**MORTON TOWNSHIP**

**PLANNING COMMISSION MINUTES**

**REGULAR MEETING / PUBLIC HEARING – August 16, 2023**

Call to Order at 5:30 P.M. by Jeff Cross

Pledge of Allegiance by all

Members Present: Jeff Cross, Jeff Ratledge, Larry Lenon, Travis Kizer

Members Absent: Karen McKenzie

Others Present: Gary Moore – Intern, Cory Zandstra- Zoning Administrator, Stephanie McNeal - Recording Secretary

List of Public present: 28

Approval of Minutes from July 19, 2023, Regular Meeting, as written.

Motion by: Jeff Ratledge with the change of removing all the comments included under old business.

Motion by Travis Kizer to table approval of the minutes.

2nd by: Jeff Ratledge

Vote: 4 ayes 0 Nays 1 Absent 0 Abstain Motion Carried

**New Business**

**Open Solar Panel/Zoning Ordinance Hearing @ 5:34 PM**7.10.C.3.a Setbacks: *“In all zoning districts ground mounting solar energy systems shall be located at least 10 feet from any property line and no closer than 50 feet from any public roadway right-of-way.”*

7.10.C.3.e Omit this.

**Close Public Hearing @ 5:40 P.M.**

1. Jeff Ratledge commented that there have been several meetings about solar energy systems. After the discussion the only way the ordinance can be changed. Once objections and/or comments Ratledge asked have been heard, the PC makes a recommendation to the township board for approval.
2. **Motion by Travis Kizer to omit 7.10.C.3.e with 7.10.C.3.a as written. 2nd by Jeff Ratledge. 4 ayes, 0 nays Motion Carried**

**Open Wing Hearing @ 5:41 PM**The hearing will be for making a motion to recommend to the Morton Township Board of Trustees to approve or deny Special Land Use permit application request for the purpose of: construction and operation of storage unit business on parcel number 5411-021-002-502 (between Pizza Vibes and Royal View) in an A-2 district. The property owner and applicants are Logan Wing and Jamie Wing.

1. Logan Wing provided updates from the last public hearing. He provided a driveway permit application and permission from Royal View.
2. Sandy Werner, Wood Street resident, asked Mr. Wing if the plans are all set yet as to what he is doing.

She also asked when he plans to start and complete the projection.

1. Mark Gatehouse commented that typically when these things go up a lot of things that were in storage end up outside.
2. Gary Moore commented that he doesn’t see anything on the site plan about lighting. His concern is keeping the lighting directed away from Royal View.
3. Mr. Wing commented that the project should be done in 4-5 months. He also spoke with the owner of Royal View and assured him that the lighting would not be directed towards Royal View. He does not plan to install fences or allow outside storage. Will be paved 30’ into the property and outside of that will be crushed asphalt.

**Close Public Hearing @ 5:49 P.M.**

1. **Logan Wing provided updates from the last public hearing. He provided a driveway permit application and Royal View owner approval.**
2. **Travis Kizer asked Mr. Wing if the lighting plan is in development. Mr. Wing indicated that their lighting plan is being developed by the contractor. As well as cameras.**
3. **Jeff Ratledge asked Mr. Wing about berms. He indicated that there will be a berm along the back with trees planted in the berm. Ratledge also asked about the setbacks. Zoning Administrator Cory Zandstra went over commercial setbacks. Ratledge asked Mr. Wing if the storage units would be drive thru and Mr. Wing said that they will not be. Ratledge also asked about tree plantings.**
4. **Larry Lenon indicated that he would like more time to go over the site plan before deciding. Jeff Ratledge agreed.**

**Open Snyder/Hamilton Hearing @ 6:04 PM**The hearing will be for making a motion to recommend to the Morton Township Board of Trustees to approve or deny Special Land Use permit application request for the purpose of: operating an existing produce stand on parcel number 5411-021-007-100 in an R-1 district. The property owner is Douglas Hamilton, the produce stand is operated by Jeff Snyder.

1. Jeff Snyder who operates the stand on Doug Hamilton’s property. He has been issued three tickets and went to pay for the first two tickets, but they were not turned in. He got a call from the county that he has a hearing next week regarding the third ticket. He asked why he hadn’t had the opportunity to be approved or denied a special land us permit before having to go to a hearing for the third ticket.
2. Jeff Ratledge told Mr. Snyder that he is aware of everything that has happened to date. There was miscommunication regarding the first two tickets issued. Now they can address the special land use application.
3. Mr. Snyder said he has moved the stand back 12’ and made room for parking for four vehicles so there is parking available.
4. Travis Kizer commented that there is no issue with selling produce but there is a safety issue, and the stand is not in compliance with the township’s zoning ordinance.
5. Jeff Ratledge commented that this issue has been going on for two years and there have been a lot of meetings held to address this issue. On December 14, 2022, we held a public hearing with Mr. Snyder attending. The hearing was held to change the ordinance and Mr. Snyder agreed to the changes in the ordinance and said he would move that stand. Ratledge read the current ordinance for roadside stands. Ratledge also went over photos of Mr. Snyder’s other roadside stands.
6. Sandy Werner lives on Wood Street. She has no objections to the stand but is concerned about the safety issues with the stand.
7. Rose Rosusalla asked if all produce must be grown on the property.
8. Sam Cipriano said he understands the problems with parking and safety are understandable but would like the PC to consider working things out to make it so the stand can stay.
9. Deb Perry asked if part of the produce is grown on the property can the stand stay?
10. Patsy McKeith said she has lived on Wood Street since 1959. It is a very dangerous place to pull onto Buchanan from Wood Street.
11. Rose Rosusalla asked if the ordinance can be changed. Mr. Ratledge said yes.
12. Mark Klumpp commented that we are all in agreement that we all like Mr. Snyder’s stand. Mr. Snyder was made aware of the issue. The township board of trustees told Mr. Snyder that he could keep his stand in the spot last year, but he needed to move his stand. Mr. Snyder said he understood that. Klumpp said that no one is asking Mr. Snyder to shut his stand down. We are asking him to move the stand.
13. Travis Kizer asked Mr. Snyder if he is concerned about moving the stand and losing some patrons if he is in a different location.
14. Marilyn Filley, Martiny Township resident, commented that the location of the stand is in a great location.

**Close Public Hearing @ 6:39 P.M.**

1. **Larry Lenon asked Mr. Snyder if he did not receive a Special Use Permit would he move his stand somewhere else?**
2. **Jeff Cross read emails and Facebook messages received in support of Mr. Snyder’s stand.**

**Old Business**

1. Cook’s Sign Permit Application: Cory Zandstra reviewed Mr. Cook’s sign installation permit application. Ratledge said he was curious why the permit application was brought to the planning commission. Zandstra said he brought it to the PC because he is confused by the ordinance for signs as written.
2. Bylaws: Jeff Cross asked to schedule a public hearing on changing the bylaws. The commission is in support of the bylaws as amended and a public hearing will be conducted on that the next time a public hearing is scheduled.
3. Draft RFP: Jeff Cross asked if there was any further discussion on the RFP. Jeff Ratledge indicated he will have the information that Jeff Cross needs by Friday. The PC will send the RFP information to the township board and ask them to take the next step.

Remarks from citizens in attendance:

1. Logan Wing asked about a residential home on C-2 property on the corner of Pierce Road and 120th Avenue. There is no clear statement on what happens if the home is removed. Or what can be done with the house when the property is sold.
2. Jeff Cross noted that there was no written correspondence received from any representative from Royal View in opposition to the Logan Wing project. Nor were there any representatives from Royal View in attendance at tonight’s public hearing.

**Reports:**

1. Building Department (Cory Zandstra):
   1. Possible Winery: 11952 Pierce Road potential buyer contacted Cory about a possible winery in that location.
   2. Possibly Campground: Five parcels on the end of 105th Avenue potential purchase for a campground.
2. Board of Trustees (Jeff Ratledge): No report.
3. Other: None.

Correspondence:

List of correspondence attached.

Adjourn Regular Meeting

**Motion** by: Travis Kizer

2nd by: Jeff Ratledge

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Meeting adjourned 7:33 P.M.