Albany Township Planning Commission
December 8, 2015

The December 8, 2015 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Chair Michael Noll at Albany City Hall Council Chambers.   Members present, Mike Noll, Gary Bloch, and Ryan Pratt. Also present, Supervisor Mary Rosen, Clerk Diane Noll, and Zoning Administrator Jerry Forster.

APPROVAL AGENDA
Under Old Business the County ordinance section is 9.3.7B not 9.7.3B A motion to accept the Agenda with the corrected section was made by Commissioner Pratt , seconded by Commissioner Bloch, motion carried.

APPROVAL OF MINUTES-October 13, 2015
A motion to approve the minutes was made by Commissioner Bloch seconded by Commissioner Pratt, motion carried

OPEN FORUM
Residents present, Dennis Christen, Ron Koopmeiners, Richard Klug, Jeff Schwinghamer, Jeff Christen, Joe Christen, Jeff Arceneau, Roger Elfering, Ron Olmscheid, and Rick Rosen.

Richard Klug, - how long has Gary Bloch been on the Planning Commission?
How long has the set back from feed plots been 750 feet?
Board Response-Gary has been on the board for Approximately 20 years.
In June of 2013, the set back was changed to be consistent with the County's setback of 750 feet.

Dennis Christen-what are our regulations of Transfer of Development rights?
249 Avenue-Request to have the road graded more often, there are many UPS trucks, semis, a lot of business traffic. Neighbor has a shipping business, many UPS, FedEx and Semi are using this road. Does this fall under home business? Or is this a commercial business?
Board Response-At this time Albany Township does not allow any transfer of Developmental rights.
Our ordinance addresses customer traffic, it does not mention traffic for deliveries.

Ron Koopmeiners-If there are single family houses in the country, how does our ordinance deal with country odors and how residents deal with it.
Board Response- There is the "the right to farm" for cluster developments, but not for single dwellings. The "right to farm" addresses the odors and sounds of the country/farm areas.

John Christen–would the Township or County stand behind the farmer for the "right to farm"?
Board Response-we can consider adding language to our ordinance and Comprehensive Plan that addresses"the Right to farm" is added to clusters and single plots.

Roger Elfering-What is our stand on cluster developments?
Board Response-At this time it is not allowed in Albany Township.

Jeff Schwinghammer-Most farmers would allow one house on a 40 , but not one on every 40. Someone who is not a farmer might allow 10 houses in a corner. This would not be conserving our farm land.

PUBLIC HEARINGS-NONE

NEW BUSINESS-NONE

OLD BUSINESS
Review of TDR and amended 9.3.7B
Jerry Forster presented an Amendment to Zoning Ordinance number 6 Section 9.3.7.B (see attached)

Board Questions
Would this be limited to contiguous property?
Would neighboring farmers be notified of planned houses?
Will there be be a time delay before houses are built?
Would it be the responsibility of the owner to drill an acceptable well prior to obtaining an approved building permit?
Farmers long term plans can be lost—because of houses being built in the area.
Would it be acceptable to request cluster have public septic and public wells?

 A motion to continue research until we have an amendment that we can present to the board that is favorable to the majority of our residents, was made by Commissioner Bloch, seconded by Commissioner Pratt, motion carried.

REPORTS
    a. Jerry Forster-Building permits
        Ron Bromenschenkel-County permit for spec house on Trestle Ridge
        Recycling Center-County permit for addition to shed.

    b. Commissioner Reports-**None**

COMUNICATIONS
    Township meeting December 28
    Planning commission-January 12

ADJOURN
 There being no further business to come before the meeting, a motion to adjourn was made by Commissioner Bloch, seconded by Commissioner Pratt, motion carried. Meeting adjourned at 9:15 P.M.
Respectful submitted,

Diane Noll

Planning Commission Chair: _____ Date: _January 12, 2016_____

Draft 9.3.7 B

Amendment to Albany Township Ordinance Number 6

Section 9 Primary District Provision

Pg. 29 change, 9.3.7 C through F is hereby repealed.

9.3.7 B is hereby amended and adopted to read as follows:

Density transfers allowed within a contiguous proposed development. Residential development rights may be transferred from one forty (40) acre tract to another tract within a contiguous proposed development area (contiguous exclusive of public rights-of-way).

Only one residential development right transfer, per contiguous development area,is allowed per year.

The sending and receiving lots must have been in the same ownership at all times for a minimum of five (5) years. Residential development rights cannot be sold. Transfer of residential development rights off of non-buildable land is not allowed.

The property owner shall submit an application with a preliminary plat showing all proposed residential lots (even though only one per year is allowed), the location of the offsetting land area to be restricted and the LESA score to the township Zoning/Ordinance Administrator.

The township will allow or deny each transfer application based on its unique circumstances using the LESA score and the following guidelines:

(1)   Preserve larger tracts of highly valued farm land.

(2)   Transfer residential development rights to the least/less productive acreage.

(3)   Site visit review.

(4)   Accessibility for both farmer and resident minimizing loss of highly valued farmland to driveways/easements.

(5)   Limit profitable, tillable farmland on a residential lot to two acres in ag districts, unless in the judgment of the township, the tillable farmland is separated from other tillable farmland by natural or man-made boundaries such as roads, woods, property lines, ditches or streams which would make it less profitable/convenient to farm.

The township will support its decision on each application with a written "findings of fact".