

HELGA TOWNSHIP
Minutes Of
Planning Commission Public Hearing on the Residential Ordinance Rewrite
December 7, 2011

Present Planning Commission: Chairman Steve Pemble, Todd Scofield, Bruce Von Holdt, Robert Saxton, LUA Jim Baruth, Deputy Clerk Bobbi Fadness. Absent was Brian Hughes. Also in attendance were RTB chair Mike Smith, RTB members Jim Lyle, Dave Christianson and Clerk Shannon Skime.

Meeting was called to order at 6:30 pm. The pledge of allegiance was recited.

Chairman Pemble asked the Planning Commission members to review the agenda for any changes or additions. **Motion** made by Todd Scofield to approve the agenda. Seconded by Bruce Von Holdt, motion carried.

Chairman Pemble asked Planning Commission members to review changes to the Residential Ordinance Rewrite. No changes since last meeting.

Chairman Pemble then stated that the meeting would be open for the Public Hearing. The following rules were reviewed and supplied to the participants with the meeting agenda:

Rules of Public Participation

The purposes of this hearing are: (1) to hear from the public regarding the proposed zoning ordinance amendment and the fee schedule resolution; and (2) for the planning commission to discuss and make a recommendation to the town board regarding both. Written documents may be submitted at anytime during the hearing, but public testimony will only be taken during the portion of the hearing opened for public comment. Those wishing to speak must comply with the rules or will forfeit their right to speak and may be ordered to leave the building.

1. Those wishing to speak must wait to be recognized by the presiding officer.
2. All comments must be directed to the planning commission, not to individuals in the audience, and must be limited to the ordinance and fee schedule.
3. The speaker must state his or her name and address.
4. Each speaker may speak for a total of 3 minutes. If there is sufficient time, the presiding officer may allow those who have already spoken to speak again at the end of the public comment portion of the hearing for up to an additional 3 minutes.
5. If a group wishes to appoint a spokesperson and give their time to that person, the spokesperson may speak on behalf of the group for a total of 12 minutes, provide at least 3 people cede their time to the spokesperson.
6. Please avoid simply repeating or emphasizing comments that have already been made.
7. No shouting, cursing, or other disrespectful or disruptive behavior is allowed.
8. No applause or interruptions are permitted. If the audience becomes disruptive, the presiding officer will close the public portion of the hearing and will proceed without further public input.

HELGA TOWNSHIP
Minutes Of
Planning Commission Public Hearing on the Residential Ordinance Rewrite
December 7, 2011

Mike Smith, RTB chair, spoke on a few items for review. Page 23, Section 5, subsection D-Excavation of Mineral Materials reads “100 cubic yards”. In light of a recent CUP violation, attorney Troy Gilchrist recommended changing the “100” to “any” material to make it less argumentative. Page 24, Section 5, subsection F-Land Use Permit Required currently reads “101 square feet or larger”. Mike comments that small structures are cost ineffective for the \$50 permit.

Mike recommends increasing the construction size to 200 or 240 square feet in order to eliminate Jim Baruth spending time on small yard and shed structures. Page 38, Section 5, Land Use Permits also reflects “101 square feet or more” and if the previous listed section be changed, this section should also be changed to be accurate throughout the Ordinance. Page 39, Section 5, subsection E-Penalties reads “after-the-fact land use permit and pay 5 times the amount of the fee established for a land use permit.” Mike talked with attorney Troy Gilchrist and determined that all fees and penalties are typically published on a separate fee schedule. Otherwise, any changes to the fees published in the Ordinance would require the Ordinance to be re-opened.

No other public comment. Pemble closes the public comment portion at 6:39 pm., leads discussion on public comments.

PC members discussed a separate fee schedule which would allow changes to be made without opening up the ordinance. Members agree that Penalties change to pay “penalty amount listed on current township fee schedule” rather than 5 times. A separate fee schedule should be drafted at next meeting.

After discussion by PC members on building size requiring a permit and with input from LUA Jim Baruth on what other townships allow, members agree to 241 square feet or larger free standing structure will require a permit.

Discussion to remove “100 cubic yards” from Excavation of Mineral Materials and reword to the “removal of” or “any” to eliminate argument.

LUA Jim Baruth had nothing to add.

There being no further business to come before the commission, **Motion** made by Robert Saxton to adjourn the meeting, seconded by Todd Scofield, motion carried. The meeting was adjourned at 6:55pm.

Respectfully submitted,

HELGA TOWNSHIP
Minutes Of
Planning Commission Public Hearing on the Residential Ordinance Rewrite
December 7, 2011

Bobbi Fadness, Deputy Clerk

Steve Pemble,
Planning Commission Chair