

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of May 9, 2024**

The meeting was called to order at 6:00 PM by Devin Winand. The meeting was held at the Hellam Township Municipal Building. Devin Winand led the Pledge of Allegiance. Other members present were Jay Kokiko, Michael Shillott, Steve Fetrow, Rick Cooper, John Eifert, and Christopher Altland who attend the meeting via Zoom. Other attendees included Corina Mann, Township Manager, Jason Test, Zoning Officer, and Supervisor Nedette Otterbein

Minutes Approval:

Upon a motion by Mr. Shillott and seconded by Mr. Kikiko, the minutes from the April 25, 2024 meeting were approved, with changes. Motion carried unanimously.

Public Comment

Zachary Salsgiver addressed the Commission concerning the recent information that was provided concerning the operation of ATVs in the area of Chimney Rock Rd. This would be in reference to the public comments made on April 25, 2024.

Mr. Salsgiver said that the trail that is closest to the property line is approximately 100 feet from the line. He said that his family does ride their property, but does not ride on other's property or the roadway. He told the Planning Commission that he, his family, and any guests that ride on his property operate the vehicles safely with proper safety equipment.

He was concerned that the information provided at the previous meeting was one sided and that the information could result in additional legal troubles.

It was explained to Mr. Salsgiver that the Planning Commission is an advisory board and not a governing body. The addressed his concern about the information being posted and advised him that it was posted because it was stated in a meeting.

Mr. Salsgiver was told that the Township is currently in the process of reviewing the Comprehensive Plan and that he should become involved with that process. Mr. Salsgiver was made aware of ways to follow the Comprehensive Plan process via social media.

Michelle McClain then spoke and stated that she feels Hellam Township is looking for ways to be unique and that the comments made about ATVs on April 25, 2024 were erroneous. She also asked that the Planning Commission and the Township listen to the public.

Steve McClain then spoke and stated that the only information that may be true was about the gathering on July 4, 2023. He also expressed that Hellam Township should listen to the residents.

New Business

Variance Z-2024-03 880 N Front St Ext.

Jordan Good, applicant, spoke to the Commission and explained the purpose of this variance. Mr. Good stated that he is attempting to purchase the parcel at 880 N Front St ext. He stated that the sale is contingent on obtaining the requested variance. The variance is to allow construction on slopes greater than 25%.

Mr. Good stated that he would like to build a residence at the top of the hill on this parcel. The driveway that would be constructed would go through slopes greater than 25%. He said that the driveway would be a switchback drive and this would be used to mitigate the flow of any stormwater.

Mr. Eifert asked if the location of the house could be moved closer to the front, east side, of the parcel. He said that this would reduce the length of the driveway and it would eliminate passing through some of the steeper slopes on the property. Mr. Good stated that it was considered, but that he would need to seek a variance for the setbacks.

There was a discussion concerning stormwater controls due to the potential of rock on the parcel. A concern was expressed concerning the sight triangle at the driveway. The Commission was advised that these concerns would be addressed during the permitting phase of the project.

It was then discussed that the parcel is to have a use not necessarily the applicant's desired use.

Mike Leahy then spoke and stated that he does not know the applicant, but that he would like to speak about the parcel. He said that he has done excavating work not on this parcel, but parcels in the area. He stated that there is rock in the area, but the rock moves easily. He said that he completed work in the Wildcat Falls area and everyone said there would be issues with flooding due to disturbing the slopes. He that as far as he is aware there have been no issues with flooding in that area.

There was a discussion of recommended the variance to the Zoning Hearing Board with the recommendation that the residence location be moved.

It was stated that an additional variance may be needed due to lot coverage. The lot area should be reduced by removing the area of all slopes greater than 25%. Mr. Good was asked to provide to Mr. Test the total area of all slopes over 25%.

There was a motion to table this variance until the May 23, 2024 Planning Commission meeting. To allow Mr. Good to obtain the area greater than 25% and to consider relocating the location of the residence.

The motion was made by Mr. Shillott and seconded by Mr. Kokiko. Motion passed unanimously.

On-going Business:

The discussion concerning the solar ordinance continued. The Use Table for Principal solar Energy System (PSES) was reviewed. It was stated that any system greater than 15 kW is not allowed in the Residential or Village Overlay.

Conditional use approval would be needed to have a PSES in the Mixed-Use 1 or 2 zone. It was stated that conditions would need to be conditions for a conditional use. Mr. Shillott stated that he and Mr. Cooper would work on the conditions.

PSES would be a permitted use in the Commercial/Industrial Zone and in the Interchange and Kreutz Creek Interchange.

The was discussion on making PSES a conditional use in the Rural Agriculture Zone (RA). Mr. Shillott said that there are additional safeguards for the Rural Agriculture Zone. The proposal states that in the RA zone a parcel greater than 20 acres needs to obtain an conditional use and a PSES is a permitted use on a parcel 20 acres or less. It was discussed that no matter the acreage all PSES should be a conditional use. The thought being that the community should have an opportunity to express their concerns for any PSES going into the RA zone.

There was a discussion on removing the restricted development overlay as that overlay already restricts development.

Correspondence/Reports

None

Meeting adjourned at 7:50 PM.

Respectfully submitted,



Jason Test
Zoning Officer