

**Lake Township Planning Commission**  
**Regular Meeting/ Public Hearing**  
**April 26, 2017**  
**Approved Minutes**

The meeting was called to order by Chairman Jerry Pobanz @ 6:35 p.m.  
The Pledge of allegiance was recited.

**Roll Call:** Bob Siver, Jerry Pobanz, Clay Kelterborn, and Nicole Collins all present. Todd Gordon absent. Tory Geilhart Lake Township Building Inspector/Zoning Administrator was in attendance along with 8 guests.

**Approval of March 22, 2017 minutes:** Motion made by Siver to accept the March 22, 2017 minutes, seconded by Collins. All ayes- passed.

**Approval of agenda:** Motion made by Siver to accept the agenda, seconded by Collins. All ayes-passed.

Pobanz **opened the public hearing** on the Firewood sales amendment for the current zoning ordinance at 6:37 p.m.

**Public Comments:**

Jason Chapel questioned the provision for no visible employees, and if that includes family members helping? Collins stated that the provision states that it excludes employees residing in the dwelling. Chapel also questioned the 50' from all lot lines, and said this would put the wood pile in the middle of his front yard. Chapel wanted to know if he could pile his wood by his side property line by the Sleeper State Park fence. Pobanz stated that this was a meeting to hear whether the public is in agreement with the amendments and those issues would have to be addressed at a later time. Kelterborn stated that he thought the intent of the 50' was supposed to be from the front yard, and that it may be a misunderstanding and should be looked into. Collins agreed.

Joann Kapa asked if the idea was to go through each section one at a time? Collins stated that this meeting is to hear the concerns and questions from the public.

Christine Weiss asked why the lot size matters? Kelterborn stated because it is done outside and maybe intrusive to neighbors. Pobanz stated these measures are in place to minimize visual and audio impacts on nearby roads and lots according to the amendment.

Joann Kapa also asked why it is different in Lake Township? The PC members explained the reason for the ordinance is due to complaints.

Linda Alashmaly stated there should be a ordinance against leaving garbage cans on the road side, along with building signs, voting signs, etc.... If you can have an ordinance against selling fire wood why do we not have an ordinance against these other things? Siver said this is how

these ordinances start, due to complaints. Pobanz stated that this amendment to the current ordinance came to be because of complaints from people about firewood.

Christine Weiss stated that garage sales create more traffic and stops than a pile of firewood. She went on to say that you wouldn't have as many cars at one time for a pile of firewood as you do for a garage sale.

Kenny Kapa stated that he has been selling firewood for about 4 years and he appreciates the hard work that has gone into the ordinance. Kapa went on to say two years ago he was thought to be violating the ordinance, even though there wasn't one. Kapa tried to get a permit, everyone at the meeting recommended approval. Kapa expects to be grandfathered in because there was no ordinance and he has been selling the firewood for 4 years. He has ample parking, neatly stacked firewood. He doesn't think the 50' from each property line is feasible, and the minimum of 2 acres is excessive.

Ed Weiss asked how many people complained about wood piles infringing on their neighbors property? Kapa replied he had no neighbors complain about him selling wood, and he even had letters from his neighbors stating that they were for him selling the wood. Kelterborn stated that his wood pile looks nice, but what happens if you sell your property and the next person doesn't maintain it? At this time there was discussion between the PC and the guests in the audience about having a permit like a garage sale to sell wood instead of a special use permit. There was also a discussion amongst the members and guests about making the special use to the individual and not the land.

Rick Swanquist questioned why there is a need to draft an ordinance for this, he doesn't feel selling firewood is a problem. Pobanz responded some people have complained about it being an eye sore. Kelterborn commented that it is important to have safe guards/ guidelines through an ordinance so problems from the past do not reoccur. The township wants to work with the community and that is why the PC is making the attempt to draft an ordinance. That way everyone knows what is expected and it will hopefully minimize the problems.

Jason Chapel asked if this is going to be a permit like garage sales, is it going to have a fee?

Collins replied that this is a new idea and the PC will have to look into it. Chapel also asked how long it would take if they were going to change the ordinance, and if it would be done by Memorial Day? Kelterborn said that the PC would have to talk it over with legal counsel and the planner, LANDPLAN. Pobanz stated depending on what is decided it could be July. Chapel then stated, so there is no ordinance in place now? Pobanz responded, no.

There was a discussion between the PC members and the guests about where the 50' setback in the front yard starts from and if it was a reasonable distance. Joann Kapa commented that 50' is too far, and that you wouldn't see the firewood from the road. Kelterborn questioned what was a reasonable set back? She suggested that it (firewood) is visible from the road.

Pobanz then stated that the draft ordinance mentions that a sign may be placed a minimum distance of 10' from front lot line.

There was also discussion of the size of the wood pile, 200sq.ft was considered too large and it was suggested that the size should be smaller.

Pobanz asked if there were any more public comments or questions, there were none. Motion made by Kelterborn to close the public meeting, seconded by Pobanz. All ayes-passed. Public hearing closed @ 7:27p.m.

**Old Business:**

The PC members discussed the firewood sales amendment. The members discussed changing the size of the retail sales area from 200 sq. ft. to 20 sq.ft. The height of the firewood pile no higher than 4 ft., same as allowed for a fence. The front yard setback a minimum distance of 25' instead of 50'. The side yard setbacks, Siver suggested 10% of the width of the property, and a 10' minimum so that there is no encroachment on neighboring properties. Geilhart suggested a site plan submittal for knowing the location of firewood on property. There was also discussion of a renewal fee after two years. Collins stated that she would research other communities to see what they have for firewood sales. Kelterborn made a motion to table the firewood sales amendment until the next meeting, seconded by Collins. All ayes- passed.

**Motion** made by Kelterborn to table remaining draft articles for new Zoning Ordinance until next month's meeting, seconded by Collins. All ayes- passed.

**Election of officers-** Motion made by Kelterborn to leave the officers as they are, Jerry Pobanz- Chairman, Bob Siver- Vice Chairman, and Nicole Collins- Secretary, seconded by Pobanz. All ayes-passed.

**By Laws-** Motion made to approve by laws with no change by Collins, seconded by Kelterborn. All ayes- Passed.

Motion made by Kelterborn to adjourn meeting, seconded by Collins. All ayes-passed.

Meeting adjourned @ 8:18 p.m.

Next meeting May 24, 2017 @ 6:30 p.m.

Minutes submitted by Kim Simpson