

Minutes – Planning Commission December 2, 2019

Call to order by Ottke @ 7:00

Present: Cottrell, Elliott, Lewis, Ottke, Porter

Guests: Mindy Galbavi, Chad and Michelle Diffen

Approval of the Agenda – agenda approved

Approval of the Minutes from November 4th meeting – minutes approved

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CITY OF PERRY

Rezoning petition for parcel 024-58-014-000 from R-1A to B-1

A rezoning petition application was received by the City of Perry and forwarded to the Planning Commission for review of request to rezone parcel 024-58-014-000 from R-1A to B-1.

Public comment was opened, none was received on the matter.

Porter states the rezoning is problematic because there's no plan for the property and no purchaser currently to understand the potential impacts that a rezoning could enable. Cottrell states having the purchaser/developer bring a plan to the City before the rezoning is approved would allow the City to determine if the proposed development would be suitable to the location. Cottrell has concerns about the potential for environmental impacts to the wetland area should the property be developed under commercial zoning.

Move Chairman, second Porter. Vote to approve the rezoning is opposed unanimously by the Commission.

Public hearing closed.

New business:

Penalty fees for improper permitting: Porter notes that no consequences were given to the contractor or the applicant for the Johnny V's expansion when the contractor began excavation without proper permitting in hand. Rob Kehoe, Building Inspector, gave verbal permission, which was not appropriate and the contractor should have known that a verbal permission was not adequate and needed a permit in hand. Porter believes a penalty fee for not completing permitting correctly should be implemented by the City; a fee that is not significant but not inconsequential. Porter states this is a common practice in other municipalities.

Porter would like to recommend to City Council consider a penalty fee structure for not properly attaining all permits required before construction starts. Fee structure could be structured in a way for residential, business, commercial and industrial. Reputable construction companies should know about the need for permits.

Motion by Porter to recommend to City Council consider a penalty fee structure for not properly attaining all permits required before construction starts. Second Elliott. Approved unanimously. Elliott will take to the council for initial discussion.

Old Business:

2020 Parks and Recreation Plan - Cottrell made contact with Charles Nelson from MSU – he has agreed to look at working with the City to update the plan. Ottke asks Cottrell to share this information with Joann Velting, Cottrell agrees.

Mosher Concrete Crushing – Ottke states there is still no response from the attorney regarding any of the questions previously posed by the Planning Commission. Also states the questions to the Mayor are still unanswered. Elliott says Mosher's are still in violation and the City is taking them back to court. The City will request a permanent injunction to stop operations and seek damages to clean up the lot. The concrete crushing is still located on residential property. Galbavi state Mosher's don't seem motivated to move off of the residential property.

Chad and Michelle Diffen state the trucks are still running with the lights on to light the work area.

No other business

Next Planning Commission meeting is January 6th, 2020

Meeting adjourned 7:26pm by Ottke