

Lake Township Planning Commission  
Regular Meeting & Public Hearing  
September 23, 2015  
Approved Minutes

The meeting was called to order by Chairman Jerry Pobanz at 7:25 p.m. The Pledge of Allegiance was recited.

**Roll Call:** Jerry Pobanz, Clay Kelterborn, and Todd Gordon were present. Nicole Collins and Bob Siver were absent. There were approximately 10 guests.

**Approval of August 26, 2015 minutes:** Motion made by Kelterborn to accept the August 26, 2015 minutes, seconded by Gordon. All ayes- passed.

**Approval of Agenda:** motion made by Kelterborn to accept the agenda, seconded by Gordon. All ayes- passed.

Pobanz opened the public hearing for consideration of a special use permit for Kenny Kapa to sell firewood @ 3545 Port Austin Road.

Kenny Kapa explained to the board that he is only selling the firewood as a hobby, and not as a business. He added that he didn't know that he needed any kind of a permit to sell firewood by the road until he heard from Tory Geilhart, Zoning Administrator for Lake Township, at which point he came to the Lake Township building and started the special use permit process. Kapa stated that he does not cut the wood on his property located @ 3545 Port Austin Road, instead he cuts the wood on his Hume Township property and hauls the wood back to his property and stacks it in the back yard @ 3545 Port Austin Road.

Pobanz read the correspondence from neighbors surrounding Mr. Kapa and the general consensus was that they had no problem with Kapa selling the fire wood.

Kelterborn was concerned about the businesses zoned commercial that sell firewood, and how they would feel about it. Geilhart stated he had no complaints about Kapa selling the firewood from anyone and the public hearing notice was in the paper, so everyone had a chance to voice their concern.

There was also concern about the special use permit staying with the property after Kapa is no longer there. The Planning Commission members were concerned that maybe the next property owner wouldn't be as easy to get along with as Kapa, and could cause problems for the other neighbors. Pobanz mentioned that they could maybe put limits on the special use permit.

At this time Pobanz asked if there were any public comments. Rick Swainquist stated that he doesn't see a problem with Kapa selling the firewood. Swainquist also stated that there is no problem with the traffic due to the big driveway people can turn around in. Paul Beck stated he didn't have an issue with it as long as there was no noise.

Motion made by Kelterborn to close the Public Hearing, seconded by Gordon. All ayes-passed. Public Hearing Closed.

**Public comments:** none

**New Business:** Special Use Permit for Kenny Kapa

Gordon asked Mr. Kapa if he would rather have all the members in attendance to make a decision on special use permit. Kapa replied he is comfortable with the members that are here making the decision. Gordon stated that he would feel better about allowing this if the special use permit could be connected to Mr. Kapa rather than the property. Kelterborn questioned if that is something they can make as a condition. Kelterborn thought they should look into getting some legal advice on making that a condition. The board discussed other conditions they would like added to the special use permit. The conditions were: Time frame from beginning of May – end of November, Storage less than 200 sq. foot. and 6 ft. in height, selling rack is not to exceed 2X8, cutting and splitting of wood off site, sign attached to wood rack, and possibly only granting the special use permit to Mr.Kapa and not property. Motion made by Gordon to pass the special use permit to the Township Board for consideration with the mentioned stipulations, seconded by Kelterborn. All ayes- passed.

**Old Business:**

Review Proposals from LANDPLAN, the members had a brief discussion and a motion was made by Kelterborn to accept the proposal, seconded by Gordon. All ayes- motion carried.

Mining and Fracking was tabled until future meeting, motion made by Pobanz, seconded by Kelterborn. All ayes-passed.

**October Agenda items**

Nonconforming buildings and structures

**Pending Agenda Items**

Master Plan review

Small Accessory structures

Draft Model Buffer Ordinance

Motion to adjourn made by Kelterborn, seconded by Gordon. All ayes-passed.  
Meeting adjourned at 9:07 p.m.

Next meeting October 28, 2015 @ 7:00

Minutes prepared by Kim Simpson, secretary