

**Lake Township Planning Commission
Regular Meeting
January 27, 2016**

Approved Minutes

The meeting was called to order at 6:02 by Pobanz. The Pledge of Allegiance was recited.

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

Members of the Zoning Board of Appeals Mike Manete, Jeanne Henry, Lou Colleta all present. Zoning Administrator Tory Geilhart and Supervisor Valerie McCallum present. Approximately 2 guests.

Approval of December 16, 2015 Minutes: Motion made by Gordon to accept the December 16, 2015 minutes, seconded by Pobanz. All ayes – passed.

Approval of Agenda: Motion made by Kelterborn to accept the agenda, seconded by Collins. All ayes – passed.

Correspondence: None

Public Comments: None

Old Business:

LANDPLAN: Mark Eidelson of LANDPLAN introduced himself and advised that the January 12, 2016 correspondence from LANDPLAN will be used as the agenda. Eidelson explained that pages one through five of the correspondence duplicate the agreement between LANDPLAN and Lake Township. Eidelson advised that there will be three Blueprint or “orientation meetings;” these meeting will take place in January, February and March. The purpose of the Blueprint meetings is to identify key elements of the new Zoning Ordinance. Eidelson stated that based on the meetings schedule, a draft of the Zoning Ordinances will be created and the township should receive an initial draft of the ordinances in approximately eight months. Eidelson advised that the project is a 16-month endeavor and if more meetings are scheduled, it could result in added expense to the township.

Eidelson suggested that the Planning Commission may want to consider going through the ordinances to identify any concerns or questions and to maintain a clear record of the

issues so that Eidelson can prepare to address any issues beforehand. Eidelson advised the Planning Commission that it is the party responsible for preparing the ordinances and presenting the ordinances to the Township Board and that the Board will have an opportunity to review the ordinances and make revisions. Gordon asked Eidelson if the Planning Commissions should ask the Board if it has any concerns; Eidelson advised that the Planning Commission should move forward on its own.

Eidelson advised that the focus of today's Blueprint Meeting will be to address administrative and procedural matters. Eidelson advised that the ordinances can be organized in any fashion but the organization should be user friendly. Eidelson referenced the format on page six of the January 12, 2016 correspondence as an example. Eidelson advised that format places the most commonly used articles near the front, the back of the document for quick and easy reference and the middle portion for articles that are generally not used on a daily basis. The Planning Commission is in agreement with the format.

Eidelson directed the Planning Commission to the Administrative Issues beginning on page eight of the January 12, 2016 correspondence. Eidelson began by explaining that the current ordinance references 'land use permit' which is more commonly called a 'zoning permit' and suggested abandoning the term 'land use permit' and use the term 'zoning permit'. The Planning Commission agreed with Eidelson's suggested change.

Eidelson proceeded to present the administrative issues and questions to the Planning Commission outlined on pages eight through fifteen of the January 12, 2016 correspondence (attached hereto). A discussion took place on each item with the Planning Commission providing its feedback to each issue or question.

- 1) Source for and Submittal of Land Use Permit Applications: The Planning Commission agreed that the Zoning Administrator should be the source of submittal of the applications although the Zoning Administrator can designate office staff to provide applications.
- 2) Plot Plan versus Site Plan Review: The Planning Commission agreed that the new Zoning Ordinance should differentiate between plot plans and site plans and should clearly require a comparably more comprehensive **site plan** submittal for non-residential uses while requiring lesser information in association with a **plot plan** for single and two-family dwellings.
- 3) Separate Application Procedures for Dwelling: The Planning Commission addressed the issue of whether the new Ordinance include a section that addresses application requirements for dwelling in a concise and separate section from the application requirements specific to the many other differing land uses such as commercial and industrial development in the previous section (#2).
- 4) Application Requirements for Dwellings: The Planning Commission agrees that the information listed on page 9 as part of a land use permit application for a

dwelling is reasonable and agrees that Option 3, which requires a scaled drawing only unless otherwise determined by the Zoning Administrator, is appropriate.

- 5) Exemptions from Land Use Permits: Geilhart advised that playground equipment, fences and grading/excavation are exempt and further, that it is hard to regulate sheds. Kelterborn advised that he thinks fences should require a permit. The Planning Commission's consensus is that nothing should be exempt from a zoning permit.
- 6) Special Land Use Approval Authority: The current ordinance allows special land use approval authority to the Planning Commission. The Planning Commission recommends that the approval be a two-step process; that the Planning Commission make its recommended to the Township Board.
- 7) Special Land Use Appeals: The Planning Commission agrees that the new Ordinance prohibit appeals of special land use decisions to the Zoning Board of appeals.
- 8) Separate Special Land Use/Site Plan Approvals: The Planning Commission supports a new Ordinance that considers the completed application form and the required site plan as inseparable elements of an application.
- 9) Simultaneous Special Land Use/Rezoning Applications: The Planning Commission agrees that the new Ordinance should not permit simultaneous special land use/rezoning applications.
- 10) Special Land Use Approval Standards: The Planning Commission agrees that the new Ordinance should include discretionary approval standards for special land use applications.
- 11) Other Special Land Use Issues: The Planning Commission advised that the township has not encountered any problems or points of concern regarding the processing of special land use applications (as a result of past experiences) that should be addressed under the new Zoning Ordinance.
- 12) Site Plan Approving Body: The Planning Commission agrees that the site plan approval where the application is not for a special land use should be a two-step process, similar to special land use approvals wherein the Planning Commission makes its recommendation to the Township Board.
- 13) Pre-Application Site Plan Meetings: The Planning Commission agrees that the new Ordinance expressly authorize pre-application meetings.
- 14) Preliminary Site Plans: The Planning Commission agrees that the submission of a preliminary plan by the applicant be voluntarily under the new Zoning Ordinance.

- 15) Uses Subject to Site Plan Review: The Planning Commission agrees that there should be no room for variable interpretation regarding what is and what is not subject to site plan review and is comfortable with Option B.
- 16) Site Plan Changes: The current Ordinance does not address the process for making changes to a previously approved site plan. The Planning Commission agrees with LANDPLAN's definition of "Major Changes" and "Minor Changes" and also agrees that the Zoning Administrator should have the authority to approve minor changes with major changes being deferred to the Planning Commission.
- 17) Site Plan Copies: The Planning Commission recommends a requirement of 12 copies of the site plan with the caveat that the Township may require additional copies for outside review at the expense of the applicant.
- 18) Public Hearings for Site Plans: The Planning Commission agrees that the new Ordinance should not contain the existing provision that any individual may require a public hearing for a site plan that would not normally be subject to a hearing; the existing provision is not necessary.
- 19) Other Site Plan Review Issues: The Planning Commission advised that the Township has not encountered any problems or concerns regarding site plan review procedures as a result of past experiences.
- 20) Civil Infractions: The Planning Commission advised that the new Ordinance should carry forward the classification of violations as civil infractions.
- 21) Conditional Rezonings: The Planning Commission agrees that the new Ordinance should not include the conditional rezoning provisions.
- 22) Other Ordinance Administration Issues: The Planning Commission advised that it is not aware of any other administrative/procedural issues of concern with the current ordinance, due to past practices or experience, that should be addressed in the new Ordinance (excluding nonconforming lots, uses and structures).

New Business:

Budget:

A discussion regarding the Planning & Zoning Expenses took place with the following changes to the April '16 – March '17 budget being proposed by Kelterborn: 401.702 · Salary – Planning & Zoning increase to \$7,000, 401.727 · Supplies – Planning & Zoning remain at \$750, 401.801 · Consultants – Planning & Zoning increase to \$12,000, 401.803 · Legal – Planning & Zoning remain at \$5,000, 401.860 · Mileage – Planning & Zoning remain at \$500, 401.901 · Publications – Planning & Zoning remain at \$1,500, 401.960 ·

Education – Planning & Zoning remain at \$1,000, Total 401.000 · Planning & Zoning Expenses \$27,750.

Motion made by Gordon to approve the proposed changes to the April '16 – March '17 budget, seconded by Kelterborn. All ayes – passed.

Meeting schedule for 2016 / Election of Officers:

A discussion regarding the 2016 meeting schedule for the Planning Commission took place with Kelterborn advising that it is difficult to make the July and October meetings due to his farm schedule. Gordon suggested that Saturday mornings may be a good alternative. After further discussion it was decided to table the 2016 meeting schedule and the election of officers until the February meeting.

Motion made by Kelterborn to table the 2016 meeting schedule and the election of officers until February, seconded by Siver. All ayes – passed.

Public comments: None

Motion to adjourn made by Gordon, seconded by Pobanz. All ayes – passed.

Meeting adjourned at 9:30 p.m.

Next meeting February 24, 2016 @ 6:00 p.m.

Submitted by Lisa Clinton