

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of September 28, 2023**

The meeting was called to order at 6:00 PM by Chairman Devin Winand. The meeting was held at the Hellam Township Municipal Building. Chairman Winand led the Pledge of Allegiance. Other members present were Michael Shillott, Fred Owens, and Steve Fetrow. Other attendees included Corina Mann, Township Manager, and Jason Test, Zoning Officer.

It was noted that Christopher Altland had not attended the September 14 2023 Planning Commission meeting and he was listed as attending in the minutes for that meeting. A motion was made to approve the September 14, 2023 minutes with the correction. Motion was approved.

New-Business:

Z-2023-12 1250 Shore Ln Variance

Steve Moore was the presenter for this variance. Mr. Moore is a perspective buyer of this property and is attempting to obtain the variance prior to purchase to ensure that he can construct a residence to his liking. Mr. Moore stated that currently the lot is underutilized as the previous residence had been destroyed in a fire.

Mr. Moore was requesting a several variances. He requested a variance for minimum lot size as this parcel is not 2 acres and the current ordinance states that parcels must be 2 acres minimum. This parcel was created prior to the ordinance being enacted.

He also requested a variance for setbacks again due to lot size and configuration. Lastly, He requested a variance for lot coverage. The lot coverage for rural agricultural is 15% and Mr. Moore was requesting 30%.

The Commission noted that Mr. Moore did not provide any drawings or plans for his proposed residence. Due to the missing drawings or plans the Commission stated that it made it difficult for them to envision his plan. He was advised that variances need to be the minimum deviation to lessen the impact. It was also noted that he was asking for the lot coverage to be doubled and that without drawings or plans he had no justification for that request.

Mr. Moore was advised that 15% coverage of 1250 Shore Ln would be 5142 square feet and he was asking for that be doubled. Mr. Moore stated that he was asking for 30% because that is the allowed coverage in the residential zone.

Mr. Moore was advised that he needed to submit drawings or plans detailing his construction. He informed that he needed to have the application signed by the property owner. He was advised that the drawings or plans and signed application would need to be submitted to the Zoning Officer by October 6, 2023 to be put on the October 12, 2023 Planning Commission agenda. Mr. Moore stated that he understood.

A motion was made by Mr. Shillott to table Z-2023-12 until the Planning Commission meeting on October 12, 2023 to allow Mr. Moore to complete the items that were explained to him. Mr. Fetrow seconded the motion which passed unanimously.

On-going Business:

Short Term Rental: There was discussion concerning this proposed ordinance that if a license was not renewed or revoked would an Accessory Dwelling Unit (ADU)DU being used as a short-term rental revert to an ADU. It was determined that it would revert to an ADU.

Discussion was had concerning the “fairness” mandatory time, three (3) years, before a newly constructed ADU could be used as a short-term rental compared to constructing a tent and immediately using the tent as a short-term rental. It was stated that the purpose was to prevent the increased construction of ADUs to use as short-term rental. A question was posed concerning a yurt that is located at an address on Scenic Dr and if the yurt would be an approved use. It was determined that a yurt would be classified as a tent.

The Commission then discussed assessing a late fee for renewal it was determined that the Commission felt three months was fair with no late fee being assessed before the end of March.

The Commission also discussed how many short-term rentals could be on a parcel. It was said that if the owner/operator is residing at the short-term rental individual rooms could be rented. It was then asked if the owner/operator is residing at the short-term rental could an ADU be used as a short-term rental. It was determined that you could not use an ADU as a short-term rental in this instance as you can only have one building being used as a short-term rental.

The Commission spoke about required parking and determined that a short-term rental shall provide one (1) off street parking space. It was also stated that if changes occur with the ordinance the new changes take effect when licenses are issued or renewed.

There was a discussion about the survey that was posted about this ordinance. Katina Snyder asked the number of responses to the survey and she was told that there were seven (7) responses. She asked if the questions were focused on the discussion that the Planning Commission was conducting and she was told that the question were not focused on the specific conversation and that no one at the meeting had seen the responses.

Solar Ordinance Amendment: Ms. Mann asked the purpose of this ordinance. Mr. Shillott explained that this amendment was drafted to allow large solar/Principal Solar Energy Systems to be constructed in more areas of the Township. Mr. Shillott stated that the current solar ordinance does not consider agrivoltaics or the improvement of technology. It was stated that the Board of Supervisors requested that this be completed.

It was decided that no in-depth conversation would occur because most Commission members were not present. It was also asked that Mr. Test email the current solar ordinances to the Commission members.

Typical Flow for Ordinance Crafting: Mr. Shillott stated that he had crafted a typical flow chart for the crating of ordinances. Mr. Winand asked Mr. Shillott to email the chart to the Commission members and staff.

Correspondence/Reports

The next Planning Commission meeting is scheduled for October 12, 2023

Meeting adjourned at 8:17 PM.

Respectfully submitted,
Jason Test, Zoning Officer