

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, July 23, 2008

The meeting of the Lake Township Planning Commission was called to order at 7:00 PM by Chairman Colletta. Members Gerry Geppert, Rich Ehrlich, Tim Lalley and Valerie McCallum also present along with approximately 20 guests.

Minutes of July 2, 2008 approved upon motion by Colletta, seconded by Lalley. Motion carried.

Motion by McCallum to approve agenda, seconded by Colletta. Motion carried.

Tim Lalley stated since he is a member of the Planning Commission who also sits on the Zoning Board of Appeals, he will not be involved in any discussions involving site plan review.

New Business:

Site Plan Review:

Matthew Milk - 3965 Port Austin Road. Site plan submitted is for extension of an existing deck, said extension will have an eight foot setback from the M-25 right-of-way. Twenty-five (25') feet is the required setback. Site plan cannot be approved.

Anne McCarty – 4562 Port Austin Road. Site plan is for landscaping with stone. No criteria for landscaping in the Zoning Ordinance.

Old Business:

McCallum read definition of bedroom

Lalley referred to the exceptions to a bedroom, "If a home office, library or similar room is proposed, it may be exempted from being considered a bedroom if there is no closet and at least one of the following is present: a) permanently built-in bookcases, desks and other feature that encumber the room in such a way that it cannot be used as a bedroom." Lalley stated that there was good input at the public hearing on the proposed amendment and it is going to take some common sense. If someone has what could be defined as a bedroom but it is going to be a home office, what criteria will be used.

McCallum mentioned that the County Healty Department will maybe become more aggressive in reviewing permit applications due to the current water quality issues.

Motion by Colletta to use the definition as read with the exception of a home office.

McCallum mentioned that the Township has just adopted the 2006 Michigan Building/Residential Codes and perhaps there is some specific definition of bedroom in the new code. Geppert recommended waiting for the Building Inspector to review the new codes and advise the planning commission as to whether or not there is some criteria for bedroom definition.

Motion by Ehrlich to table further discussion until the Building Inspector reviews the new codes, seconded by Lalley. Motion carried. Colletta voted nay.

RR District Building Restrictions – Discussion on design guidelines to fit the character of the residential district. Kelterborn suggested referring to Morton Building flyers for both commercial and residential type construction for ideas. Suggested design ideas such as percentage of outside wall that would have windows, doors, wainscoting, porches, stone fascia or overhangs. Molly Dando suggested contacting communities in the Lapeer area where agricultural and residential uses are merged. Bob Smoith stated that any policy needs to be in black and white. Bob Siver suggested specifying what the township doesn't want to see which would allow for individuality.

Exterior Lighting – Reviewed sample ordinances on exterior lighting from other communities. Many of the ordinances are too technical. McCallum thought perhaps there may be other ordinances available to review that are not as technical. There were questions/comments as to why the Township needs a light ordinance. Kelterborn mentioned the Township needs an ordinance if it needs any type of enforcement by the Sheriff's Department of State Police.

Canvas Structures – Geppert stated he is in favor of these structures due to building costs stating that at least stuff is enclosed and it is better than plastic covers. Zoning Administrator asked about compatibility. Lalley mentioned that these type structures will have to be maintained. Kelterborn mentioned that the building code does not require a permit for accessory structures under 225 square feet and asked whether canvas structures would qualify as a structure under the building code, whether the zoning ordinance can supercede the building code, and whether these structures would be allowed in all zones of the township.

McCallum stated she is not in favor of allowing such structures other than for a temporary use. Ehrlich stated they should only be allowed in backyards so they are out of sight.

Russell asked what constitutes permanent or temporary. Lalley stated that temporary for winter only and down in the summer.

Kelterborn asked if there would be a standard of construction since there is nothing in the building code for issuing a permit and inspections. Kelterborn asked if the planning commission is going to develop standards and asked why the planning commission would allow a structure in the Township that cannot be inspected. These types of structures are not addressed in the building codes.

Russell brought photos of canvas structures set up within the Township.

Colletta suggested that the property maintenance code may possibly address a blight problem with these structures. Kelterborn stated that it would not since these structures are not enforceable under the building code, they are not a building code issue but a blight issue under zoning.

McCallum to draft an ordinance not allowing such structures other than portable structures with a temporary use permit and to check with Township Attorney as to enforceability of a ban on these structures as permanent uses.

Mining & Mineral Extraction – Discussion on the issues involved with mining of sand; safety, wear and tear on roads, dust, visual impact, noise, truck traffic. Kelterborn asked what the threshold is that constitutes mining and whether that is something determined by a township or the state. Colletta to check with the U.S. Department of Mining.

Motion by McCallum to adjourn, seconded by Geppert. Meeting adjourned at 9:55 P.M.

Valerie McCallum, Secretary