

WALES TOWNSHIP
PLANNING COMMISSION MEETING
APRIL 19, 2021

Opening

- a. Call to Order. Meeting was called to Order at 7:00 p.m.
- b. Pledge of Allegiance given.
- c. Roll call. Dave Basnaw, present; David Jewell, present; Gayle Perry, present; John Minor, present; Kevin Watkins, present; Larry Thomson, absent, excused; Nicole Downey, absent, excused. Five present; two excused absent. Quorum present.

Approval of Agenda. Jewell made a correction of one misspelled word in the Minutes of the March 15, 2021 Meeting. **Motion** by Minor, second by Watkins, to approve the Agenda as presented. Five ayes; two absent; Motion carried.

Approval of Minutes of the March 15, 2021 Meeting. **Motion** by Perry, second by Jewell, to approve the Minutes of the March 15, 2021 Planning Commission meeting as corrected. Five ayes, two absent; motion carried.

Questions from the public on agenda items. None.

Correspondence.

- a. Moratorium on high voltage approvals by Board of Trustees
- b. Results of Board action on Sutphen rezoning request.

Guest presentations. None.

Reports

- a. Zoning Administrator. Jim Waddy.

Mr. Waddy was asked to report on progress of ongoing Planning Commission cases.

He said the additions to Mt. Pleasant Bible Church are in their final stages, and looking good.

IBEW has one new building fully constructed, being used primarily as a training facility.

Sutphen rezoning site plan is sitting in front of you, to have a date set for review.

Lixey Storage buildings installed without permits were not allowed by Planning Commission, so Mr.

Lixey has to go before the Zoning Board of Appeals. Mr. Minor reminded Mr. Waddy that certain

criteria have to be met to go before the ZBA, which Mr. Lixey cannot meet. There was general disagreement over the terms to use for the domed "structures", or "buildings", or "domed units".

Minor stated that this Commission has the authority to set whatever conditions they see fit.

Whatever they are, they have to show fire suppression capability. Waddy said they are buildings, and

as such, need building permits. Minor said Lixey has to submit to the conditions listed at the last

meeting, which includes no storage of dangerous materials. Waddy said it is impossible to meet the

requirement of having no toxic, hazardous, explosive material on site when you are storing cars,

trucks, motorboats, campers, etc. Minor stated that he has a degree in Fire Science, and it is on that

authority he bases his reasoning for asking these questions. Waddy said Lixey specifically listed what

he stores in those buildings. Mr. Watson said there is motorized vehicle storage with fluids in them

done everywhere. Waddy said he needs to know what he can tell the man he can store.

Supervisor Masters read requirement #9, "Applicant shall comply with all building codes, and correct Violations". Watson asked if we don't go by the codes of the fire department. Minor said, speaking of

fire suppression, the fire department is going to request a list of what is in these buildings. Then the Fire Chief should set up a plan in case there is a fire. Mr. Basnaw stated that he has property near Lixey's, and when he had a Special Use Permit on his sawmill business, one of the conditions was to have fire inspections monthly. Watson said Lixey's is open to inspections, correct? Waddy said he is asking for clarification. Minor said this Commission can't override Building Codes, or grant variances. Waddy asked if Lixey comes in with new buildings, can he be approved? Minor said it can be re-reviewed at a new meeting. Chair Perry said that item #12 in the list of requirements in the approval says in part, that any further alterations or additions of buildings must be brought to the Planning Commission. Basnaw asked if the Fire Chief has seen the buildings. He was at the meeting. Masters said the Township hired BMJ Engineers to make a report because the Fire Chief said he felt unqualified. Waddy wants to know if the Planning Commission wants Waddy to have Lixey come back to the Planning Commission before proceeding. Minor said the Zoning Board of Appeals can't address the Building Code, but can answer zoning questions. The Zoning Administrator can ask the Z.B.A. to make a clarification or definition, or remain mute. Waddy asked if the Z.B.A. can make changes to the conditions the P.C. made. Minor would suggest to Waddy that the Z.B.A. would not override the P.C.. Minor suggested that this will probably end up in a higher Court. He also said that the Legislative body has control of all of these bodies. Waddy asked if he should bring his concerns to the Elective body. The permits on Zoning and Building are his job. Watkins said if we need to go to Court, let's do it now, so as not to set a precedent. Basnaw said Lixey has other space for those buildings. Minor asked what is the Proposed use of the Eckles Road area? It is Residential. Then why do we justify expanding this use? We have a lawyer and a planner. Masters said, that condition #9 reads "The Applicant shall comply with all Building Codes, Zoning Ordinances and Regulations, and correct violations". The Planning Commission has the ability to send this to the Legislative body. Basnaw would like to have the whole Planning Commission body present here. **Motion** by Watkins, second by Minor, to take this issue to the Legislative body, to decide in regards to enforcement. Roll call vote was taken: Watkins, aye; Minor, aye; Perry, aye; Basnaw, nay, only because he would love to have all of the P. C. members present; Jewell, aye. Four ayes, one nay; motion carried.

b. Planning Consultant. Not present.

c. Township Board representative. Not present.

d. Zoning Board of Appeals representative. Mr. Minor said that the Z.B.A. has not met since COVID began. He has discussed with the Supervisor obtaining copies of Policies and Procedures manuals.

e. Committees. None.

f. Other. None.

Old Business

- a. Discuss resumption of Zoning Ordinance Book review. Because of the time already taken, it was decided to table this to the next regular meeting.

New Business. Site Plan Review for Goodells BTS Retail.

A Site Plan application has just been presented, with a request that it be heard as soon as possible. The extra fee for a Special Meeting has been received. Minor suggested Monday, May 17, 2021 as a viable date. Perry agreed, and hearing no arguments or questions, Minor made that a **motion** and Perry seconded it. Roll call vote taken: Minor, aye; Perry, aye; Basnaw, aye; Jewell, aye; Watkins, aye. All ayes; motion carried. It was decided that securing the Community Center at the Goodells County Park would be the safest way to hold the meeting. The Supervisor will check on the availability of the building. She also suggested that sometime in the near future we have an informational meeting to

review what we have set down in our Master Plan; especially the Goodells and Lambs areas.

Public Participation

Mr. Morden spoke concerning failing to give a reason for turning down the rezoning recently, then the Legislative body didn't listen to the Planner. He also asked why they have 5.3 acres involved, but the petitioners only want 2.6 acres. It was explained that the petitioners want 2.6 acres of a 5.3 acre parcel. Watkins said that we can't cherry pick – we have to be consistent. Masters wanted to make it clear that the Board of Trustees is the body that made the final rezoning decisions.

Adjournment

Motion by Watkins, second by Jewell, to adjourn. All in favor, meeting adjourned at 8:51 p.m.

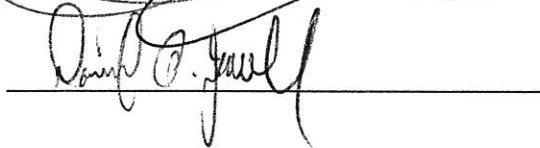
Next regularly scheduled Meeting date is July 19, 2021.

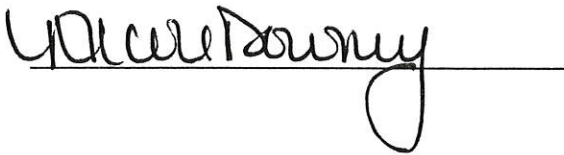
Respectfully submitted,


Judy Duncan, Recording Secretary

Planning Commission members signatures and names.









Gayle Perry, Chair

Date: September 27, 2021