

Westfield Township Zoning Commission Meeting Minutes

May 15, 2012

The meeting was called to order at 7:35 pm by Chariman Sturdevant. Members in attendance: Greg Brezina, Dennis Hoops, Jill Kemp, Scott Anderson, Heather Sturdevant and Sherry Clarkson, zoning secretary. Member absent was Sue Brewer. Guests in attendance: Carol Rumburg.

Chairman Sturdevant advised tonight we are getting together to get some things done. We need to get some meeting minutes approved, as we did not have enough members to approve at our previous meeting. **First item is to approve the minutes of April 10 meeting. Chairman Sturdevant asked if there were any corrections/changes to the minutes. There being none a motion was made by Jill Kemp to approve the minutes as presented. A second to the motion was made by Scott Anderson. A roll call was taken: Greg Brezina-abstain; Dennis Hoops-aye; Jill Kemp-aye; Scott Anderson-aye; and Heather Sturdevant-aye. The motion carried. The minutes of the April 24th meeting were placed before the members (changes were made at the meeting prior)with no changes/additions a motion was made by Dennis Hoops to approve the minutes as presented. A second to the motion was made by Greg Brezina. A roll call was taken: Greg Brezina-aye, Dennis Hoops-aye; Jill Kemp-abstain; Scott Anderson-aye and Heather Sturdevant-aye. The motion carried.**

The minutes of the May 8th meeting were presented to members. Chairman Sturdevant advised she had some changes to make. It was questioned if in ground is one word or two. It was noted by Secretary Clarkson as typing the minutes inground was treated as one word, but Word treated as an error so inground was typed as two words in ground. Also under 2, section Public Hearing.. Then define what a 4 ft. solid safety fence.....it should read Then define a 4 ft. solid safety fence, as a 4 ft. solid fence with no opacity (delete what). A little bit further down in the paragraph it states you have to have a discussion and state why you want to have a fence around a pool... - The reason needs to be inserted which was left off, which is generally a lake or pond have a gradual drop off, whereas a pool does not as it would be easier for someone to get out of a pond or lake. Also it should state pool vs. a pond or lake, not in ground pool, or lake. Next sentence states questions, should read singular of question. On Page 2. first paragraph the sentence after "fluff" – with the zoning resolution code, delete code from sentence. Third paragraph starting with Greg Brezina, second sentence It was noted that fencing is a real., should read fencing is really a difficult thing to deal with. Next paragraph, delete addition after alteration/addition. On Page 3 Mr. Brezina asked that the third paragraph down reading....Greg Brezina stated that perhaps we should leave in and treat as a guideline for individuals to follow. It was noted that once again, we should not try and control, so this would be removed. Change to state: Greg Brezina stated that perhaps we should leave in and treat as a guideline for individuals to follow, although our book is not a guideline, so it should be removed. **With no other changes/additions Chairman Sturdevant asked for a motion to accept the May 8th minutes as presented with the corrections to be made. A motion was made by Jill Kemp to approve the minutes with changes. A second to the motion was made by Greg Brezina. A roll call was taken: Greg Brezina-aye; Dennis Hoops-abstain; Jill Kemp-aye; Scott Anderson-aye and Heather Sturdevant-aye. The motion carried. It was noted the minutes would be signed at the next meeting.**

Chairman Sturdevant advised the other reason for getting together tonight is to review definitions received from the Planning Services. Definitions were handed out from Planning Services and members were asked to look at the definition of light Industry.

- Light Industry – Research and development activities, the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building. Finished or semi-finished products may be temporarily stored outdoors pending shipment.
- A use engaged in the manufacture, predominately from previously prepared enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc. a machine shop is included in this category. Also included is the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, fish tanks and supplies, food, paper products (but not the manufacture of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, and any other product of a similar nature.
- A use that involves the manufacturing production, processing, fabrication, assembly, treatment, repair, or packaging of finished products, predominately from previously prepared or refined materials (or from raw materials that do not need refining) warehousing, wholesaling, and distribution of the finished products produced at the site is allowed as part of this use. (Chairman Sturdevant advised she liked this part of the information).
- Uses engaged in the manufacture, predominately from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, or distribution of such products. Further, “light industrial” shall mean uses such as the manufacture of electronic instruments, preparation of food products, pharmaceutical manufacturing, research and scientific laboratories, or the like. “Light industrial” shall not include uses such as mining and extracting industries, petrochemical industries, rubber refining, primary metal, or related industries. Any operation which assembles, improves, treats, compounds or packages goods or materials in a manner which does not create a noticeable amount of (Planning Services did not copy the next page).

Things which Chairman Sturdevant liked: Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor etc. We need to make sure to include as well as make a statement in the code that no operation or type of business shall come in that shall produce negative external effects to the environment which could be considered a nuisance; meaning smoke, pollution, vibration etc., it is covered in the definition, because there being a residential district close to this area and need to protect the residents.

It was noted by Jill Kemp the first paragraph was good, although Chairman Sturdevant advised compounding is included and we do not want that, although Jill Kemp advised we could omit this in the wording. It was noted compounding can include raw materials and this can cause a smell, granted with the Solid Waste Facility this can cause a smell on certain days. Scott Anderson advised as well as the diesel fuel smell from the truck stop.

Chairman Sturdevant advised let's look at all the sentences and create our definition. Chairman Sturdevant advised she liked the last paragraph....Any operation which assembles improves, (delete treats, compounds, or) packages goods or materials in a manner which does not create a noticeable amount of (adding) external effects of the Manufacturing process such as smoke, pollution, vibration, etc.....also adding a use that involves the manufacturing production (delete processing) fabrication, assembly (delete treatment) repair, or packaging of finished products, predominately from previously prepared materials. Warehousing, wholesaling and distribution of the finished products produced at the site is allowed as part of this use...therefore not including warehousing separately..thereby adding together to get what we want.

Chairman Sturdevant advised "So, how does this sound...? LIGHT INDUSTRIAL

Any operation which assembles, improves, manufactures, produces, fabricates or packages goods or materials in a manner which does not create a noticeable amount of the external effects of the manufacturing process such as smoke, noise, soot, dirt, pollution, vibration or odor etc., Warehousing, wholesaling and distribution of the finished products produced at the site is allowed as part of this use.

It was noted that we are controlling the external effects and place a statement in the code as to protect the area due to nuisance of soot, dirt, etc. This way we are double protecting ourselves.

Now, moving on to Warehouse:

- Warehouse: Facilities characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or nuisances such as dust, noise and odors, but not involved in manufacturing or production.....we do not like this definition....how about
- A use engaged in storage, wholesale, and distribution of manufactured products, supplies and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.....adding that warehousing be treated as an accessory use to light industry only. We do not want warehouse residential or retail.

Chairman Sturdevant advised let's address the definition of a Bank:

- A freestanding building with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit and for facilitation the transmission of funds. A financial

institution that is open to the public and engaged in deposit banking and that performs closely related functions such as making loans, investments and fiduciary activities.

- Drive-in banking facility: a facility including provisions for the conduct of banking services directly to the occupants of motor vehicles (b) drive-in restaurant, we do not want that one. It was noted we should look at page 181... stated Dennis Hoops.
- An establishment where the principal business is the receipt, disbursement or exchange of funds and currencies, such as: banks, savings and loans, or credit unions. It was noted by Chairman Sturdevant we could have a problem with check and cash. The main concern is "loan" definition. Does this protect us from cash and loan companies? If you refer to two paragraphs up.....Any building wherein the primary occupation is concerned with such federal or state-regulated businesses as banking, savings and loans, loan companies and investment companies. But, once again, you have loan companies, can we exclude them specifically? It was noted that Chairman Sturdevant will check with Bill Thorne regarding this.....unless could we specifically state excluding those businesses which are not covered by FDIC? Although, we have to be careful, as it was noted that a cash and loan company can still try and come in through the BZA as a similar use. The board looked at the following: Any trust company, savings bank, industrial bank savings and loan association, building and loan association, commercial bank, credit union, federal association, investment company, which is chartered under federal or state law as our definition for Bank . It was noted that Chairman Sturdevant will discuss this with Bill, whereby we exclude those businesses which are not insured by FDIC, we need to creatively word to protect.

Now, on to Storage:

- Storage Area: an area used or intended for the storage of materials, refuse or vehicles and equipment not in service. Storage areas shall not incorporate any other areas of project development such as parking areas, landscaping, and yard areas unless specifically authorized by the applicable land use regulations. A space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours.

The board advised that we should stay away from storage, since we have addressed warehousing.

Chairman Sturdevant advised under Highway Commercial we have added the following:

Under Permitted uses add: Administrative Businesses and Professional Offices including Public Administrative Offices, Data centers and educational facilities

Light Industrial Uses (addressed prior in minutes)

Warehouses and Storage shall only be allowed as an accessory use to another primary permitted use in the HC District (addressed prior in minutes)

Definition provided for Light Industrial and Warehouse and Banks (questioning financial institution vs. bank, which will be checked with Bill Thorne).

Chairman Sturdevant asked if we should do an informal review with Planning Services. Members agreed to send the information to Bill Thorne first, and then to Planning Services for a formal review. At the next meeting we can fine tune items discussed before going to Planning Services.

Chairman advised we have one other item to discuss, is the map which Trustee Likely provided to us which addresses SOB's, (Sexual Oriented Businesses) if you look at the map it specifically identifies the areas where this type of business can go. It was noted that members did not think that this needed to be adopted as this follows the text which is already in place. Jill Kemp advised the text has already been approved, and the map just follows the text, so we need not do anything. If you look at our code, you are not locking this type of businesses out. If you look at the map, it is a larger area than you think that this type of business can come in. The one place is now taken, purchased by TA, across the street (former Select Truck building). It was noted after discussion amongst members that we are adopting this document as a supplementary accessory document to our current zoning text.

With this discussion, **Chairman Sturdevant made a motion to adopt the feasible area for SOB (Sexually Oriented Business) map as an accessory supporting document to our current zoning text. A second to the motion was made by Jill Kemp. A roll call was made as follows: Greg Brezina-aye; Dennis Hoops-aye; Jill Kemp-aye; Scott Anderson-aye; and Heather Sturdevant-aye. All were in favor and the motion carried.**

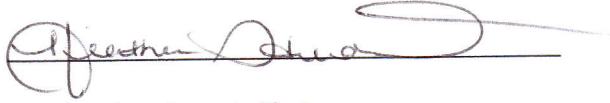
Chairman Sturdevant advised she will make a call tomorrow and talk to Planning Services to make sure, we are correct. If we are not, we can rescind our vote at the next meeting. If we are correct this can then be given to the Trustees to follow the process along.

The next meeting will be June 12, 2012 at 7:30 pm. There is no upcoming training . Chairman Sturdevant advised she has tried to contact Bill Thorne to see if we can obtain some dates. We would like training to be held without having to incur a cost for anyone. If we get some open dates, we will run these dates by board members, thereby making sure they can attend and then we can invite other townships to partake in the training.

With no other business Chairman Sturdevant asked for a motion to adjourn the meeting. Such motion was made by Jill Kemp and a second to the motion was made by Greg Brezina. All members were in favor. The meeting was adjourned at 8:20 pm.

Respectfully Submitted,

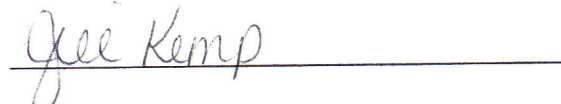
Sherry Clarkson



Heather Sturdevant, Chairman

7-10-12

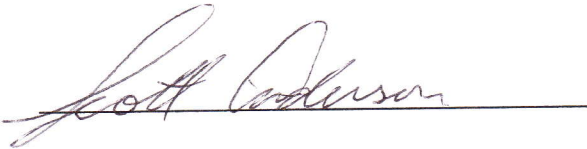
Date



Jill Kemp, Co-Chairman

7-10-12

Date



Scott Anderson, Member

7-10-12

Date



Greg Brezina, Member

7/10/12

Date

Dennis Hoops, Alternate

Date

Sue Brewer, Member

Date