. Carolyn told the Commission that it is a new bill that creates a new process for local governments to permit certain types of recreational vehicles as temporary family dwellings.

The bill allows for small homes no larger than 300 square feet to be placed on properties that have a dwelling to have a space to care for family member’s i.e. elderly family members, disabled and etc.

The structures have no foundations and have to be hooked up to septic systems and can be placed anywhere on the property. The structures have to be permitted for six-months with an additional six-months permitted.

Local governments may opt out of this program if they determine that this type of expedited land use permitting for temporary dwellings is not well suited to their community.

Carolyn noted that the Town Code already has a section for this type of care. After some discussion it was the feeling of the Commission that the Board of Supervisors should opt out of this bill before the September 1, 2016 deadline.

9. *Miscellaneous:*

- a. *Standal Lot Split Request:* Jim Braun brought this forward for the information of the Commission. John Standal owns 57 acres in Section 12 of Athens West along Larch Drive Northwest. John wants to put the land up for sale and asked for a meeting to see how to proceed. At the meeting it was discussed that he could plat the parcel and get three three acre lots and the remainder would become one lot. All the lots would have frontage on a public road. After we discussed costs to plat we discussed how much it would cost to split the parcel in half doing a simple lot split.

After weighing the costs of platting and doing a simple lot split it was determined that it was not in his best interest to plat the parcel. John has decided to do a simple lot split under the two-per-forty provision. Just proves that the four-per-forty doesn't always work out the best.

- b. *July 18th Meeting with Town Board at 6:00 p.m:* This was just a reminder that a meeting has been set for this date for the Board and the Commission to discuss how Platting works and other items of the Town Code. Please mark your calendars.

10. *Adjournment:* Being that there was no further business a motion was made by Dave Henderson to adjourn the meeting, seconded by Dan Woodfill. Motion carried unanimously at 7:45 p.m.

Respectfully Submitted,

Jim Braun
Recorder Pro-Tem