RECORD OF PROCEEDINGS

FINAL

MEMBERS PRESENT: DENNIS BERGANSKY, CHAD CANFIELD, GREG LACKEY, JEFF PULSFORD, TED VAN HYNING, ANGELA DAUGHERTY

MEMBER ABSENT: SCOTT BROCKMAN

The meeting was called to order on Thursday, February 13, 2025, at 7:00 PM by Chairman Ted Van Hyning.

Roll call was taken with the following members present:

Dennis Bergansky, Chad Canfield, Jeff Pulsford, Ted Van Hyning, Greg Lackey, Angela Daugherty.

Member absent was Scott Brockman.

The Pledge of Allegiance was led by David Dietrich.

The Commission members reviewed the meeting minutes from the January 9, 2025, meeting.

Comments were made regarding Page 3. It was explained how currently shipping containers and accessory structures under 200 square feet are not regulated by the Building Department but over 200 square feet they are.

There were no further comments regarding the meeting minutes.

Motion by Dennis Bergansky to approve the meeting minutes from January 9, 2025. The motion was seconded by Jeff Pulsford. Vote: Bergansky, yes; Canfield, yes; Pulsford, yes; Van Hyning, yes; and Lackey, yes. The motion passed.

Under New Business, a discussion took place regarding potential new amendments to the zoning resolution.

The first new amendment to be addressed was shipping containers. Mr. Van Hyning commented that this is only in commercial industrial zones and in the retail area.

Mr. Pulsford asked why shipping containers might not be permitted in a residential area especially if they are located in the rear yard.

A discussion took place regarding shipping containers being regulated by the condition of the container.

It was noted that the condition of the container could probably be regulated for safety reasons but not regulated by aesthetics, i.e. color or paint.

A discussion took place regarding whether to allow shipping containers to be stacked and also if more than one container should be permitted per lot.

A discussion took place regarding whether containers can be stacked or just regulate the height, i.e. be 8' 6".

Mr. Bergansky commented that he personally would say no to stacking. Mr. Bergansky also noted that one of the things that is being done in some places is to use two containers with a hoop roof overtop to create a building.

It was noted that Eclipse's property has three or four shipping containers, but they are in good shape and are not stacked.

Mr. Van Hyning commented that the problem people will have with shipping containers is if the containers can be seen. Mr. Van Hyning noted that if we say behind a structure and unstacked there is less chance of that happening. It was also noted that this would not be a problem in an I-1 district or the commercial districts on Washington Street; but the problem is the smaller non-conforming lots; those lots are just too small to accommodate an unsightly shipping container.

It was also noted that a shipping container cannot be located in a parking area.

Mr. Dietrich commented that in Item C, rear yard behind the principal footprint of the building. A discussion took place whether to leave this as is or change it just so it is not in front of the building.

It was noted that in residential, it could be treated like a shed.

Mrs. Daugherty asked what aggregate material refers to, a specific size or type of stone. It was noted that just stone in general.

A discussion took place regarding the maximum number of containers that might be permitted on a parcel. Mrs. Daugherty commented that maybe the number of shipping containers could be per acre or that maybe it could be adjusted by the zoning district. A discussion took place regarding how many per acre and where on the lot a container could be located. After a short discussion, it was decided to readdress that point later.

Mr. Dietrich pointed out that the Commission can create setbacks just for the storage containers outside of the general setbacks for other structures.

A discussion took place regarding the number of containers per lot versus how many square feet per lot versus how many square feet in relation to the building size.

Mr. Dietrich also commented that it would be tough to compare to the building size in a commercial district. It was explained that if it is made too accommodating, this would not encourage people to build permanent structures and this is not what we necessarily want to encourage.

A discussion took place regarding whether a storage container should be temporary or permanent.

Mr. Dietrich noted that other townships only allow temporary shipping containers and that maybe a time-limit could be placed on how long a shipping container can remain on the property.

Mr. Van Hyning commented that if the containers are limited so they cannot end up hoarding them, he is fine with them being permanent. A discussion took place regarding if the lot is cleared and graveled or wooded instead.

Mr. Bergansky commented that he thinks it should be limited to how many per acre rather than lot coverage.

Mr. Lackey commented that he thought one per acre and if they want more they can apply for a variance.

A discussion took place regarding having shipping containers be a conditional use. It was noted that the downside is that the conditional use would need to be renewed every five (5) years; but that would also give the neighbors a chance to speak on it if they wanted input.

A continued discussion took place regarding whether shipping containers should be temporary or permanent. The consensus of the Commission is that permanent will be allowed. Mr. Dietrich suggested that there could be one per 20,000 square feet. He explained that there could be up to 400 square feet for shipping container coverage per half acre.

Mr. Van Hyning commented whether the containers should be treated differently than a shed or just leave it as a shed in the business area.

The next item that was discussed with Item N and how to limit someone from having a trailer from a truck or railroad box car? Mr. Dietrich asked how the Commission wants it to look, do you want to encourage this or encourage people to build permanent buildings.

Mrs. Daugherty commented that people come out here to get out of the bureaucracy, so how much do we want to limit people.

It was decided to nix out Item O, since storage containers were going to be allowed permanently.

Everyone was okay with shipping containers being permitted for all business districts if they met the setback requirements.

Mr. Van Hyning commented that development and maintenance standards, would not apply if it is temporary.

Mr. Bergansky comments that number 2 is good, but A is the questionable one, are we treating it just as lot coverage or number of units, etc.

It was suggested that maybe change the wording, so it can be located in the rear or side yard but just not in the front of the front of the main building.

It was noted that fire code questions could be directed to the Fire Chief.

A discussion took place regarding whether to limit the size to 40 x 8.6 which is standard or allow up to 9.5 feet or 45 feet or just leave it at 360 square feet.

It was suggested to limit it to 400 square feet with a maximum height of 9.5 feet so change it from 40 x 8.6, leave it as "no stacking" of units or do we want to add that you cannot stack anything on top of the containers.

Mr. Dietrich noted that we can put something in there to not allow stuff to be stacked on there.

Mr. Van Hyning indicated that hazardous materials would be a question for the Fire Chief. It was also noted that it should be kept in good condition and that it cannot be used as a dwelling or for human habitation.

Do we want to add r1 and r2 at the beginning and limit it in the residential district to just being allowed in the backyard behind the footprint of the building? A discussion took place and it was decided that the Commission must think about it more for residential.

Item L will also be open for discussion at the next meeting. Item M, signs should be prohibited. A discussion took place.

A discussion also took place regarding trailers and railroad box cars, not being allowed as storage containers. This will also be discussed more at the next meeting.

Motion by Jeff Pulsford to adjourn the meeting. The motion was seconded by Angela Daugherty. Vote: Bergansky, yes; Lackey, yes; Canfield, yes; Pulsford, yes, and Van Hyning, yes. The motion passed.

The meeting adjourned.

Minutes submitted by:

Sarah C. Mulleman, Secretary

Minutes Approved on:

February 27, 2025

Ted Van Hyning, Chairman