

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes

Wednesday, November 28, 2007

The meeting of the Lake Township Planning Commission was called to order at 7:00PM by Chairman Colletta. Members Gerry Geppert, Rich Ehrlich, Tim Lalley and Valerie McCallum also present along with ten guests.

Motion by Lalley to approve the minutes of October 24, 2007, seconded by Geppert. Motion carried.

Correspondence:

- Chairman Colletta read letter from Thumb Cellular regarding location of a cell tower along the shoreline between Oak Point and Philips Park.
- McCallum read report from US Fish and Wildlife Service regarding siting of wind turbines.
- Lalley read correspondence from Matt Wagner of DTE regarding impact of wind turbines on property values.

New Business: Site Plan Review

Boone – 5371 Port Austin Road. Applicant is proposing a 16' x 18' addition to the existing dwelling and a 10' x 8' shed which will result in 41% lot coverage. The proposed shed is located two feet from the property line and six feet six inches from the dwelling. Applicant will need to file for three variances: (1) to exceed lot coverage; (2) a side yard setback less than required; and (3) distance of accessory structure less than 10' from principal residence.

Old Business:

Wind Energy – Lou Bushey stated that he is tired of hearing negative comments about wind turbines and wants to hear some positive comments. He referred to the Winter 2007 Newsletter article on wind energy and stated that the information in the article is negative and not true. He asked why we stated in the newsletter that we do not know whether other townships have adopted a wind ordinance when we know they have. McCallum read from the newsletter where it states, "We do not now whether other shoreline communities drafting wind turbine ordinances will take USFWS guidelines into account..."

Lalley read the following letter and requested that it be made part of the minutes:

"Five years ago my wife and I purchased a home here in Lake Township. While doing renovation work on the house and coming in

to pull the necessary permits, I became acquainted with people on the township board and was asked if I would be interested in filling a vacancy on the planning commission. I welcomed the opportunity to become involved in the township and saw it as a wonderful way to meet the local residents while helping to shape the future of this very unique community.

Recent developments have made me question that original decision. As a member of this planning commission I would like it to go on record that I have received what I interpret to be two threats from landowners who currently hold leases with DTE for potential placement of wind turbines on their land. These threats were directly aimed at me and what is **assumed** to be my position on wind turbines in Lake Township. Were that the extent of it, I would have let it pass and just accepted the fact that not everyone is going to agree with everything this planning commission tries to do.

However when those threats become more personal and are meant to hurt me and my family, I feel that a line has been crossed. My wife received verbal abuse as well as obscene hand gestures from one such individual. I received a threat of being less than a man for voting as I did on a recent variance hearing. I find these kind of actions inexcusable and unacceptable. I would hope that DTE would condemn such actions and would be very concerned about the public's perception of these threats.

To reiterate what Chairman Lou Colletta says at almost every monthly meeting of the planning commission (monthly meetings I might add that are very poorly attended by the township residents) ... The planning commission is a recommending body. It doesn't pass any laws or ordinances. That is the responsibility of the Township board. The planning commission has discussions, takes advice, does research and based on all that tries to come up with recommendations that are best for the community as a whole, not necessarily what may benefit the interests of a powerful few.

As a member of this planning commission and in response to these threats, my resolve is even stronger now to continue to ask questions, observe existing conditions, learn as much about critical issues as possible, listen to others and finally based on all that make the best recommendations I can that will best serve Lake Township.

One final comment that I would like to make is addressed to DTE energy representatives. In keeping with their company policy to be respectful of each other and refusing to participate in any activity that ridicules, belittles, intimidates or otherwise demeans others, I challenge DTE to uphold its policy. It would demonstrate to this board and to this township that it will not tolerate such behavior and that it will not do business with individuals whose behavior runs contrary to it."

Grady Nance, Manager of Corporate Development with DTE, apologized to Lalley on behalf of DTE, stating that he condemns such actions.

Paul Golsch stated that the variance request of DTE could have been granted as a special circumstance for 12 months to two years.

Linda Alashmaly stated that the Township should be more concerned about wildlife drinking the lake water, that if the water doesn't get cleaned up, it's going to be a dead area.

McCallum provided the members with materials including a report from the Energy Center of Wisconsin, *A Study of Wind Energy Development in Wisconsin*, July 1, 2004, found at www.ecw.org/prod/231-1.pdf which stated that for those properties in close proximity to wind turbines not located on their land, when the power companies offered compensation, the complaints lessened. Another report, provided to members was titled *Location, Location, Location* found at www.windaction.org which was an investigation into wind farms and noise by the UK Noise Association.

Matt Wagner of DTE requested that he be provided the websites for the above materials. McCallum stated she would provide the information.

Lalley asked DTE how many wind farms are currently operating in ice zones and whether DTE could provide some information on ice throw from turning blades. Matt Wagner stated that there are wind farms in Minnesota and Iowa and that he will provide information.

McCallum read the following concluding comment from *Location, Location, Location*:

"Wind farms can play a role in reducing global warming emissions. But there is a very real danger that, in the enthusiasm to embrace clean technology, legitimate concerns about noise are being brushed aside. There is no doubt that some existing wind farms are causing real noise problems. This report has stopped short of arguing that those turbines should be shut down, though that possibility should never be ruled out. However, it would be quite unacceptable to our fellow citizens for this situation to be replicated in other parts of the country as new turbines come on stream. But this need not be the case. The positive conclusion of this report is that there is a constructive way forward. It simply requires sensible siting of the new wind farms. It's all about 'location, location, location'. It is in the interests of the wind power industry, environmental groups and local communities for us to get that right."

Chairman Colletta suggested the board move on to discuss Gerald and Charlotte Ignash's property on Conkey Road. Colletta stated that there was a mistake of intent in citing the grandfather clause. He read from the Lake Township Zoning Ordinance Section 307:

"No building or structure shall be erected, moved...or razed...until a Land Use Permit has been obtained...."

And also Section 1202.5 Accessory Structures, Paragraph b:

"No garage, utility or accessory building shall be constructed upon or moved to any parcel of property until the principal building on, or intended to be erected thereon, is at least two-thirds (2/3) completed...."

Colletta stated that in order for Mr. and Mrs. Ignash to proceed, it will require a variance. He stated that any zoning change request would not conform to the Master Plan.

Kelterborn asked whether the planning commission would consider amending the Rural Residential District to allow for more buildings on larger acreage parcels. Lalley agreed that it would be more in line with the Master Plan to maintain it as Rural Residential but amend the R-R District as Kelterborn suggested.

Canvas Structures – tabled until January.

Next meeting scheduled will be on January 23rd at 7:00 P.M. Motion by Geppert to adjourn, seconded by Ehrlich. Motion carried. Meeting adjourned at 8:45 P.M.

Valerie McCallum, Secretary