

# LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes  
Wednesday, May 27, 2009

The meeting of the Lake Township Planning Commission was called to order at 7:04 PM by Chairman Colletta. Geppert, Ehrlich, Lalley and Hartsell were present along with approximately twenty-five guests.

Colletta indicated that the recording secretary was not available for the meeting and recommended that the minutes be transcribed from the video tape. Motion by Lalley to approve minutes being transcribed from the video, seconded by Ehrlich. Motion carried.

Roll call. Meeting opened to public comments on proposed zoning amendments.

Neil Rohner presented two petitions to the planning commission, one regarding the height change with 164 signatures and the other regarding lot coverage with 175 signatures.

Walt Kloc approved of increasing the planning commission membership from five to nine members to include lakefront representation since there are many of them and they pay the majority of the taxes. In regard to building height and lot coverage, the new supervisor's election platform was to amend these sections of the zoning ordinance and so it would appear that the majority of township residents would support these amendments since he won the election.

Lisa Konke stated her husband is a builder and she stated due to the many appeals during 2008 for a height variance and the fact that many new homes are being built with nine foot ceilings, that the height should be increased. She also mentioned that there were several appeals for lot coverage variance and that should also be increased.

Yvonne Bushey of 5220 Port Austin Road referred to Section 302 and planning commission representation and was therefore in favor of nine members to include such representation.

Valerie McCallum stated that Colfax Township has a building height of 25 feet for a flat roof and then a formula using the mean height between the eave to the ridge, so Lake Township's 28 feet is not necessarily the lowest. As far as lot coverage, the County has 25% without including decks. The lot coverage in Lake Township's zoning ordinance of 25% does not include driveways or patios, which would allow 25% of a lot in Lake Township to be covered with structures and the remaining area, excluding the septic area, could be covered with concrete. McCallum suggested 25% lot coverage for structures

and an additional 10% for decks and patios. Regarding planning commission membership, McCallum stated that the terms of the current planning commission members will expire on the following dates: Rich Ehrlich – 11.17.09; Tim Lalley – 8.10.2010; Gerry Geppert – 9.20.2010; Lou Colletta – 5.12.2011. To increase the membership of the Lake Township Planning Commission at a cost of \$260.00 per meeting seems excessive in cost and considering the size and population of Lake Township compared to the Huron County Planning Commission which has the responsibility of planning for 14 townships within Huron County with a nine member board. McCallum stated that it was her feeling based upon Deb McBride's emails that the purpose is to create a board with a majority of Smith/Bushey supporters because of the wind ordinance and that ultimately the Township Board has the final say on any zoning ordinance and Mr. Smith can create his own board over his next four years in office as the current terms expire.

Lisa Konke stated that the people of Lake Township want better representation.

Yvonne Bushey stated that the planning commission could possibly reduce the number of meetings with more members on the board participating in the work to save money.

The public comment portion of the hearing was closed. Colletta asked for comments from the planning commission members.

Rich Ehrlich stated he has no problem with a nine member board or the elimination of planning commission site plan review in the R-1 District. He stated 32 feet is more appropriate than 35 feet and that 35% lot coverage is too much, 30% is more appropriate.

Dale Hartsell stated he is in favor of a nine member board, no problem with eliminating R-1 site plan review, no problem with a building height of 35 feet or lot coverage between 30% and what the Board wants, and not for the accessory structures amendment because property owners should be allowed more than two garages if they have the room for them.

Gerry Geppert stated he has no problem with a nine member board and would agree with the rest of the amendments other than the 35 feet height because it is too high and that 32 feet would be adequate.

Tim Lalley stated he has some concerns about a nine member planning commission because it is blatantly obvious why there is

such a push to increase the membership, that it is basically about the wind. Lalley stated that possibly a wind committee to study the issue of wind development could be created with people of Mr. Smith's choice. He stated he has been working on the wind ordinance for over a year and would like to see it adopted at which time he will resign his position on the planning commission to allow for better representation. He thinks it is excessive to have nine members considering the size of the community and doesn't think it is necessary. As far as the other amendments, he stated he has no problem with eliminating site plan review in the R-1 District. In regard to building height, Lalley stated that 95% of the people who build abide by the ordinances. There are means in place for a variance. The percentages of variances applied for in comparison to the number of building permits issues is a very small percentage. There have been variances already granted for 29.6 feet and that 35 feet is too high. The ordinances are there for the protection of the majority of the people. 35% lot coverage is too much but some discussion that decks not be included is an option. He is in favor of the changes for accessory structures in the R-R District.

Lou Colletta stated that the points raised about more minds on the planning commission is good, but it will be difficult with nine members in reaching consensus. As far as site plan review, Colletta stated in the beginning following the new zoning ordinance, it was beneficial and helpful to the Zoning Administrator and that Arnie Russell does a good job and is vigilant in upholding the zoning ordinance. Colletta stated that he has concerns with height relating what happened in West Bloomfield where large "bigfoots" were built along the lakefront creating a wall effect. Colletta referred to a drawing he made showing what had been proposed with wider setbacks and roof line recommendations which could allow for taller structures but still maintain a viewscape and with these conditions he would have no problem with 30 or 35 foot heights. The reason for the lower height was because the above proportional recommendations were not well received and the height limit was to prevent a wall effect. As far as lot coverage, Colletta stated that with a 50 foot wide lot with over 25% lot coverage, it does not comply with the Master Plan which states it is for the health and safety of the people. Colletta stated that the Health Department in Huron County is not doing their job and for that reason would rather keep the 50 foot lots at 25% and would agree to a 10% additional coverage for uncovered decks. In regard to the R-R District, accessory structures, Colletta feels the proposed amendments are in agreement with the Master Plan and maintaining harmony in a residential district.

Minutes of the April 22, 2009 meeting were reviewed. Colletta referred to corrections requested by Matt Wagner of DTE. Motion by Ehrlich to accept the minutes with the requested corrections, seconded by Geppert. Motion carried.

Correspondence read which included a letter from James Allen of 4825 Etzler Road, a letter from Paul and Carol Beck, a letter with information referring to noise issues with wind turbines from Grady Nance of DTE, a response to Grady Nance's information from Richard James including 2009 Affidavits from Drs. Owen Black, M.D. and Michael E. Nissenbaum, M.D. citing problems they have found in people living near wind turbines. Matt Wagner asked whether all the information just read would be posted on the Township website. Colletta stated he will post it.

Colletta referred to a press release "Environmental and Wildlife Groups Call on Salazar to Immediately Suspend Work on High-Level Wind Turbine/Wildlife Advisory Committee" stating that there is an imbalance in the committee. Colletta then listed names of persons on the committee of Trevor Lauer, representing the Electrical-Utility Industry, David Walters representing the Electrical-Utility Industry, Robert Ianni, Attorney General, John Miceli, Alternative Electric Suppliers, Stephen Brock, Cities and Villages, Gene Jorissen, Townships, Roger Kershner and Alternate Joe DeVito, Renewable Energy Industry, David Wright and Alternate Susan Hartley, Statewide Environmental Organization, Thomas Vitez and Alternate Carlo Capra, Independent Transmission Companies, Mary Templeton, Public at Large and Julie Baldwin as Board Secretary. Matt Wagner asked Colletta which committee he is talking about and that he would like the minutes to reflect that the persons listed by Colletta are on the Michigan Wind Energy Resource Zone Board, not the Federal Wildlife Advisory Committee. Colletta stated the press release is to Secretary of Interior Kenneth Salazar by environmental and wildlife groups relating to the Wind Turbine Guidelines Advisory Committee of the U.S. Fish & Wildlife Service. Lalley read the press release.

Colletta referred to the Wind Energy Resource Zone Board Minutes of January 19, 2009, specifically referring to comments made by Mike Serafin to the Board about wind hot spots in Michigan, where DTE is concentrating their efforts and the need to start a siting study. Colletta read:

“When DTE started looking at siting, they looked at the NREL map, their service territory and velocity map. Mr. Serafin talked about their ‘fatal flaw analysis’ and explained that term refers to birds, planes, wildlife, etc. DTE installed MET towers in six locations to gather wind data. Mike Serafin said that DTE is concerned about the environment. In 2007 DTE started an avian/bat survey that is on-going.”

Colletta went on to read:

“Mr. Serafin said that the fact remains that more transmission is needed in the Thumb. If we do not have sufficient transmission in the Thumb, and have wind power built quickly, we will fall short. Service can be constructed on existing wires with minimal upgrades but DTE assumes new transmission will also be constructed.

“Bob Ianni asked Mr. Serafin if the support from the residents that he referred to in his presentation included resident’s support for increased transmission. Mr. Serafin said DTE did not survey residents about transmission. However, Cindy Norlin added that in a meeting she attended with residents, that they understood that transmission had to come, but that does not necessarily mean they support it.”

Questions were asked as follows: “What is the interface of the transmission to the wind machine? Answer: Substation. If, for example, 12 turbines would feed into three main lines, these three lines would feed into a substation.

“David Wright asked if an application for the ITC interconnect request is needed first. Mike Serafin replied that if DTE puts in the request, then MISO will analyze just that request. Given the size of this, DTE would want this whole issue looked at by ITC.

“David Wright then asked if the presentations being made before the Board will be on the webs site. Julie Baldwin answered that presenters have been asked for files and that she will work with them to obtain files appropriate for posting.

“Rick Wilson with Heritage joined the meeting by phone. John Miceli asked Mr. Wilson what Heritage feels is the most primary area for wind development. Mr. Wilson answered that the areas that have the high wind energy potential are the Upper Peninsula, Southern Lake Michigan area, the lower Lake Michigan areas. Stoney Corners – McBain, Cadillac area, Southern Western Missaukee County. The last region is the East South East area of the Thumb which has flat, open agricultural land. Based on what they have in the MISO Queue right now, 825 MW. In all these areas, they have been successful with leasing. Probably 500 acres are under a least. He would like to see transmission upgraded. He felt that 825 MW can be achieved with some upgrades in transmission.”

Colletta continued indicating that the minutes go on to state:

“The Thumb is a good wind resource but we need to get transmission out there”

and in a presentation by Joe DeVito of RES Americas, the minutes state,

“The question was asked if more wires could be added onto the existing towers. Tom Vitez answered that, on a limited basis, it is possible to hang more wires on some towers. Joe DeVito also added that Michigan should not exclude exporting electricity, particularly from the Upper Peninsula to Wisconsin where they do not have a lot of their own wind resources.”

The minutes further state:

“John Deere thinks that the Thumb is an excellent place to build wind energy. Michigan has a lot of generating capacity. The first thing is to get on the grid. David Wright asked do you have interconnection agreements for your projects in the Thumb. Mr. Duimering answered, yes. It is the same interconnection project for Thumb I and II.”

Colletta commented that Thumb I and II are the Elkton and Ugly wind farms and continued reading from the minutes as follows:

“Mike Serafin suggested that the Board may want to work with the county governments. David Wright suggested going through the Great Lakes Renewable Energy Association to identify interest of townships to be included in these discussions.

“A question was presented to Mike Serafin about interconnection costs. If DTE were the first company to submit an application to MISO, then DTE would have to pay for the study. Mike Serafin replied that MISO is trying to look at who is first and then look at the impact on the second, third, etc., so they are starting to look at a region rather than just the first application.”

Colletta stated that in a previous meeting he had mentioned to DTE that the power generated will have to be moved out of the thumb which will mean more power lines and that Mike Serafin had mentioned possibly cylinder towers rather than the massive towers we are used to seeing, but he wasn't sure about that and it wasn't DTE's responsibility. The point is, Colletta stated, that Mike Serafin is concerned about transmission.

Colletta then referred to an article on Bird-compatible wind turbines by Wintus, Wind Turbine Specialists, provided by Yvonne Bushey at a previous meeting. Mrs. Bushey asked that the article also be included on the website. Colletta asked Mrs. Bushey to provide it via email in order to post it. At Colletta's request, Lalley read the article which was a "conversation with Mr. Helmut Schieri."

**Public Comments:**

Matt Wagner of DTE referred to the letter sent to Salazar and the charge that the advisory committee is an energy swayed group but stated that the letter did not list the members and organizations they represent but that the information is public and should be looked at again, there are three people directly from wind energy groups but the remainder are not and recommended going to the website to view the membership.

Wagner went on to state that the number one challenge across the country is transmission and stated wind typically is best where there is not a lot of things going on and you need the transmission to get there so what Mike Serafin said is correct. DTE used to own all the transmission structure in southeast Michigan but it is now owned by ITC, so it is their call. The Wind Energy Resource Zone Board is trying to identify places and what will follow is the necessary planning to make wind a reality within Michigan and across the country.

Neil Rohner commented on the Governor's requirement for a certain percentage of wind energy and the restrictiveness of the draft ordinance as proposed. He asked why the planning commission doesn't quit bickering about the little things and work with the wind farm developers on what is important to them and the people.

Lalley asked Mr. Rohner what the little things are. Mr. Rohner replied the birds, bats, deer. Mr. Rohner stated that if we are going to have them no matter what. Lalley asked Mr. Rohner if we are going to have them, shouldn't we do it the best way possible trying to take into consideration as much information as possible to protect the people in the township who are going to be impacted. He asked Mr. Rohner if he is going to be impacted, if he will see them from his home, when he is in his home how will they impact him. Lalley stated they will not affect him one bit and stated that this whole township has divided itself over this issue and anything going on within the township is directly related to the wind issue. Lalley read a letter he wrote after filing a Freedom of Information Request with the Township.

"Rumors swirling around recently prompted me to file a FOIA request for correspondence sent to the township. Many of you are already well acquainted with these emails but two in particular I found quite disturbing.

One referred to the planning commission as having something to hide and having unnecessary discussions with lawyers and other experts.

The other referred to the anger felt by the new township supervisor and of his desire to get four of 'our people' on a new board.

With reference to the first correspondence it would be seem easy to fling e-mail darts at something or someone when the person criticizing has absolutely no responsibility for drafting an ordinance that is sure to have dramatic and long lasting impacts on residents in this township. One way or another – people are going to feel this ordinance. I'm just afraid some are going to feel it more than others. That is a responsibility that I and other present members of this planning commission do not take lightly.

In regards to the second e-mail, I would address my comments to the proposed new planning commission members. No issue in this township has been more divisive or created more ill will amongst its residents than this wind ordinance. I truly believe it if were not for this we would not be receiving township e-mails referring to 'our side' or 'those idiots'. I don't believe there is a person in this room who knows better than my wife and I just how personal this issue has become. Yet I still believe it can be this very same issue that can bring this community back together if we keep our focus on the fact that this is a township ordinance. This ordinance needs to be for and about the people who live in Lake Township.

I take exception to comments made by our county zoning administrator that we are making it difficult for wind development in Lake Township. And while the representatives from DTE have conducted themselves with the utmost courtesy and professionalism, let us not forget something. It is DTE's job, as an energy company, to create energy in abundance and as economically as possible. If they weren't doing that they would not be doing their job and working to create long term value for their shareholders. What should be made clear though is that the welfare of Lake Township is not nor can it be their top priority. That responsibility lies with us and with the ordinances that we create.

With that in mind, I strongly encourage all those who will have influence on the outcome of this debate to seriously reflect upon their true motivations concerning this wind ordinance. I encourage them to consider all aspects of this issue with particular emphasis on those residents who will bear the brunt of the impact any proposed development is sure to have.



I believe in Lake Township's uniqueness. The fact that we have our very own zoning only strengthens and defines that uniqueness. It defines this township and its residents. That is why I believe a wind ordinance can and needs to address those qualities and not be self serving to some individual parties or persons.

As I stated earlier it is an enormous responsibility to know that decisions we make today are going to change the future of this township and possibly change the very uniqueness that we have protected. Let's not look back in the coming years and realize that we didn't act responsibly or were unduly influenced by others. We need to make the right decisions now."

Mr. Rohner asked whether Lake Township is going to have wind turbines. Lalley stated that the planning commission is a recommending board. Rohner stated that based on the ordinance proposed, the planning commission knows there will not be any because it isn't feasible to build and make any money. Lalley stated that money is the bottom line. Colletta stated that this is a zoning and planning board and he doesn't care about economics but asked Mr. Rohner to tell the board what the township can make off of these. Mr. Rohner stated he did not have the information with him but that there is money to be made in Lake Township for the township and DTE.

There was discussion and arguing among several persons present regarding the fact that the shoreline people who want the turbines will not be impacted by them.

Lisa Konke compared the impact of wind turbines to people in the agricultural district to people who lived along the shoreline and were going to have to have sewers, that maybe now Lalley can understand how they felt.

Pat Przystup stated it is like two townships, the lake and the back area. Until Smith got in office there was no representation on the board for anyone on the lake. Colletta stated that the entire zoning ordinance is based on the lakefront area. Mrs. Przystup stated that there was no lakefront representation on the Board. Geppert stated he owns lakefront property.

Colletta asked Clay Kelterborn if the Township Board stated that there would never be any windmills in the Township. Kelterborn stated that he, himself, never stated that and deferred to the planning commission and tried to educate and share with the community the potential impacts this type of development will have. He further stated that people in Lake Township have strong

feelings about property rights and referenced the boat hoist ordinance that resulted from lakefront property owners, and most particularly Mr. Rohner, who lobbied the township to adopt an unpopular ordinance because he did not like looking at his neighbor's boat hoist in the water in front of his house. Kelterborn stated that there are people who do not want to look at a wind turbine 1,000 feet from their house and their rights need to be protected, also. The proposed ordinance allows for property owners to sign a waiver allowing turbines to be closer if they are willing, but everyone's rights need to be protected. Kelterborn further stated that Steve Tait, who has signed a lease with DTE, told him he wouldn't want to do anything with his property that would hurt his neighbors and if that means not putting up a windmill that is fine because it's more important to him to respect his neighbors. Kelterborn stated he has been to Wisconsin, talked to people in other states, to people in Elkton and Ubyly, and it does adversely impact some people. We need to put ourselves in the position of the person who didn't have any say in this issue. Kelterborn suggested asking Mr. Wagner if he were a property owner with an investment to protect living in the rural area and didn't want a turbine 1,400 feet from his house, what he would do.

Colletta asked Matt Wagner if he would respond. Wagner stated he would work with the planning commission to make something that would work and there are people living near power plants, that he would have to work through the issues just like the planning commission is trying to do.

Gary Bauer of Brokerage Land commented that in February of 2007 when he began soliciting land leases in other Townships stated, "good luck with Lake Township" and wanted to know what that meant.

Kelterborn responded that he was told that, also, when he began working for the township in 1994. He stated Lake Township is a very diverse community with people passionate about property rights, zoning and taxes. People from the city who have moved up here and have seen things.

Mr. Bauer asked Lalley if he still felt that the current problems are as a result of the wind issue. Lalley stated he is absolutely certain that is the only reason the community is divided.

John Depner stated Lake Township has always been a diverse township and community with the shoreline and agriculture. It was

always divided between the people that came here, full time residents and the farm community. It isn't a full township, only about half a township. There's large acreage of state land. The township has also always been divided between political parties, but for the most part things were always resolved peacefully, even with two parties on the Township Board. He stated he believes this issue can be resolved peacefully without taking sides. He stated no one came to his door to sign a lease, but that the issue started with a mandate by the governor.

Walt Kloc commented on the MET tower that was not approved by the zoning board of appeals yet the same board approved the variance for a cell tower on the shoreline which he feels disrupts the whole shoreline and was not needed considering there already was a cell tower at the state park. Lalley responded that at the zoning board meeting following that approval he stated he had made a mistake based upon information that had been presented to him and he reviewed and he had asked the zoning board of appeals to reconsider the decision and they would not. He stated that it is in the minutes that he corrected himself in his decision.

Mr. Kloc also commented on the need for Mr. Bushey and Mr. Hyzer to excuse themselves from the MET tower variance hearing. Lalley explained that the reason Mr. Bushey and Mr. Hyzer were asked to excuse themselves, which they did not want to do, was because they had signed leases with DTE and even the Township attorney recommended they step down or they could be setting themselves up for a lawsuit.

Jeanne Williams stated that the planning commission is concerned with taking care of Lake Township. She lives on the lake and she cares about the whole community and appreciates the hard work the planning commission has done. Renewable energy is needed, but we need regulations to protect our environment, also.

Dan Depner asked that if people have concerns, it would be helpful if they would share their concerns rather than arguing and taking sides.

**New Business:**

No site plans to review.

**Old Business:**

Colletta asked the members of the planning board to share their comments on anything discussed on the agenda including the proposed amendments and the wind ordinance.

Ehrlich commented on the wind ordinance that he thinks some of the setbacks are too restrictive and suggested 1/3 mile rather than 1/2 mile.

Hartsell agreed with Rich on the distance restrictions. He thought the section on decommissioning was good. He also had concerns about the height limits and thinks that section may need to be reviewed.

Lalley asked Matt Wagner whether they had to be that high. Mr. Wagner stated that a low turbine is typically smaller with faster spinning rotor blades creating an issue for birds. Essentially the height limit of the ordinance restricts any turbines from the entire township.

Geppert suggested getting information from DTE about what they don't like about the proposed ordinance. It concerns him about the health problems associated with wind turbines being located too near homes. He feels some of the ordinance may be too restrictive but thinks it would be helpful for DTE to send a letter with what they don't like or sit down with them.

Lalley agreed with Geppert and would like to see what DTE could do with the proposed ordinance and Lalley agreed the ordinance is restrictive, but for a reason, to protect the people that are going to be impacted. Lalley stated the ordinance is restrictive but is also comprehensive and could be a model for other townships to adopt in an effort to protect themselves rather than catering to the energy industry. Lalley stated he would welcome discussing the ordinance with DTE.

Colletta said he would agree somewhat with Geppert and Lalley, but stated that DTE has been to all the meetings discussing a wind ordinance and has only answered questions they have been asked. Colletta stated he doesn't understand why DTE has not said anything before and that Mrs. Bushey is the only person who has brought anything contrary to what the planning commission has brought to the table. Colletta stated he does not believe wind

turbines will have no affect on property values. Colletta also agreed that it is a state mandate for wind energy development, but the state isn't mandating where those facilities are to be located and even the County Planning Director admitted that he had never considered Lake Township. Colletta stated he wants to take the ordinance as it is. Colletta also referenced the Master Plan and its future land use stating that the proposed overlay district for wind development would not impact the future land use, but if spread beyond the overlay district, it would impact the area proposed in the Master Plan for future residential growth.

Colletta also mentioned that he talked to the County Building Department regarding application for permits for a construction project on a vacant piece of property, and that it could take four to six weeks from the time of initial application for required permits to the time of commencing construction and that Lake Township does not exceed that.

In regard to lot coverage, Colletta stated he supports an additional 10% over the 25% as long as it is not covered and doesn't interfere with the septic system.

Colletta recommended tabling the exterior lighting and mining and mineral extraction topics. Motion by Hartsell to table those topics, seconded by Ehrlich. Motion carried – all ayes.

Colletta recommended scheduling a public hearing on June 24<sup>th</sup> at the next regular planning commission meeting on the proposed wind ordinance. Motion by Lalley to schedule a public hearing on the wind ordinance for June 24<sup>th</sup>, seconded by Ehrlich. Motion carried – all ayes.

Zoning Ordinance Amendments: Section 307.2(d) – Motion by Hartsell to delete the requirement for planning commission review of site plans in the R-1 District, seconded by Geppert. Motion carried – all ayes.

Section 302.2 – Motion by Hartsell to amend to increase planning commission membership from five (5) members to nine (9) members, seconded by Geppert. Motion failed – Ehrlich, Colletta and Lalley opposed.

Section 605.4 – Motion by Colletta to recommend amendments to accessory structures in the rural residential district as proposed, seconded by Geppert. Motion carried – Hartsell opposed.

Section 605.3. Motion by Hartsell to recommend increase in lot coverage from 25% to 35%, seconded by Ehrlich. Motion failed – Geppert, Lalley, Colletta opposed.

Colletta recommended amending Section 605.3 from 25% maximum lot coverage to 25% maximum lot coverage for structures with an additional 10% allowed for uncovered decks and patios. Motion by Ehrlich supporting Colletta's recommendation, seconded by Colletta. Motion carried – all ayes.

Section 605.2, 805.3 and 705.4 – Motion by Hartsell to recommend proposed amendment to increase maximum building height to thirty-five (35') feet. No second – motion failed.

Colletta stated he would be in favor of the 35' height if the side yard setbacks were great enough to prevent a wall effect of structures along the shoreline and recommended tabling for further discussion and review. Supervisor Smith asked how that would work for existing buildings. Colletta stated that with the nonconforming structures the ordinance has made provisions to allow an extension up to fifteen feet, so something would have to be figured out for existing buildings, but in the situation of new buildings or replacing buildings, they would have to comply with the additional setbacks. Colletta stated he doesn't want to see a situation where there is a wall of houses as you drive along M-25. He mentioned West Bloomfield where you drive in a shadow due to the high homes.

Lalley commented that with larger lots that can accommodate a greater setback distance, the 35' would be fine, but to have 35' across the board which would apply to remodeling existing homes is going to be a problem, but to have different height restrictions will also cause problems of discrimination against those existing homes that cannot meet a greater setback.

Supervisor Smith stated he thought we had a compromise that properties on the waterfront would have a 30% lot coverage. Colletta commented that they actually have 35%, 25% on structures and an additional 10% for uncovered decks and patios. Smith stated that he thought the shallow lots, 50' by 70' or 80' would stay at 25%. Colletta commented that the County has a similar 25% / 10% requirement and this is what the planning commission is recommending. Smith asked whether the larger lots that are 100' by 250' would have the same requirement. Colletta responded that they would, but that they could have a

much greater square footage of lot coverage based on percentages.

Colletta recommended tabling height amendments. Motion by Geppert to table, seconded by Ehrlich. Motion carried – Hartsell opposed.

**Public Comment:**

Walt Kloc asked whether the board is going to look at the petitions and that a 28 foot height versus 35 feet isn't going to make any difference and there are reasons that were presented in the petition as to why the height should be increased and those issues should be considered by the planning commission.

Colletta responded that they did not say no to the amendment but are only tabling the issue at this point since they just received the petition and the zoning information that Smith put together from other townships within the County and stated the planning commission needs time to review this information.

Matt Wagner stated that the proposed wind ordinance is unworkable for commercial wind turbines and although he cannot attend the next meeting, his peers will and will walk the planning commission through the concerns they have with the ordinance. He also commented that DTE has stated several times that they have been willing to sit down with the planning commission to discuss the development of the ordinance. He stated that DTE has offered answers to questions asked to them and did send information but didn't want to overwhelm the planning commission with too much information.

Colletta commented that this Township and its residents, this is their home and DTE is a guest and DTE needs to respect that it is up to the residents of this township as to what goes in to their home. Matt Wagner acknowledged that DTE does respect that.

Neil Rohner asked whether the planning commission is going to schedule a meeting with DTE. Lalley suggested scheduling a meeting. Lalley recommended scheduling the meeting after the public hearing. Motion by Hartsell to schedule a meeting with DTE, the planning commission and the Township Board, if agreeable, after the public hearing, seconded by Colletta. Motion carried. Colletta stated that a meeting will be scheduled after the public hearing if the Township Board is in agreement.

McCallum commented that the planning commission isn't drafting this ordinance just for DTE and even Matt Wagner has mentioned the same to the planning commission. Matt Wagner suggested including other developers in the meeting and would be willing to provide the names of the other developers.

Gary Bauer asked where the public hearing will be held. Colletta stated that they will check into the availability of the State Park Outdoor Center and the location will be posted.

Motion by Hartsell to adjourn, seconded by Colletta. Motion carried - meeting adjourned at 9:55 p.m.

Transcribed by Clerk, Valerie McCallum from Video Recording 6.3.09