

Approved 12/15/2021

-Casco Township Planning Commission-  
Workshop Meeting  
November 17, 2021; 5 PM  
Casco Township Hall

**Members Present:** Chairman Lewis Adamson, Vice Chairman Andy Litts, Board Representative Dan Fleming, and members Kelly Hecker and John Weaver

**Members Absent:** Secretary Greg Knisley and ZBA Representative Sam Craig

**Also Present:** Zoning Administrator Tasha Smalley, Supervisor Allan Overhiser, Recording Secretary Janet Chambers

1. **Call to Order:** The meeting was called to order by Chairman Adamson at 5:00 PM

2. **Workshop - Work on Text Amendments:**

- **Water run off text:** Smalley said the water runoff text has gone from 2 pages to 3 paragraphs, to now one paragraph as follows:

*In order to protect adjacent properties and to provide adequate, as possible, drainage of surface water and storm water runoff, the final grade shall be designed and landscaped such that storm water runoff is managed in a manner which does not create standing water or damage on adjacent properties for all earth moving activities in all zoning districts.*

Smalley said when you do construction you cannot create standing water. Smalley suggested this be in two areas of the ordinance. Often architects look at excavating. Builders look at setbacks. Different people look in different sections of the ordinance.

Adamson asked if building inspectors are responsible for this.

Smalley said this applies to the final grade. If a problem is created, they would be responsible.

Fleming questioned the words "as possible". This could be a problem. As land lays, runoff could be natural. If you put a shovel in the ground, you could be responsible for water even if it already existed. Standing water is the function of the property itself. He also questioned this being in all districts. It originated in Miami Park from property we have not seen. Fleming said it is not necessarily anything we need.

Hecker said when putting up structures or impervious surfaces, you must manage water runoff.

Weaver said the county already makes you put up silt fences and provide drainage.

Smalley said the DNR is more about water quality. This would be for after you take away the silt fence, protecting during construction.

Smalley said you should be responsible for your own stormwater. If you mound up, then make a gully.

Litts recalled a lady 2 months ago on 72<sup>nd</sup>. It is like an upside bowl. He said the draft was written fairly well. He questioned if this applies to all areas or just areas with issues.

Smalley said Douglas has a water runoff plan.

Adamson said he did not think it was necessary in all districts.

Smalley said, clearly more property in ag is easier, but it is still a thing.

Hecker said in the PUD on 70<sup>th</sup> it could be needed. There are conversations about erosion along the bluff. There are sensitive areas in all districts due to natural features. It is not fair to the neighbors.

Litts said if there is a drainage ditch in the area they could take care of runoff, if not, they have a problem.

Smalley said they can use gutters and downspouts and manage their water. They can make rain water drains, but not to the neighbors.

Discussion ensued about how to enforce, and whether the problem was preexisting.

Smalley said she had several complaints after excessive rain, and could only say “sorry, we had 12-inches of rain”. The amendment would be grandfathered.

Adamson said he is not convinced it is needed in all districts.

Weaver suggested adding “additional” between create and standing.

Dave Campbell (Via Zoom) said he agreed with Hecker and Litts on the amendment. Glenn Shores has issues related to two drain districts and the Road Commission. Mr. Craig of the Road Commission said they only handle road water runoff. Campbell asked if commissioners had a chance to see the documents he sent concerning drainage (Attachment 2). Campbell said putting the words “as possible” is inviting a lawsuit.

Litts said the 50' lots are a problem.

Campbell said he was disappointed that he started this discussion a month ago and commissioners were just provided his documents. Bottom line is something should be done, and in particular in the nonconforming lot sections.

Commissioners considered all districts except RR and AG.

Hecker said she would like to see this in all districts.

Smalley said this pertains to moving dirt.

Commissioners discussed where to put the water. How to know if the water was already running on the property.

Smalley said when new construction happens, at least have a plan.

Campbell said at one time a runoff ordinance was sent to the board. The issue was the person would have to pay Smalley to come over.

Hecker said the fee may need to include taking a picture before the footings are started.

- **Pole Barn Vacant property:** Smalley said the Township Board discussed pole barns without a dwelling. It could be called a residential storage building. There could be size restrictions. If 50' x 100' could be build and meet the setbacks, it could be allowed. They could not exceed 25% lot coverage. It could say not allowed for sleeping, or commercial use. Could have 16' sidewalls, house a camper, could have a bathroom & finished space. This could be done by adding an amendment to accessory building or have a new section on residential storage buildings. We would come up with rules and regulations.

Litts said it sounds fine with him.

Fleming asked if it would have to follow setbacks for the district.

Smalley said yes.

Fleming asked if it would require the 25% lot coverage rule.

Smalley said yes. It would be a structure without a home. She gets calls all the time for this.

Litts said he is ok with it if it meets setbacks.

The consensus of commissioners was this would be a good amendment.

- **Pole type dwellings:** Currently the zoning requires a permanent perimeter foundation of concrete or cement block with a minimum depth of 42". Pole barn houses don't use a perimeter foundation, so they are not allowed. If you think it is ok to allow pole barn houses change the language.

Fleming said you can build on poles, allowing piers out of treated wood or concrete.

Smalley said Ganges and Waverly township allow this. Clyde Township does not. It is more economical to build.

- **Daycare center in a church:** Navarro is probably not going to continue her daycare in her home because of issues. The Methodist Church on 109<sup>th</sup> & 66<sup>th</sup> have been presented an idea to have it there. The Zoning Ordinance only allows it in the commercial district. Maybe you want an amendment to allow Day Care Centers in a church. Would need to be amended and could include

a food pantry or preschool. Some consider it a religious right but is not allowed. Group Daycare must be in a house.

Hecker said she thought it would be good for daycare and food banks.

Adamson said he has no problem with it.

Weaver thought it would be ok.

The consensus was daycare, food pantry and preschools could be allowed in a church.

Smalley said there are 7 amendments ready for public hearing and several others for the future.

Smalley said the ordinance does not allow for something unless it is specified in the ordinance. She mentioned temporarily living in a camper for a remodel or rebuild from a fire is not provided for in the ordinance.

Smalley said there is an application for Roselings to add another building to their Venue Barn. Maybe the PC would want to consider not requiring a public hearing every time someone has a request like this.

146 Blue Star has an application for a Bed & Breakfast. They will need a public hearing. These two requests could be done at a December Public meeting along with the 7 amendments.

**3. Adjourn:** The meeting was adjourned at 5:55 PM.

Attachment 1: Amendments

Attachment 2: Information from Dave Campbell regarding water runoff

Minutes prepared by Janet Chambers, Recording Secretary