

Lake Township Planning Commission

Public Hearing and Regular Meeting

June 24, 2015

Approved Minutes

The meeting was called to order by Chairman Jerry Pobanz at 7:03 p.m. Pledge of Allegiance was recited.

Roll call: Bob Siver, Jerry Pobanz, Todd Gordon, and Nicole Collins all present. Clay Kelterborn was absent.

There were approximately six guests.

Approval of May 27, 2015 minutes: Motion made by Gordon to accept the May 27, 2015 minutes, seconded by Collins. All ayes-passed.

Approval of Agenda: Motion made by Pobanz to amend the agenda by adding the Public Hearing items added under old business, seconded by Collins. All ayes-passed.

Motion made by Pobanz to accept the agenda with the amendments, seconded by Siver. All ayes-passed.

Open Public Hearing:

Chairman Pobanz asked if anyone had questions or comments about the changes made in Section 202. Definitions, Section 705.5 (F-2), Section 805.5 (G-2), Section 904.7 (C) and Section 1303. No comments or questions.

Public Hearing Closed at 7:08.

Correspondence: None

Public Comment: None

Old Business:

There was a short discussion on the public hearing items making sure no one had questions or comments about them. A motion was made by Gordon to send the zoning ordinances with the amendments to the County prior to submitting to the board for adoption, seconded by Collins. A roll call vote was passed with all ayes.

Pobanz asked Tory Geilhart why he suggested changing the minimum yard requirement from a total minimum side yard of 16' to each side yard shall be a minimum of 6' feet from the property line? Geilhart replied he thought since there is talk about taking away the 80% of all the applicable required setbacks for Non-Conformities it may be helpful. He also stated that Caseville Township has 6' and 6', and he thought for enforcement purposes it would just be easier and easier to understand. Gordon commented that he thought that having one number might make it easier to understand than two numbers. Pobanz stated that he thought the 10' minimum on one side was better, Siver agreed. There was a short discussion between members and they decided to revisit the minimum

yard requirement at another time.

Pobanz asked Geilhart why he suggested changing the 30 degree angle in the R1 district to 35 degrees. Geilhart replied that he didn't think that 5 degrees was really that big of a change. He stated that this would allow someone in the R1 district to have a resin shed on waterfront property to store things. He thought it would be better to see a resin shed than things all over. Geilhart also stated that the 30 degree prohibits people from building decks. Geilhart stated he thinks it is fine to be restrictive, but sometimes you have to give a little to have some kind of balance. Gordon asked if the Planning Commission should look into addressing elevation. Geilhart thought that would be a great idea. The members decided there needed to be more discussion on the suggested change on the 30 degree rule.

Geilhart asked the members if they came to a decision on the nonconforming building and structures, especially adding a second floor or going straight up on a nonconformity. Geilhart stated that it doesn't make sense to have an ordinance if it's just going to get overridden by a variance. Siver stated that he thought handling each one case by case was a good idea. Pobanz stated he didn't have a problem with going up or adding a second addition to a nonconformity. Collins said that she agrees with Geilhart about going up on a nonconformity as long as the foundation stays the same. Gordon also agreed, going up or adding a second story to a nonconformity would be ok as long as you stay inside the foundation and with restrictions. Members agreed to revisit in future meeting.

The members began discussing Mining and Fracking and if there was anything they could do to stop it. Siver suggested that they could regulate mining and some of the activities. Planning commission members suggested they try to regulate trucking, noise, working time, restoration and safety (fences). Tom Pierce asked if they can limit the amount of time (weeks, months) they can mine? Gordon suggested they could maybe limit how much they could open up until it's restored. He suggested that the Township needs a definition of "mining" and that it is going to be hard to enforce an ordinance. The members discussed if they had anything to cover mining restrictions until they are done working on this. Tom Pierce suggested no mining in residential areas. Val McCallum told the Planning Commission that we have a Zoning Ordinance that only allows mining in agricultural districts with a special use permit, and the PC does not have to approve a special use permit. Siver stated that the planning commission can define what happens in different districts and he thinks they can do that with mining also. Siver also suggested that the planning commission look into the west side of the state and find some sample ordinances to look over like Holland or Traverse City.

The Planning Commission members discussed the Draft Model Buffer Ordinance briefly and decided to work on this at a future meeting.

There was a brief discussion on Small Accessory sheds. Gordon suggested at this time to put a list of structured questions together for the planner that will be attending next month's meeting (July 22, 2015), and then the members can ask the planner about these things. The members agreed to each put together a list of questions to have ready for the planner.

July agenda items:

Patrick Sloann from McKenna and Associate's will be attending meeting.

Future agenda items:

Nonconforming buildings and structures

Master Plan Review
Small Accessory structures
Draft Model Buffer Ordinance

Motion made by Gordon to adjourn meeting, seconded by Siver. All ayes- passed. Meeting adjourned at 8:50. Next meeting July 22, 2015.