

Approved 11/18/2020

Casco Township Planning Commission
Public Hearing – via Zoom
Text Amendment
October 21, 2020 6 PM

Members Present: Chairman Dave Campbell, Vice Chair Lewis Adamson, Secretary Andy Litts, Board Representative Judy Graff, ZBA Representative Dave Hughes, and PC members Dan Fleming and Greg Knisley

Absent: None

Also Present: Zoning Administrator Tasha Smalley, Janet Chambers Recording Secretary and Paul Macyauski and Deputy Clerk Kathy Stanton

1. **Call to order:** The meeting was called to order at 6:00.
2. **Review and Approve agenda:** Motion by; Hughes, supported by Fleming to approve agenda. Roll call vote: Campbell–yes; Adamson–yes; Litts–yes; Hughes–yes; Fleming–yes; Knisley–yes (Graff was present but working on technical difficulties with Deputy Clerk) Motion carried 6-0.
3. **Public Comment – other than items on agenda:** None
4. **Overview of the Public Hearing:** Campbell read the public notice.
5. **Open Public Hearing:** Motion by Hughes, supported by Litts to open public hearing at 6:08. Roll call vote: Campbell–yes; Adamson–yes; Litts–yes; Hughes–yes; Fleming–yes; Knisley–yes (Graff working on technical difficulties with Deputy Clerk) Motion Carried 6-0.
 - A. **Text amendment 3.17 Outdoor storage:**
 - B. **Text amendment 3.32 Fences:**
 - C. **Public Comment:** None
 - D. **Planning Commission comments / questions:** Campbell asked Commissioners for input. Litts said the most significant item was tent camping. Litts questioned whether tent camping should be prohibited in Rural Residential where it is not very populated or on vacant land. He said if someone owned a piece of property, they ought to be able to camp on it. He also questioned Item #4 which limits guests from occupying a recreational vehicle on a lot on which a principal building is located.

Adamson questioned where the 72-hr. maximum per year came from. Smalley said that was already in the ordinance.

Knisley asked for clarification on whether a recreational vehicle could be on vacant land. Smalley said no campers on vacant land as stated in #3. “Storage or parking of recreational vehicles shall be limited to a lot or parcel upon which a principal building is located.”

Knisley- Asked about vacant land. Smalley said they must have a house on the property for a recreational vehicle to be parked there. Smalley said no campers on vacant lot as stated in #3. Ordinance already reads that way.

Fleming reminded everyone that Tasha is telling us what is in our ordinance. It is up to the PC to decide going forward.

Adamson questioned the 72 hrs. What happens on the 73rd hr. What are we using to make that decision?

Fleming added as far as tents, why prohibit the activity when it is the misuse of that activity that is the problem.

Technical difficulties were corrected, and Graff was able to sign in. Graff asked if there were any public comments that she missed.

Paul Macyauski said if somebody owns a parcel and wanted to camp for 14 days or less, they could. He added there is one place in the township where the 14-day limit is abused, and they are also camping with numerous tents.

Discussion moved to Fences, 3.32C being measured from average grade. Smalley said she added *C. Fence height* it shall be measured from average grade of the ground to the top of the fence. She did not make a diagram as discussed at the previous meeting because she did not come up with a diagram that would be clearer than simply saying the average grade would be determined by taking measurements of the grade 5' out from either side of the fence.

Campbell recalled the subject coming up with Ellingson and he said 3' to 5' either side of the fence would be a way to figure average grade.

Fleming said he understood limiting fence height on a corner where it would affect traffic safety, but the PC has not come up with a reason for restricting fence height other places.

- E. **Final comments / questions:** Chairman Campbell invited public comment on the fence height amendment. Macyauski said he understood the reason for going from a 7' to 8' fences in AG is because of deer. Other than Ag, Macyauski said he does not know why fence height is regulated, except that the building codes say 7'.

Smalley said the building codes do not regulate any fence heights. A fence over 7' requires a building permit.

Macyauski said they would have to get a permit and a variance for a taller fence.

Fleming questioned why a property owner should have to explain why they should have a taller fence if the township cannot show why he should not.

6. **Close Public Hearing:** A motion by Hughes, supported by Campbell to close the public hearing at 6:33 PM. Roll call: Campbell-yes, Adamson-yes, Litts-yes, Graff-yes, Hughes-yes, Fleming-yes, Knisley-yes. Motion carried 7-0.

7. **Discussion and decision:** Campbell asked for discussion on 3.17.

Fleming had a comment relating to discussion from last month about tent camping. Since it is not “allowed” in the ordinance it is prohibited. He asked if there is a section telling what we can do with vacant land.

Smalley said Section 3.08 talks about the principal use of a lot. The principal use is determined by a dwelling or commercial structure on the lot. You can walk on it, mow it, you cannot have a use without a dwelling or commercial structure.

Litts asked if hunting would be a use. Would he be able to bring a camper and hunt on his vacant land?

Knisley asked about cutting firewood on a vacant lot.

Motion by Campbell supported by Hughes to approve the proposed text amendments for Section 3.17 Recreational vehicle storage or parking in residential districts. Roll call: Campbell-yes; Adamson-yes; Litts-no; Graff-yes; Hughes-yes; Fleming-no; Knisley-yes. Motion carries with a 5-2 vote.

A motion by Campbell, supported by Hughes to approve the proposed text amendments for Section 3.32 Fences. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-no; Knisley-yes. Motion carries with a 6-1 vote.

8. **Adjournment of Public Hearing:** Meeting adjourned at 6:41 PM.

Attachment 1: Notice of Public Hearing

Attachment 2: Proposed amendment, Section 3.17 Recreational vehicle Storage or parking in residential districts

Attachment 3: Proposed amendment, Section 3.32 Fences