

Hopkins Township Planning Commission  
Minutes Regular Meeting 1/27/2009

Planning Commission Members: Chair Lori Castello; Tadd Heft; Bob Hoffmaster; Lee Murray; Mike Timmer; Chuck Wamhoff; Fred Morley

Members Present: Lori Castello; Tadd Heft; Bob Hoffmaster;; Chuck Wamhoff; Fred Morley

Meeting Called to Order at: 7:00 PM

Meeting Adjourned at: 9:05 PM

Location: Hopkins Township Hall

- + Meeting called to order at 7:00 PM by Chair Castello.
- + Commission attendance noted above.
- + Mark Youtzy has resigned from the Planning Commission.

**AGENDA**

Public Hearings: (None)

Approval of minutes from October 20, 2008  
Adoption and amendments to agenda  
Public Comment

Old Business:  
Private Road Ordinance discussion  
Wind Ordinance discussion  
Home Occupation Ordinance

New Business:  
Interpretation/Recommendation of possible SUP for Ag business  
Bylaws for Planning Commission per MTA/attorney suggestion  
Election of PC officers for 2009

Any other such business that may arise

Commissioner's Comment:  
Public Comment\*

Next Meeting date: April 28,2009

**Agenda Items**

**October 20, 2008 Meeting Minutes:**

**MOTION:** A motion was made and supported to approve the minutes of the October 20, 2008 Planning Commission meeting. This motion was approved.

**Wind Energy:**

**MOTION:** A motion was made and supported to table the Wind Energy discussion. This motion was approved.

**Agenda:**

The agenda was approved as presented.

New Business:

**Interpretation/Recommendation of possible SUP for Ag business:**

This agenda item was discussed at length. The specific business discussed is the truck wash located at the east end of 126<sup>th</sup> Avenue, the corner of 12<sup>th</sup> Street and 126<sup>th</sup> Avenue. The present zoning for the truck wash parcel is Agricultural. The question is whether the operation is allowed in the Agricultural District as defined in the Hopkins Township Zoning Ordinance (Ordinance) or is the operation commercial and not allowed in the Agricultural District. Section XII-B of the Ordinance defines uses permitted by Class II Special Use Permits (SUP) in the Agricultural District.

Livestock hauling trucks are washed in this facility. The facility owner's trucks as well as other trucks are washed. A fee is charged for this service. Section XII-B of the Ordinance lists nine permitted uses. Truck washing facilities are not listed as a permitted use. Item 8 Section XII-B is "Other non-listed but similar enterprises which at the discretion of the zoning administrator would have similar impact on the neighboring area."

After much discussion, the consensus of the Planning Commission is that the truck wash does not fall under any of the Class II businesses including Item 8, and is therefore not allowed in the Agricultural District. It is a commercial business and can not be permitted in an Agricultural District. The Planning Commission can not issue a SUP for this truck wash facility in the Agricultural District.

Rezoning the parcel to Commercial may be a possible solution. However, the Township recently adopted a Master Land Use Plan and the parcel in question was to remain Agricultural. A decision by the Planning Commission not to issue a SUP could be brought to the Board of Appeals.

It was noted that if the original request for a building permit had included the fact that this would be a truck washing facility the building permit would not have been issued.

**Bylaws for Planning Commission per MTA/attorney suggestion**

We need to have Planning Commission Bylaws. A document titled "Sample Planning Commission Bylaws" was handed out. We need to review this sample to move forward with our bylaws.

Old Business:

**Home Occupation Ordinance**

We have been working on this Ordinance for some time and we need to finalize it. A copy of the Ordinance as presently drafted was handed out. We are going to use a Class approach to Home Occupations. This Ordinance will be public noticed for a Public Hearing at our April Meeting, April 28, 2009.

New Business:

**Election of PC officers for 2009**

Lori Castello was nominated for Chair of the Planning Commission.

**MOTION:** A motion was made and supported to close the nominations and elect Lori Castello Chair of the Planning Commission for 2009. This motion was approved.

Fred Morley was nominated for Secretary of the Planning Commission.

**MOTION:** A motion was made and supported to close the nominations and elect Fred Morley Secretary of the Planning Commission for 2009. This motion was approved.

Lee Murray was nominated for Vice Chair of the Planning Commission.

**MOTION:** A motion was made and supported to close the nominations and elect Lee Murray Vice Chair of the Planning Commission for 2009. This motion was approved.

It was decided that if the elected secretary is absent that the Chair will appoint a secretary for that meeting.

Old Business:

**Private Road Ordinance discussion**

A draft of the Private Road Ordinance was handed out and reviewed. The draft Ordinance will not permit private roads in the Agricultural (Ag) and Rural Open (RO) Districts. The draft will allow a private road in other districts by Special Use Permit. The debate included should a private road be paved and should a private road be required to connect to a paved public road. There are many requirements in the draft of the Private Road Ordinance. It was suggested that the draft Ordinance be tweaked and reviewed once more before public hearing.

**MOTION:** A motion was made and supported to make adjustments to the draft Private Road Ordinance and bring it to the April meeting. This motion was approved.

The meeting adjourned at 9:05 PM.

Submitted By:

Fred Morley, Secretary  
Hopkins Township Planning Commission  
Minutes Approved: