

## MUSSEY TOWNSHIP PLANNING COMMISSION

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We learn from the Past, We live in the present, We prepare for the Future

James Carden, Chair  
Linda Schmitt, Vice Chair  
Judy Palmieri, Secretary  
Kenneth Montgomery, Planner

Mary Klug, Member  
Bill Schultz, Member  
Tom Tierney Member  
Linda Kniseley, Twp. Board

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### Regular Planning Commission Meeting Regular Meeting March 23, 2010 Unofficial Minutes

Call to Order: The regular meeting of the Mussey Township Planning Commission was held in the Mussey Township Fire Hall. Chair man James Carden called the meeting to order at 7:01p.m.

Roll Call: Present: Linda Kniseley, Tom Tierney, Bill Schultz, Mary Klug, Judy Palmieri, Linda Schmitt, and James Carden with Ken Montgomery-Planner and Selise Carden – recording secretary. Absent: None

Approval of Agenda: Motion Mary Klug with Bill Schultz in support of agenda as presented. All ayes. Agenda approved.

Approval of Minutes from Previous Meeting: 23 February 2010, motion Bill Schultz with Tom Tierney in support to accept as written. All ayes. Minutes approved.

Public Hearings: None

Public Time: None requested.

Old business:

- a. Pronnie produce /Jim Vargo site plan  
Site plan presented by Jim Vargo tonight due to mix up by applicant in actual meeting nights. Ken Montgomery to give verbal report due to site plan submitted at this meeting.

Ken Montgomery: Highlights aspects of site plan, long building for cold storage, dimensions of the triangular shape of property. Township MP has this area zoned as light industrial and this is a good fit for that. Bryce Rd is planned secondary access. Property zoned light industrial. Adjacent property is agricultural in the Township and to the Village side we don't know at this time. To the W is some light industrial property. Site is served by public utilities. Use proposed is in principal permitted uses. There are some development uses in the zoning ordinance which appear to be met, outdoor storage restrictions seem to be met and purely incidental. Exterior light no new lighting proposed insofar as we are able to determine. There has been no site visit.

Given that there is all ready a permitted use there we see no negative impact to the adjacent area.

Proposed staging to be screened along the roadside. Section 1205 parking standards, 10 new spots at the rear of the site. Existing parking spaces are sufficient. No new loading spaces needed no hard surfacing needed. Noise, vibration, order to be discussed by PC with applicant. No hazardous appear to be used or stored on the site.

Wall buffering is required between light industrial and residential, agricultural surrounds and is not required but is provided. Minimum right of way is 66 feet, planned at 120 feet and that is

Performance guarantee at estimated 10% of any improvements requirement we recommend to waive such requirement due to no new parking spaces to be added.

Condition of final site plan approval: a copy of letter from county health dept should be submitted to the Township re: soil erosion permit from appropriate government agency.

Jim Carden: Paved parking?

Ken Montgomery: There is some on the site, drive off Mill St to back of site noted as "existing parking pavement to remain", 6 in concrete driveway off Mill St and leading to concrete apron area at E end of

60x300 feet bldg and that will kind of help cut down on any stone and gravel being carried out to highway, improvement of existing.

Jim Vargo: Provision of hard surfacing zoning ordinance gives us one year to complete so we are good to go. He prefers concrete to asphalt due to truck traffic and costs.

Jim Carden: How often are the dumpsters emptied?

Jim Vargo: Old produce is tilled in the back property, sometimes burned with permit. Dumpster for boxes basically.

Mike Lauwers: There has never been a complaint.

Jim Vargo: Soil erosion comes with the building permit. Jerry Edwards won't give me a building permit without that permit. Comes from the Health Department now.

Tom Tierney: Run off water?

Ken Montgomery: If we were looking at new construction we would want to look at retention, etc. but dealing with existing business we need use a little common sense. Retention ponds, etc could be hardship on the business that we might not need to use.

Jim Vargo: There has never been a water issue that I know of. The sheet flow is very good.

Ken Montgomery: Looks like run off is handled by the E branch of Walker Drain Looks as if the drain goes through the property Water is draining by that which is near by. That is a judgment call. You can be stricter if you would like.

Mike Lauwers: I know we can't make him do the landscape can we agree on adding something so that truck light don't bother neighboring land should it not be vacant at some time.

Jim Vargo: I don't think that he would have an issue with thickening up that berm. Existing trees on that berm are not the best for screening.

Tom Tierney: What are the hours of operation?

Jim Vargo: 24/7 in season, currently 7am till 5pm.

Ken Montgomery: You could also include another condition to provide a drawing to show additional landscape berm buffer on that side of the property to be submitted with soil erosion letter.

Tom Tierney: Could something like that be done, not cost prohibited?

Jim Vargo: I don't think planting a few more trees along Bryce Road.

Ken Montgomery: Looking at the drawing, shows 10 trees there now...

Jim Vargo: Six (6) foot tall pines there now-if they are lucky, they have been there 5-6 years. Not the right tree for the clay there. I would use white or Austrian pine something that grows faster.

Motion: Mary Klug with Judy Palmieri in support to grant pre and final site plan approval with the condition to the final site plan approval that the soil erosion permit be provided and revised landscaping plan showing a denser buffer along the North side of the property be provided.

All ayes. Motion approved.

b. Accessory Buildings. (Section 1203.D.)

b. Master plan: Ken Montgomery: Air photos used and shown to commissioners. Visitation of township is complete. Tax records to be gone over before report re: property lines and land use map completion. Next step review of land use by commissioners and then written report on land use and how many acres are used per land use for a table in the Master Plan and comparison to the last one done. We expect to see an increase in land use devoted to residential. This

is the most time consuming aspect of the new Master Plan. It is important to know where you are and what you have before decided where we want to go.

New Business: National Flood Plan/insurance/ordinance/resolution

Mike Lauwers: In the past we were not in the flood zone, FEMA has upped the qualifications and previously you could not buy flood insurance. There are houses not in the flood zone here that have flooded, once we adopt this ordinance everyone in the can get flood insurance at lower costs. Anyone with a mortgage within the flood zone; they have to have flood insurance or no mortgage.

Judy Palmieri: Is it expensive?

Ken Montgomery: The federal government subsidizes.

Jim Vargo: You have to buy it from FEMA.

Ken Montgomery: The federal government is the only one who sells it.

Mike Lauwers: It is mandated, one can appeal if one doesn't believe that one is in the flood zone. There is neither real rhyme nor reason to where they put the flood zone. In our township - we have seen water in those areas chosen by FEMA as flood plane. We need to fast track that. People with existing mortgages have to have flood insurance.

Ken Montgomery: There is a proposed ordinance to use: called flood damage prevention ordinance to draft our own ordinance.

Mike Lauwers: I believe that we have to have a public hearing, don't we, Ken (Montgomery)?

Ken Montgomery: I believe so - depending on the ordinance.

Mike Lauwers: They want an actual ordinance in our books.

Jim Carden: They can make existing mortgage holders to do this?

Mike Lauwers and Ken Montgomery: Yes.

Mike Lauwers: With a public hearing we would mail notification to anyone in the flood plain - not that they can do anything about it but to inform.

We have a contact person from FEMA who has published his phone numbers to give out to the public with any questions in lieu of coming out to our meeting.

We only have six (6) or seven (7) houses in the new flood plain.

Jim Carden: Ken can you publish that for public hearing next month? Will that give the office time to mail out letters to residents/land owners?

Mike Lauwers: Do we need a public hearing?

Ken Montgomery: Only if put in the Zoning Ordinance.

Mike Lauwers: They are calling it a community resolution.

Jim Vargo: It is an attachment to the State construction code, put in to the general ordinance.

Ken Montgomery: The advantage of a public hearing is informing the public.

Mike Lauwers: In lieu of public hearing, can we have an informational meeting after having notification sent out?

Mary Klug: Could an informational blurb be put in the June newsletter? I think that would be helpful.

Jim Vargo: You could put that in there and the scheduled meeting date and or FEMA phone number.

Ken Montgomery: I guess if it is not going to be part of the zoning ordinance you don't need it.

Jim Carden: I would prefer not to have a public hearing over this as I have no information to share.

Mike Lauwers: I would still like to have a meeting.

Ken Montgomery: There is no legal reason for the planning commission to be involved in this. This is a township board issue.

Jim Carden: We will let the board handle this and we will be at their meeting.

Mike Lauwers: The deadline is May 1, 2010. Our meeting is 14 April 2010. The next question is do these people get a break on their taxes?

Ken Montgomery: There are some technical terms flood plain, 100 year flood plain, 50 year...

Mike Lauwers: Now they are doing it by zone. We are in the 1% flood zone plain.

Township Board Report:

Linda Kniseley: Just the budget. Everything else was all ready covered.

Planning Commission Chairman's Report:

Jim Carden: Ken (Montgomery), I appreciate you getting the site plan approval report ready so quickly for us.

Planning Commissioners' Business: None.

Adjournment: Motion Judy Palmieri with Bill Schultz in support to adjourn the meeting. All ayes. Meeting adjourned at 8:12p.m. by Chairman James Carden

Respectfully submitted,

Selise Carden

Recording Secretary, Mussey Township Planning Commission

