

BLAIR TOWNSHIP PLANNING COMMISSION
Regular Meeting - August 8, 2007

- A. The regular meeting of the Blair Township Planning Commission was called to order by Chairman Heim at 6:00 pm at the Blair Township Hall.
- B. The Pledge of Allegiance was recited.
- C. Present at the meeting were Hanson, Heim, Duell, Fitzpatrick, and Clous. Williamson and Rademaker were absent and excused. There was a quorum. Also in Attendance were the Zoning Administrator and 12 guests.
- D. Mike Walton from Molon Excavating spoke regarding an issue with Palmer Place Site Condo. Mr. Walton stated that he was not sure the Planning Commission was the right audience for this issue but he had been urged by Commission member Clous to bring it to the Planning Commission. Mr. Walton spoke regarding the issue that when they started Palmer Place, Ron Taylor recommended they run municipal water or have a fire suppression tank. The project progressed without running municipal water or a fire suppression tank. Building permits were issued for three units that have been built. At one point Mr. Walton agreed to run municipal water under the Water Ordinance provision that he be repaid by the township. The agreement was not executed at that time because the Township Supervisor was recalled. The project has since been sold. Mr. Taylor sent a letter to the county and the township stating that this project was not in compliance. Now because of this letter there is a stop on the project and no further building permits are being issued. Mr. Walton stated that it would be ideal if someone at the township could waive this issue it would be ideal, or at least tell him how to fix it. Chairman Heim stated that he was not sure that the Planning Commission could do anything other than amend the site plan. Mr. Walton also mentioned the Road Commission requiring stubs roads in subdivisions and private roads joining county roads. He stated something needs to happen with the Private Road Ordinance that would require private roads to adjoin county roads.
- E. A motion was made by Clous supported by Fitzpatrick to approve the agenda with the following changes: Item "I" UNFINISHED BUSINESS will be heard after item "J" NEW BUSINESS, and #3 under NEW BUSINESS will be heard first. Motion passed unanimously.
- F. There was no conflict of interest stated.
- G. A motion was made by Clous supported by Fitzpatrick to approve the minutes of the July 5, 2007 meeting as presented. Motion passed unanimously.

H. A letter was received from Kay Jacobs, 1676 County Road 633, Grawn, in opposition to the Special Use Request from Odom Re-Use Co. A letter was received from David Bieganowski, Certified Range Safety Officer and Range Safety Officer of the Cedar Rod & Gun Club regarding the Site Plan Review for Zeroed In Indoor Gun and Archery Range.

I. 1.) **SPR#07-07-01 ZEROED IN REQUEST FOR SITE PLAN REVIEW FOR AN INDOOR GUN AND ARCHERY RANGE AT 3155 SILVER LAKE CROSSINGS BLVD. PARCEL #28-02-007-007-05.** Brian Rowley with Gourdie Fraser presented the Site Plan. Fred Campbell with JML Design spoke regarding the construction of the facility. There was discussion regarding decibel ratings, the intention of the owners to allow rifles as well as handguns, and the difference in the noise levels. Also discussed was the type of trap being used, dead end water mains and the need for additional trees in the landscape plan. The Zoning Administrator stated the Standards for Design in the Zoning Ordinance require NRA approval and that is what the letter from David Bieganowski has provided. **Motion by Clous supported by Duell to approve SPR #07-07-01 with the following conditions: 1) Two additional trees be added. 2) All required permits be obtained, and water main extension application filed, before Land Use Permits are issued. 3) Facility and operation shall not constitute a nuisance as defined by the Blair Township Zoning Ordinance. RCV: Fitzpatrick yea, Duell yea, Clous yea, Hanson yea, Heim yea. Motion passes unanimously.**

2.) **SU/SPR#07-06-01 ODOM RE-USE REQUEST FOR OUTDOOR DISPLAY AREA AT 5555 BRENTWOOD. PARCEL #28-02-200-019-00.** Chairman Heim stated that the Special Use is required by Section 10.04 of the Zoning Ordinance, then read through the rules for Public Hearing. **OPEN PUBLIC HEARING AT 7:20 PM.** Bruce Odom presented his request for an outdoor display area the size of an 8 foot flat utility trailer to display cabinets, doors and windows, away from the road. Chairman Heim read the letter received from Kay Jacobs in opposition to the Special Use Request. There was discussion regarding how many pieces are going to be displayed, how they will be displayed, and the proximity of the display area to the Right of Way. Mr. Odom stated that the product will be displayed only during business hours, Monday through Saturday 9:00 am to 6:00 pm. Gary Cox, 5476 Sunnyside, spoke in opposition to the Special Use Request. Mr. Cox stated that he has spoke with other homeowners in the subdivision and all but one are against the Special Use Request, because the display blocks vision when pulling out from Brentwood to County Road 633, and it looks like a permanent yard sale. Mr. Cox also spoke regarding the encroachment on the greenbelt area. **CLOSE PUBLIC HEARING AT 7:43 PM.** Commission Member Duell read through the Standards for Approval in Section 22.04. **Motion made by Clous supported by Fitzpatrick to recommend approval of Special Use #07-06-01 to the Township Board with the following conditions: 1.) Activity shall not constitute a nuisance as defined**

by the Blair Township Zoning Ordinance as the conditions will have met the Standards for Approval in Section 22.04, items A-G. RCV: Duell yea, Hanson yea, Clous yea, Fitzpatrick yea, Heim yea. Motion passes unanimously. There was discussion regarding where the display area would be located. Motion by Clous supported by Hanson to approve SPR#07-06-01 with the following conditions: 1.) The area allowed for open air display be limited to a 40 foot by 40 foot area immediately south of and contiguous to the county road right of way at the intersection of County Road 633 and Brentwood Ave. 2.) The display be limited to a 12 foot by 6 foot footprint area. 3.) The only products to be placed in this area shall be windows, doors, and cabinets. 4.) Motion conditioned upon Township Board approval of Special Use. The Site Plan with conditions will have met the standards for approval as required in Section 21.03, items 1-11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. RCV: Fitzpatrick yea, Duell yea, Clous yea, Hanson yea, Heim yea, Motion passes unanimously.

3.) **SPR#07-06-02 CHERRY CAPITAL CARS REQUEST FOR SITE PLAN AMENDMENT OF SPR#06-11-01 FOR ADDITIONAL DISPLAY AREAS.** 468 US 31 S. PARCEL #28-02-005-008-00. Charlie Deadman, representing Cherry Capital Cars, presented the request. The Planning Commission pointed out that the applicant has not met the conditions that were placed on the original Site Plan approval. There was discussion regarding where the new display area would be, and what type of surface it would have. There was also discussion regarding the number of cars allowed, maneuvering lanes, and emergency vehicle access. There was no public comment. Motion by Clous supported by Fitzpatrick to approve SPR#07-06-02 with the following conditions: 1.) Proposed additional display areas have gravel surface installed. 2.) Additional trees for additional display area to be installed. 3.) Applicant must maintain a 25 foot parking setback for all displays and not park vehicles in the ingress/egress areas. 4.) Provide clearly marked customer parking. 5.) Comply with all landscaping requirements of the Blair Township Zoning Ordinance. The Site Plan with conditions will have met the standards for approval as required in Section 21.03 items 1-11. RCV: Hanson yea, Duell yea, Clous yea, Fitzpatrick yea, Heim yea. Motion passes unanimously.

Adjourned 9:23 pm
Re-adjourned 9:29 pm

4.) **PUBLIC HEARING ZONING ORDINANCE AMENDMENT #104-05-06-14** This amendment was sent to the Township Board for approval. The Township Board has sent it back to the Planning Commission recommending that the change time for changeable letter signs be set at 15 seconds for time/temp and 60 seconds for all else. **OPEN PUBLIC HEARING 9:30 PM** There was no public comment. Planning Commission feels that 15 sec/60 sec is too long. **CLOSE PUBLIC HEARING 9:34 PM.** There was discussion regarding the time spent and research done by the Planning Commission, and what, if any, research the Township Board has done. The

Planning Commission feels the Township Board should support the Planning Commission. Motion by Clous supported by Fitzpatrick to table until Mike Rademaker, the Township Board liaison, is present. 5 years, motion passes unanimously.

5.) **PUBLIC HEARING ZONING ORDINANCE AMENDMENT #104-05-07-01. OPEN PUBLIC HEARING 9:40 PM.** There was no public comment. The Planning Commission reviewed what changes were made to the proposed amendment. **CLOSE PUBLIC HEARING 9:44 PM.** Motion by Fitzpatrick supported by Clous to send Zoning Ordinance Amendment #104-05-07-01 to the Township Board for approval. 5 years, motion passes unanimously.

6.) **PUBLIC HEARING ZONING ORDINANCE AMENDMENT #104-05-07-02. OPEN PUBLIC HEARING 9:48 PM.** There was no public comment. **CLOSE PUBLIC HEARING 9:49 PM.** Motion by Fitzpatrick supported by Clous to send Zoning Ordinance Amendment #104-05-07-02 to the Township Board for approval. 5 years, motion passes unanimously.

J. 1.) **DISCUSSION/AMENDMENT ON PUD PROCESS** Motion by Clous supported by Fitzpatrick to table this discussion. 5 years, motion passes unanimously.

2.) **DISCUSSION/AMENDMENT ON SITE CONDO STANDARDS** Motion by Clous supported by Fitzpatrick to table this discussion. 5 years, motion passes unanimously.

K. There were no reports.

L. 1.) **FINDING OF FACT DISCUSSION** Motion by Duell supported by Clous to table this discussion. 5 years, motion passes unanimously.

2.) **CONFLICT OF INTEREST** Motion by Duell supported by Clous to table this Discussion. 5 years, motion passes unanimously.

M. The meeting adjourned at 10:05 pm.

Respectfully submitted,

Lynette Ferman
Recording Secretary