

# **Lake Township Planning Commission**

## **September 25, 2013**

### **Approved Minutes**

Meeting was called to order at 7:06 by Pobanz. Pledge of allegiance was recited. Roll call- Ric Geilhart, Nicole Collins, Clay Kelterborn, Jerry Pobanz were present. Robert Siver phoned Jerry Pobanz to let him know he'd be a half hour late. Approximately six guests.

**Approval of minutes:** Motion to accept the August 28, 2013 minutes made by Kelterborn. Seconded by Collins. Motion carried all ayes.

**Approval of work shop minutes:** Motion to accept the September 3, 2013 Work Shop minutes made by Kelterborn. Seconded by Collins. Motion carried all ayes.

**Approval of agenda:** Motion to accept the agenda made by Kelterborn. Seconded by Collins. Motion carried all ayes.

**Correspondence:** Pobanz acknowledged the three emails. Jean Driscoll sent two, and one from Linda and Keith Hoffman pertaining to the lights at 5342 Port Austin Rd. Basically stating they appreciate the attempt to try to fix the glare from the lights, but there is very little improvement.

**Public Comments:** Mark Treder approached the Planning Commission members with questions on site plans. The Planning Commission looked over the site plan from Happy Times (Condo subdivision). Questions were asked if road/ easement/ driveway were in the front yard or side yard and if there was enough setbacks? After looking over plans, Geilhart thought he had the setback and a private road. Small discussion took place and the Planning Commission members thought Treder should deny due to lot coverage (720 square foot). Second issue was an L-shaped mobile home on lot, four foot from existing garage that he wanted to add on to. The zoning ordinance is ten foot between structures. The Planning Commission

discussed this briefly and decided this should be denied due to the garage being too close to principle structure.

Septic review questions- Kelterborn asked if we should require them. Geilhart stated the health department doesn't do anything besides hand you a paper. Kelterborn made the comment that the health department is aware of the problem but is avoiding it. Siver mentioned trying again now that there are new board members and new Planning Commission members. Siver thinks Lake Township should acquire the accurate paperwork for the installation of well and septic. Siver also suggested documenting when making calls to the health department, if they're ignoring calls, and going to a health department meeting and complaining.

Jean Driscoll asked if anything else was being done on the lighting ordinance. Pobanz answered not at this time. Keith Hoffman stated the wattage of the bulbs is the problem, they are like airport lights. The lights need to shine straight down on his property; Collins suggested looking into a dark sky ordinance. Pobanz explained how the Planning Commission has many items going on right now and that this may have to wait a while, but will not be forgotten. Geilhart suggested MDOT; there was a suggestion to write another letter to 5342 Port Austin Rd. in reference to ordinance 1201.13 due to more complaints and the lights being a nuisance.

**New Business:** None

**Old Business:**

Wind Ordinance- Kelterborn introduced Bob McLean (who helped in developing the Paris Wind Ordinance) to the meeting. The Planning Commission members started discussing what they would like in the Lake Township Wind Ordinance, such as setback from the property line, sound, shadow flicker and height restrictions. The Planning Commission members thought the wind ordinance should be under special use instead of an overlay in order to offer more protection for the property owners. Kelterborn stated when we write the language we need to be careful of lawyers, building and zoning, and developers tearing the ordinance apart. Geilhart said after talking with Jeff Smith regarding the Port Hope project that we are allowed to put boundaries in so far from the lake. Kelterborn asked if we have a basis for creating boundaries. Geilhart answered yes, due to natural topography, natural features, waterways, hunting ground areas, Rush Lake... Geilhart stated that three miles from the lake would be good for Lake Township. Siver commented that he read over the Paris Wind Ordinance and highlighted what he liked, put in setbacks for Lake Township. There was a

discussion on public safety. Nicole Collins said she had been waiting for a call back from O.S.H.A. and has had no reply. Siver stated he thought the setbacks should be based on manufacture's safety requirements and safety specifications which are 1640 foot safety zone setback for workers. This is a safety issue. There was discussion of the lease and non lease issue in the Paris Wind Ordinance. Paris has 1320 ft property line setback for leased property and 2000 ft property line setback for a non lease. For leased property the distance between turbine and public right- of- way approach is two times the height of turbine measured from the top of blade in vertical position to the center line of the base. Distance is three times for a non lease. Siver stated once again he thought the bare minimum for the setback should be 1640 based on manufactures' regulations and safety. Bob McLean suggested that when putting together a Wind Ordinance for Lake Township make it easy to understand. To make sure to cover structure, acoustics, and sound testing. When testing is done make sure it's done when there is maximum sound pressure. Require this in ordinance. He also stated that there is anti-shadow flicker software available. He went on to say that the burden should be on the developer to put in the wind turbine, not our job. We need to write the rules and they need to follow them. Nicole Collins made a statement that she would like to start putting a wind ordinance together with help from the Planning Commission member's notes and suggestions. Would like to get something in writing. The Planning Commission agreed and gave Collins their suggestions and notes.

**Tabled and Pending Items:**

Kelterborn stated that there are numerous tabled and pending items. He thought it would be in the Planning Commissions best interest to pick away at them. Have members pick an issue and try to work on it. Geilhart decided he would work on sheds and small accessory structures. Kelterborn and Collins will work on the lighting ordinance. Pobanz and Siver will work on the mining ordinance. The Planning Commission decided the decks and overlay districts could wait until the first of year.

**Public comments:** none

Motion made by Kelterborn to adjourn meeting. Seconded by Geilhart. Motion carried all ayes.

**Meeting adjourned at 9:40.**

Next meeting October 23, 2013 at 7:00p.m

Submitted by Kim Simpson, Recording Secretary