

LAKE TOWNSHIP PLANNING COMMISSION
Unapproved Minutes
Thursday, January 27, 2010

The meeting of the Lake Township Planning Commission was called to order at 7:00 PM by Chairman Dave Szumlinski.

Pledge of Allegiance was recited.

Roll call by Lisa Konke, Planning Commission Secretary. Present were Lisa Konke, Dave Szumlinski, Deb McBride, Dale Hartsell, Gerry Geppert, along with approximately 8 guests. Absent, Mary Johnson, recording secretary absent.

Minutes of the January 14, 2010 Special Meeting. Motion by Hartsell to accept minutes, seconded by Konke, all ayes. Motion carried.

Motion by Szumlinski to add Rules of Participation wording to agenda under new business.

Septic Committee discussion from Township Board Meeting tabled due to the fact no members of the Committee were present.

Motion by Konke to approve the agenda with additions, seconded by McBride, all ayes. Motion carried.

Correspondence:

Motion by Geppert to renew Planning and Zoning subscription, seconded by Konke, all ayes. Motion carried.

Letter submitted by Tim Lalley, written by Dr. Swinbanks, regarding wind turbine noise research. Szumlinski stated he has a problem with the letter, and questioned Mr. Lalley who was in attendance. He questioned him as to whether the signature on the document was in fact his. Mr. Lalley approached the table and stated that it was not his signature. Lalley stated that at the last meeting he signed the letter when he turned it over to the Planning Board to be added to the agenda for this meeting. Members present remember that he did sign it. Szumlinski questions as to where the letter Lalley signed is. Konke stated that she thought Clerk McCallum had taken it at the special meeting and the copies that were made for tonight's packets were from the original that Mary Johnson had made with the original from Val. Konke read the letter and the matter will be looked into.

Letter submitted by Richard Walsh read by Konke.

Old Business:

Szumlinski stated that with the Planning Board is without a Vice Chairman due to the

fact that Rich Ehrlich term has expired. He asked Gerry Geppert if he would accept the nomination if offered. Geppert replied yes. Motion by Hartsell, seconded by McBride. Roll Call: Konke-Aye, Szumlinski-Aye, McBride-Aye, Hartsell-Aye, Geppert-Aye. Motion carried.

Szumlinski addressed the conflict of interest issue that was brought up at the Special Meeting of January 14, 2010, in that during the public comment portion audience members expressed their concern that Deb McBride falls into the conflict of interest, because she has a lease signed to have wind turbines on her property. Szumlinski asked McBride if she felt she had a conflict of interest. She replied "No". Szumlinski looked into the matter and in his opinion, since she had no input on the actual draft in question, and made no decisions on any of the contents of the ordinance. Also, the only thing that McBride has voted on so far is whether to recommend sending the ordinance to the Huron County Planning Commission for review. He asked for comments. Geppert clarified as to what the vote was for and saw no conflict as did Konke and Hartsell.

New Business:

Szumlinski suggested adding to the Rules of Participation the following: the item should be addressed to the Lake Township Planning Board, person submitting the document should have a legibly printed name and signature, and lastly date stamped from the office as to when the document was received. Motion by Hartsell, seconded by McBride, all ayes.

Roll Call: Konke-Aye, Szumlinski-Aye, McBride-Aye, Hartsell-Aye, Geppert-Aye. Motion carried.

Recess: 7:30pm, Dale Hartsell.
Resume: 7:35pm

Szumlinski stated that he was asked about build able lot sizes. He questions non conforming lot sizes and division of lots and how you can divide a lot to form another non conforming lot? If you look at Section 705.1 Lake Township Building Ordinance, it states that each lot shall contain a minimum of 12,000 sq. ft., and each lot shall have a minimum width of 100' on a public road. But if you divide it into a lot that is 65', that results in a non conforming lot. The ordinance states, if he understands it correctly that you can divide a lot and make it a non conforming lot that you can't build on. But some of the older lots that have only 50' of frontage are not build able and have to be joined with another neighboring 50' lot to be build able. He questioned Arnie Russell, in attendance. Russell stated that that on page 4-4, there is a chart for lot sizes and districts in the township and that lots are build able if setbacks can be met. Szumlinski answered that is not what the ordinance says. Konke stated that a variance would be needed. Russell said it would depend on the depth of the lot to determine the sq. footage. Szumlinski wants to look into this and have the other members do so also.

Szumlinski also would like to look into property owners that may have had to join 2 lots so they were able to build an unattached garage or shed. Since you have to have a house on a lot to have a utility building. What happens if you want to split the lots later on down the road to sell them? He thinks the ordinance is out of date and we are penalizing them by not allowing them to split the lots if they should need to sell one just because there

is a utility building on one without a residence.

Hartsell stated that in residential zoned parcels, you have to have a house built in order to build a shed.

Konke stated that this prevents people from trying to make living quarters above or in a garage and eliminates 2 residences on one piece of property. It has been this way for many years.

Szumliniski would like to look into this and thinks that this ordinance is out dated and should allow for the properties to be divided if needed.

Hartsell suggested checking into this and putting it up for discussion.

Public Comments:

Tim Lalley would like the Planning Board to know that since we voted to send the ordinance on to the County, is it correct to assume that this is an ordinance that we approve of and how strongly will we as a Board defend this ordinance when it comes back to Lake Township.

Szumliniski answered that he cannot defend it. Because he had no input into it. All he can do is find out why or what the question may pertain to and find the source of where this information may have come from. By consulting with Hartsell, Geppert, Lalley or Colleta.

Lalley asked if the Board may have recommended the draft in haste.

Szumliniski replied no.

Lalley asked if when the draft comes back are we willing to defend it.

Szumliniski stated that no we cannot defend it if we don't know what there is to defend.

McBride stated that you can't assume that will happen and you can't defend something if you don't know what you're defending.

Szumliniski replied that when a question is asked we will try our best to answer, if we are unable to we will try to find someone that can had input on the draft and find the answer.

Konke stated that when County sends the draft back we will have a report with their recommendations.

Lou Colleta stated that since we as a Board recommended it we defend it.

Szumliniski replied that Colleta's definition of defend differs from his.

Lalley stated that he was surprised that we as a Board recommended to send the draft to the County.

Szumlinski asked Lalley if he thought that the Board should defend the ordinance as it is.

Lalley answered "Yes". How strongly are you going to defend it?

Konke asked of Lalley and Colleta, "What would have been your next step."

Colleta replied "To do exactly what you did."

Szumlinski stated that when he first viewed the ordinance he thought there was some good parts and some bad parts, and not everybody is going to agree.

Lalley again asked would we defend this ordinance.

Szumlinski stated that the draft should be judged on its own merit.

Lalley stated that he feels this was passed on to the County hastily.

Szumlinski answered that all we can do as a Board is act accordingly to the responses we get when the draft comes back to us.

McBride stated that we have no idea what the report will say and it would be foolish to try and answer or defend something when we don't know what we're defending.

No more public comments.

Motion to adjourn by Hartsell, seconded by Konke, all ayes. Motion carried.

Meeting adjourned at 8:30pm.

Next regular Planning Commission meeting, February 24, 2010, 7:00pm

Respectfully submitted by:
Lisa Konke, Recording Secretary

