

LAKE TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, January 26, 2011

The **regular 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, Recording Secretary. Present were Dave Szumlinski, Dale Hartsell, Jeff Krohn and Deb McBride along with approximately 7 guests. Absent was Gordon Krueger.

Approval of Minutes

Motion by Hartsell, **to approve the corrected minutes of the September 22, 2010 regular meeting/public hearing minutes** seconded by McBride. All ayes. Motion carried.

Motion by Hartsell, **to approve the minutes of the October 27, 2010 regular meeting minutes with the addition of "and have more false charges brought against him." to page 3,** seconded by Krohn. All ayes. Motion carried.

Agenda

Motion by Hartsell, **to approve the agenda with no additions,** seconded by McBride. All ayes. Motion carried.

Correspondence:

None

Old Business:

White Papers – Medical Marijuana

Szumlinski suggested that the Board table the White Papers until a later time being that this is a lengthy document and the members can have more time for review of this information.

Motion by Hartsell, **to table White Papers – Medical Marijuana for further review,** seconded by McBride. All ayes. Motion carried.

ACLU / Medical Marijuana

Szumlinski suggested the same for the ACLU document regarding medical marijuana and that the Board table this also until a later time so the members can have more time for review of this information.

Motion by Hartsell, **to table the ACLU article regarding medical marijuana for further review,** seconded by Krohn. All ayes. Motion carried.

Wind Draft

Szumliniski referred to the current wind draft and that at the October 27, 2010 meeting the Board had left off at Section 3.

Board members reviewed and discussed the wind draft starting with Section 3.1, Zoning. All members in agreement that Sections 3 and 4 are sufficient at this time.

Szumliniski offered that with regard to Section 5.0, review procedure, that Huron County Master Plan should be amended to read Lake Township Wind Energy Overlay. He added that Section 5.1, in reference to road damage or improvements, he has spoken with Mike Power of the Huron County Road Commission and policies are in place regarding roads in Huron County.

Jeff Krohn commented that when the Elkton wind facility was under construction, the Road Commission worked very closely with the developer to ensure that the roads were not damaged.

McBride questioned page 5, number 3. She thinks the Board should look further into the 400 foot set back from the nearest public road.

Krohn commented on the 330 foot height limit, page 5 section D. He asked if an exception or variance could be applied for a turbine to be taller than this limit.

Szumliniski answered that there is a Michigan Tall Structure Act that has to be abided by and separate approval would be needed from agencies outside of Lake Township.

Board members present agreed that in regard to Section E. Noise, there are controversial and contradicting data and that this area needs to be looked into further.

Szumliniski commented that he believes that some of the data and information Mr. Swinbanks provides in past correspondence to the Lake Township Planning Commission is correct and that Huron County's wording is backward.

Regarding number 3, page 6 of the Noise section, the Board members discussed the five (5) minutes per hour regarding the time limit in which ambient noise levels can exceed this time period. Discussion took place among the Board on whether inserting "90% of the hour" in lieu of the five (5) minutes.

Krohn suggests the Board should find out whether this 90% is a figure the wind companies can work with.

Hartsell offered that Section 7.0, Inspections should read "with applicable Lake Township Zoning ordinances and codes" and remove the word "county" from that section. He added that Section 7.01 Complaint Resolution, the time limit for acting on a complaint should be defined.

All areas of the Wind Draft have been discussed.

Motion by Hartsell, **to table the Wind Draft until the February 23, 2011 regular Planning Commission meeting**, seconded by Krohn. All ayes. Motion carried.

New Business:

2011-2012 Planning Commission Meeting Schedule

Szumliniski offered that he feels the Planning Commission should schedule a meeting for November 16, 2011.

Motion by Hartsell, to **schedule a regular Planning Commission meeting for November 16, 2011**. Roll call: Szumlinski, aye. McBride, aye. Hartsell, aye. Krohn, aye. Motion carried.

MTA Article – November 2010 re: Wireless Communication

Szumliniski referred to the MTA article regarding wireless communications and suggested the Board members read this document at their convenience.

Zoning Amendments

Szumliniski stated that these amendments were sent back to the Planning Commission by the Lake Township Board of Trustees. He asked Dale Hartsell, Trustee his concerns regarding these amendments.

Hartsell answered that he believes residents will want to put sides on the structures and he thinks there should be a section for maintenance of the canvas structures. He asked Arnie Russell in attendance at this meeting his feelings or opinion on these structures.

Russell commented that he is against them and does not think they should be allowed in Lake Township. They are an accessory structure and enforcement will not be easy.

Szumliniski stated that he believes the problem with the amendment to the ordinance regarding camping is because of sanitation. He does not feel this will be a problem.

Krohn added that he does not think so either, being that newer units are all self-contained.

Hartsell offered that he believes decks should not be limited in size. And by removing the size restriction R-1, he would agree with this amendment.

Szumliniski commented that this Board can go back and amend any of these ordinances after they are adopted.

Hartsell added that he would like to see an additional section added to the decks amendment and that it should read that a deck can be built up to the "seawall or ordinary high water mark."

Hartsell commented that in regard to the demolition of structures, he feels that the neighbors of a non conforming property will be inconvenienced should a 2nd story be constructed.

Szumliniski suggests sending the zoning amendments back to the Township Board without changes.

Krohn questioned Hartsell as to how he felt about this.

Hartsell stated he would address these issues with the Lake Township Board and possibly change or amend them at that time.

Motion by McBride, **to send zoning amendments, without changes back to the Lake Township Board of Trustees.** Roll call: Szumlinski, aye. McBride, aye. Krohn, aye. Hartsell, nay. Motion carried.

Public Comments:

Clay Kelterborn commented on his wind draft concerns such as, setbacks, point of location from a residence and property lines. Also, property owner rights, and suggests talking with developers.

Walt Kloc commented on zoning amendment discussion between the Planning Commission at this meeting. Also, the Ordinary High Water Mark and he feels the public input at the public hearing regarding the zoning amendments was ignored.

No more public comments.

Motion by Hartsell **to adjourn**, seconded by McBride. All ayes. Motion carried.

Meeting adjourned at 8:25pm.

Next regular Planning Commission meeting, February 23, 2011, 7:00 pm.

Respectfully submitted,
Lisa Konke, Recording Secretary