

WEST BLOOMFIELD TOWN BOARD
WORKSHOP & Public Hearing

November 17, 2004

PRESENT: Supervisor Catherine Baier, Councilmen Hagen, Ball Powers and Rehberg
ALSO PRESENT: Town Clerk Mary Grundman, Laurel Wemmett-Daily Messenger, Town residents: Ted & Alice Domville, John & Leslie Giering, Carl Prouty, Jim Foote, Nancy & Wayne Seeley, Millie Sigler, Bob Maddock, Gail Schilling, Mr. & Mrs. Frye, Mr. & Mrs. Shea, John M. Siel Sr., Olga Tabinsky, Tom Tighe, Bob & Judy Pratt, Jeanne Stone, Darlene & Thayton Traugher, Ron Charron, David Bradley, Robert Hughes, Julie Giessler, Debby Cornell, Brian Williams, Alan & Eileen Brind, Jean Rohland, Linda Brown, Mike Corrigan, Sherrie Himes, Steve Pyle, Peter Wettergreen, Jeffrey Ulrich, Birgit Coffey, Mary & Jim Dunne, Sue Kiester, John Swierkos Jr., Charles Thomas, Heather & Christopher Gray, Roland Vanderven, Karina Barker, Jamison Barker, Charles VanDemar

Public Hearing for the Zoning Update

Supervisor Baier opened the Public Hearing at 7:05 and asked the Clerk to read the notice. She then asked if anyone wished to speak regarding the Public Hearing for the Zoning Update.

Bob Maddock, President of the Fox Hollow Association, addressed the Board expressing concerns over the Ionia area and the possibility of becoming like Honeoye Falls with strip malls and increased traffic, including trucks. He reported that there is mud in the road on Route 64 when it rains, residents do not need or want public water, and he is concerned that increasing population will cause a problem with the water supply. Mr. Maddock submitted a letter signed by all ten of the Fox Hollow residents suggesting the Board stop and take a look at the impact on their lifestyle.

Mr. Frye asked if all of Ionia is being changed to medium density housing.

Councilman Rehberg and Supervisor Baier explained that the changes would be presented on the map this evening.

Jean Rohland asked the Board to include wind farms in the update and provided the Board with information on the discussions taking place locally.

Mr. Wettergreen asked about the impact on property taxes if the proposal is passed.

Councilman Rehberg explained the committee's understanding that taxes would not be impacted.

Jeanne Stone asked for clarification.

Assessor Charles Thomas explained that there would be no major impact on the value of property or the tax rate and that there are other factors involved.

Jeanne Stone asked for specific information on agricultural areas and taxes.

Mr. Thomas answered her question.

Alan Brind read an excerpt from a recent newspaper article from the Daily Messenger regarding the update.

Councilman Rehberg stated that the Board will do what is best for the Town and that the Board has been listening to the concerns that the residents have brought to the Board.

Supervisor Baier asked to adjourn the meeting for ten minutes to review changes proposed in response to the concerns of both residents and businesses.

The Hearing reopened at 7:40.

Supervisor Baier explained some of the changes from the last draft.

Medium density was removed from Ionia and made low density and agricultural. The medium density in hamlet and on Elton Rd. was left in place because it already meets the definition of medium density.

Mr. Maddock asked if the different lot sizes for low and medium density and the distance from the street were the same.

Supervisor Baier explained that medium density was 50 feet and changed to 80.

Councilman Rehberg said low density didn't change from the proposed size.

Councilman Rehberg explained that the proposed low density lot size is one acre and is smaller in the current zoning.

Jeanne Stone asked why some of the agricultural land was changed to low density and what is to stop someone in Factor's Walk or Hunter's Ridge from subdividing.

Councilman Rehberg explained that residential lots are now 1 acre and 2 acres in agricultural.

Rosemary Stack asked if the Board intended to vote on the proposed zoning tonight and asked for more time for public comment because her presentation does not reflect the changes shown on the map just proposed.

Supervisor Baier explained that the Public Hearing would close when everyone had spoken and she would then poll the Board as to their wishes for a vote.

Mr. Brind asked the nature of the type of industrial development that is going to take place.

Supervisor Baier explained that it would depend on the developer and that it would fall within the guidelines of the zoning and would have to go before the Planning Board.

Jim Foote asked what changes were made as a result of the requests from the mobile home parks for changes in that area.

Councilman Rehberg explained that the changes that were physically possible were made and that some were not able to be made based on the size of the lots in the older park areas.

Mr. Foote added that the only problem would be in determining the exact size of the lot.

Councilman Rehberg asked if the park manager could provide or had access to a map of the parks that would provide lot sizes.

Mike Corrigan stated that an area of the map marked Mixed use is actually commercial.

Supervisor Baier explained the difference between Mixed Use and Commercial zoning.

Mr. Corrigan asked the purpose of mixed use.

Supervisor Baier explained that the area already meets the definition of mixed use.

Mr. Corrigan proposed the area stop at Wilson Farms and leave R2 the way it is sighting that those are family homes and not the place for retail business and wanted to know if it is a tax issue. Mr. Thomas clarified. Mr. Corrigan asked for empirical data on the proposed zoning not just maps.

Supervisor Baier explained that this process has been going on for three years and that he had ample opportunity to get information.

Mr. Corrigan said that zoning attacks property owner's rights. Mixed Use is a terrible idea because it affects 28 families lives and that the Town Board needs to here from those people.

Supervisor Baier explained that everyone has had opportunity to give input and that minutes are available.

James Dunne stated that he does not like the lot sizes watered down and it would cause well and sewage problems meaning new sewer and water lines and increased taxes and school taxes and the Board should not upset the growth rate and slow down.

Mr. Frye asked the Board to take more time to respond to Ionia residents concerns.

Charles VanDemar stated that he and many others had attended the meetings and that the committee had changed many of the things that the people asked them to. He said that the committee did a great job. He feels that the Mixed Use is a bad idea, and that something be added to the draft regarding motor homes and trailers being parked behind homes, and that set backs be determined in part as a relationship to road size. He complimented the steering committee on their work, said he is pleased with the way this process has taken place.

Mr. Vanderven asked if the Town is lending itself to the possibility of a landfill if the change from agricultural to residential is made in the Route 64 area near the gravel pit. He wants to try and protect against a landfill.

Supervisor Baier explained that landfills are prohibited in that area.

Wayne Seeley complimented the steering committee on all the work they have done on the draft and stated that mixed use does not work. He would like to know why the Board believes it is a good idea.

Councilman Rehberg explained that the consultant had recommended the Mixed Use and that there is evidence that it can work well to benefit the Town and sited examples of mixed use in nearby towns.

Councilman Hagen added that by nature the proposed mixed use is mixed use now.

Mr. Seeley asked if there is any protection for residents in a mixed use area or if they would be able to stop a business from being approved in the mixed use zone.

Councilman Rehberg explained that there are safeguards in place as far as things like screening, lighting and access and Planning Board approval would be required.

Debbie Cornell asked if there was any safeguard in place to protect the looks of the homes in the mixed use area and are there guidelines as to the type of business allowed in the mixed use area.

Planning Board Chairman Dave Gripe explained that a Historical Preservation law would be required to do that. He also stated that the only place an adult oriented business could be allowed is in the industrial zone and then there are proximity requirements that have to be met.

Councilman Hagen asked Chairman Gripe to speak about site plan review so the residents could better understand what the review process for business is.

Chairman Gripe explained the review process.

John Giering asked the Chairman if it is correct that a site plan review did not require a Public Hearing.

Councilman Hagen said that was correct. Mr. Giering also asked if the Planning Board would deny an application for a Special Use Permit if residents objected. Councilman Hagen said yes. Mr. Giering complimented the committee and the Board on all of the hard work that had been done to get the draft to this point. He also asked for the mixed use to be eliminated, and for an annual review.

Leslie Giering also stated that the residents should watch for the Town notices in the paper, and does not want mixed use.

Brian Williams stated that the Town should preserve its rural character and prepare for the future. He asked for the vote to be postponed to allow for more comment time from residents. He asked that his letter to the Board be entered into the record.

Debbie Cornell asked if there was a way to keep the architectural look of the homes in the mixed-use area. Chairman Gripe explained that it could be added but it has not been at this time.

Councilman Rehberg added that the Town would look into creating a Historical District.

Jean Rohland urged the Board to make a decision so that the Town could be protected from cell towers. Dave Bradley objected to higher density zoning.

Jeanne Stone stated that the Comprehensive Plan establishes that the Town goals are to maintain the rural character of the Town. She is concerned that the proposed zoning would open the area to more gravel pits, she is against smaller lot sizes, is worried that taxes will increase and wants the assessors to do a presentation on how the tax rate will be effected. She is also concerned about the industrial zone growing and the lighting. She is also concerned about the mixed use area.

Karina Barker is opposed to the proposal and wants to leave the zoning the way it is.

Supervisor Baier explained that the Town has to prepare for future growth and that the Zoning is the way to achieve this.

Larry Houck, Chairman of the Zoning Board of Appeals explained that some of the proposed changes are necessary because they are directly related to the problems residents encounter and bring to the Board of Appeals. The Board of Appeals needs Zoning Laws to be able to address the needs of the Town residents. Chris Gray also stated that he feels mixed use is unnecessary.

Peter Shea objects to the prospect that Factor's Walk could be allowed to develop smaller lots.

Jeanne Stone provided the Board with a letter regarding agricultural districts.

Supervisor Baier asked for further comments, hearing none, the Public Hearing was closed at 9:25.

Supervisor Baier asked the Boards wishes as to a vote. Councilman Rehberg asked that the Board take two weeks to consider the comments before voting.

Supervisor Baier asked that all written comments be submitted to the Board by December 1, 2004 and that the Board would consider the vote at the December 8th meeting.

Joe Spezio and Dolomite representatives were asked if they would like to speak to the Board, both declined.

Tax Collection Software

RESOLUTION #122

Supervisor Baier advised the Board that the software required for tax collection would necessitate the upgrading of the Clerk's computer and that the cost was estimated to be between \$200 and \$300.

Councilman Hagen made the motion to approve the upgrade at a cost not to exceed \$350.00, seconded by Councilman Ball.

Adopted: Ayes 5, Nays 0

Resolves that the Clerk's computer software can be upgraded at a cost not to exceed \$350.00.

Correspondence:

Letters from residents with concerns about Dolomite Gravel operations and a sample Telecommunications Code were distributed to the Board.

Councilman Hagen made the motion to adjourn, seconded by Councilman Powers. Meeting adjourned at 10:15.

Respectfully submitted,

Mary Grundman
Town Clerk