

Comins Township Planning Commission  
June 13, 2019

Call to order: 7:06pm

Invited Rob, Zoning Administrator, to the table.

Roll Call: John McConelly, Dan Swartzendruber, Lora Freer, Mike Plue, and Arisa Handrich

Public Attendance: Perry Beachy and David Bontrager

Public Comment: No comment

Approval of minutes: April minutes: Dan M/C, John 2<sup>nd</sup>  
May minutes: Change working on General ordinance to talk about putting it on hold while we work on master plan Dan M/C, Mike 2<sup>nd</sup>

**Recess General Meeting: 7:11pm**

Open special meeting for Perry Beachy who would like to open a custom metal fabrication shop on Kittle Road.

Perry: A family operated business, maximum 4 workers, smaller than current shop.

Rob: 11 notices sent to neighbors in surrounding area and ran in the paper.

Open floor for comments against the shop: No comments

Comments for: David Bontrager (neighbor) – would really like to see him get the business going.

No correspondences to the zoning administrator.

Dan asked finding of facts:

1. Yes
2. No
3. Yes
4. No
5. Minimal, oil tank up on a stand.
6. Yes – allow me to do my work from home, benefit to the community and give me a little more time.
7. Plenty of space on proposed location, not any larger than proposed

Lora: Easement on deed? Yes

Rob: Setbacks are good. In a good location. Private.

8. Yes
9. Already have trees

Lora: How tall is building? 28 feet overall. Roof seen from road. Rob has plans.

10. Semis coming in, steel deliveries 2-3x a week, freight will be mostly UPS, freight trucks maybe once a week, will have a circle drive.
11. Very little compared to sawmill. Diesel engine being the loudest
12. No
13. 7:30 – 5:30 currently. Maybe work in mornings, but it will be paperwork/stocking shelves, except in emergency circumstances
14. On David Bontragers property. Would like to have one. Sign permit needed
15. Would like to pass onto sons. (grandfathered unless change of ownership) Legal only for current owners.
16. Not at this time.

Anything Perry would like to add? Not at this time.

Dan: proper set backs and public health and safety are biggest concerns and those are being met. Neighbor showed up and not opposed.

John: Can we be notified if amount of biohazards (oil tank) are changed?

Rob: we aren't going to police, but take him at his word unless something was reported. This is his home and he's not going to put that in harms way.

Lora: Agriculturally zoned. A lot of farmers have it.

Rob: Appreciate you sticking around and being in our community instead of leaving with partner.

Dan made motion to approve request from Perry Beachy. John 2<sup>nd</sup>

No discussion

John – yes; Dan – hesitant to see agriculture land be changed, but see it's better use for the land, so yes; Mike – yes; Arisa – yes, appreciate you staying, says a lot about our community

### **Second Special Use Hearing: 7:43pm**

Request of special use permit for construction and permit to build sheds with vinyl siding on his agricultural property.

David Bontrager – home based business with North Star which has gotten bigger and David has opted to step out, but construct orders for North Star strictly wholesale. 48'x100' pole barn. Redo drive. Circle drive. 12'x14' wide buildings.

Any opposition? No

Rob: No correspondences to Rob, 11 notices sent out.  
Only concern is setbacks, may have to shift drive way.

Neighbor Perry favors the project.

Finding of Facts done by Dan:

1. Yes
2. No
3. Building permit
4. Yes, as a licensed builder of the buildings, possibly road commission
5. None, dumpster on site, burn pit for scraps.
6. Yes, financial gain, be home with family, less hub bub from North Star

Lora: Getting DBA? Yes

Subcontractor to North Star, but own all equipment.

7. No growth in future, but limit on size because of setbacks.
  - Board would like to know of any changes.
  - Brother will sell some land on other side
8. Yes, close to road, make attractive, gable end toward road, work out of back.

Lora: sides? Plenty of room

Finished sheds? North Star will sell, will make room for them on property

David: Can I have a drive on setback? Yes, can use for anything, but building.

Rob: Commercial or agriculture setbacks? Agricultural unless rezoning,

9. Mike: maybe, because of issues with steeling. David: Not had any problems yet
10. Yes, concern there. Will widen the drive way. Occasional trucks, but not too big.

Dan: Make sure easement carries on. Beachy no longer land locked.

11. Diesel engine, enclosed in detached building for noise.
12. No

13. 7:30-4:30 Don't see a problem, except trailers down road. Be mindful in evening as the sound will travel down the road.

14. No plans at this point.

15. Possibly retail down the road. But no plans for that right now.

Dan: What would happen if it's open to the public? Too tight of setbacks. Would like to see it move to back of property. David is okay with that.

Rob: Not too much traffic, but would like to see close to the road be clear.

Some future property sale stipulations: permit doesn't change owners. But could be applied for

Lora: changing agricultural land, but not conducive to agriculture on these properties. But these are also agriculture businesses.

Lora: any concerns from David? No

John: 300 gallon lifted fuel tank? Yes

Dan: Bathroom? Porta John

Setbacks? Permit should be contingent on setbacks, Rob will enforce at time of building.

Lora: Comfortable with setbacks, but understand Dan's concern.

Dan: good increase to property values, glad he can be closer to family.

Mike makes motion to give permit to plans as written.

Any discussion:

Mike - No reason to talk about sales when his plan is wholesale.

Dan- would like stipulation about possible future sales.

Lora: Our job is to look to the future

David: Talked with Rob and saw it as being in his best interest in case the need is there.

Future retail space, display of product in or to the west of building. Or at North Star building. No storage barns within **45 of right of way**

Mikes makes motion for permit to be approved for the construction and sales by David Bontrager with the stipulation of future display of sheds needs to be minimum of 45 feet of the right of way on Kittle Rd.

John - yes

Dan - yes, good luck

Lora – Definitely  
Mike – yes  
Arisa – yes

**Close special use: 8:25pm**

**Open General meeting back up.**

**New Business:**

Welcome new member, John McConnell

ZA Report – Excel sheet attached

- great growth happening in township
- put a rush on amendment for General Ordinance for smaller square footage – on to do list for next meeting.

Lora will put together ordinance and we will go over next meeting.

Pausing General Ordinance and working on Master Plan

Zoning Plan 1973 updated few times up to 2004, but never mad shift to Master Plan from Zoning Plan.

Monday 24<sup>th</sup> County PC meeting.

Master Plan outline in records. Go over at next meeting and work out a timeline.

Next meeting: July 11, 2019

Adjourn: Dan M/C, Mike 2<sup>nd</sup> 9:09pm

Respectfully submitted by Arisa Handrich