

**The Hampton Township Board Special Meeting
Review the Revised Hampton Township
Zoning Ordinance Amendment
October 8, 2015 7:00pm**

ATTENDANCE

Town Board Members:

Chair	Jim Sipe
Supervisor	Doug Wille
Supervisor	Dan Peine
Treasurer	Leo Nicolai
Deputy Clerk	Molly Weber

Planning Commission Members:

**Larry Runyan
David Peine
Mike Tix
Casondra Schaffer**

Troy Hilcrest was present for the review.

This meeting was called to order by Jim Sipe, Chair at 7:00pm with the Pledge of Allegiance to the flag.

After we talked the last time Troy redrafted the amendment but the Board had some questions, the Planning Commission had some questions so we decided we would meet once more to try and deal with those questions. Per Jim it is important that we make some decisions tonight and finish this process since we have been talking about it for a long time. It is time that we can get it out to a public hearing.

Jim wants to start with the question about interpreting the changes to the language of the clustering. Section 402 B1, Jim wanted it to say if there were more than one owner in that 160 acres and they agree, then clustering would be okay. Per Troy if the board wants to approve this consent then we would need to lock down the density transfer in the ordinance. Per Doug we never transferred rights from one owner to another. Per Larry we if we are going to do this at all we need a form drafted up for residents to sign. Per Doug we should just delete "or if owners of contiguous parcels agree." Casondra Schaffer and David Peine agreed with removing that wording also. Per David Peine if we never allowed it before why do we want to allow it now. It will just open up another can of worms. Per Troy we need to really get into it and spell it out if we want to allow this. Per Jim, we want to take that out of 1, 2 and 3. Troy will look at it all and make sure it all works as best he can.

Jim clarified with Troy that the process was that we will come up with a draft that we will present to the public in a public hearing and then the public will give us comments and then we will take those comments into consideration before we make a final decision. But then we can make some tweaks without doing another public hearing. We just can't go too far a field from what we showed them. This is correct per Troy Hilcrest. If we are just working on the language we have that is fine as long as we don't change the intent.

The other large issue was the original farm dwelling issue.

Section 402 B: Planning Commission thinks we should keep the strike out in there and leave it in there. When this was voted in in about 2000 the board back then changed it based on a few people. Per Dan Peine this is something that in due time will phase itself out.

It was agreed that it wasn't tied to the original house and who owned it, it is tied to who owns the quarter quarter section and when was that original house built (built before April 21, 1982). If we are going to leave it in then lets just leave the wording at original farm dwelling. Jim asked that Troy make sure that it is consistent with the rest of the wording.

Jim says we need to make sure there is language in here about building permits, that if someone had built something without a building permit we were not going to let them have another building permit. Jim remembered a conversation about this and Troy said he must have missed it. Jim said we have had issues lately where people have started construction without a building permit and it has been a lot of work to get it fixed.

Doug had another thing on page 12 4A about storage capacity for animal waste. Blake Otte built an earth & lagoon a while back and it was permitted by the Pollution Control Agency, NRCS Soil and PCA. Troy thinks by statute it is prohibited to have an earth and lagoon but he will check the statute. Troy said it is still within our authority to decide the structures and setbacks and such.

Planning Commission Comments:

Section 102 – definition of Bulk Storage was reviewed. The concern was in reference to LP Gas storage tanks. The Planning Commission would like to see the word "cumulative" deleted but after explanation it is okay since the lot has to be adjoining and the same business in order for the need to add them together.

Top of page 13: Diking is current requirement not new verbiage. David Peine was questioning flammable liquid (propane and ammonia) since bulk storage includes gasoline storage also. Jim agrees you shouldn't have to dike an ammonia or propane tank. Bulk storage shall require a conditional use permit & it has said that for a long time. It says it may require diking and may require something else. Double walled storage tanks don't need to be diked.

Troy says most of the ordinance language is the consistent with other townships since the same person wrote it.

The consensus was to leave the wording but change it from 5,000 to 10,000 for the bulk storage. This is more realistic for the farmers of today.

Section 402 B5 – Common Driveways

Planning Commission thought that "all" driveways should be corrected not just common driveways. Troy suggested say common driveways are subject to the Town driveway standard.

Section 509 B – leave this since it applies to a substandard lot. It is 66 feet since it is a substandard lot.

Section 603 C – Town road vs. township road – Per Troy, we need to be more consistent and he will recheck and make sure that we use town road if it is the more legal way. He will make it consistent throughout our changes we are making.

Section 613 – p. 8 paragraph 1 – about re-registering feedlots every 4 years. They wonder why we are going to do this and who is going to police it. It was set up at one time but it is gone. County doesn't want to deal with the smaller feedlots under 150 animal units. We don't want an administrative procedure if they are no changes. We want them to re-register if they make changes requiring them to re-register. Jim said to delete that they have to re-register every 4 years.

Troy had a question on p. 10 4A. Jim doesn't think it is correct so he is going to send Troy more information on this, maybe the whole certification needs to be removed.

Page 11 – what is a public park measurement/setback – Troy recommended defining a public park. Jim said change the measurement definition but to leave the setback distances the same.

Page 12 – first sentence take the word “prepared” out of there and take out the word “and”

Section 629-2 Accessory Building – the change was not included in the draft-Troy & Jim will correct it

Jim Sipe thanked the Planning Commission for their review.

Next Steps:

- 1) Final draft from Troy
- 2) Public Hearing for the Planning Commission to run
- 3) Conclusion of public hearing – Planning Commission should recommend to the Board for the changes to “be adopted as amended”
- 4) Then the Town Board can take the amendment, throw it out, or make further changes

Planning Commission would like to review the final version before the public hearing.


Troy will have final draft to the Planning Commission by the end of October.

Public Hearing on November 9th at the regular Planning Commission meeting would be good.

Advertise the Public Hearing Meeting 2 Weeks Prior.

Doug made a motion to adjourn the meeting at 9:35pm. Dan Peine seconded it.

Date Signed: 10/20/15

Supervisor: 

Clerk: 