

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, May 28, 2008

The meeting of the Lake Township Planning Commission was called to order at 7:15 PM by Chairman Colletta. Geppert, Ehrlich, Lalley and McCallum were present along with approximately 35 guests.

Motion by Geppert to accept the minutes of April 23, 2008 with the following correction under site plan reviews:

“Mark Voss, 5290 Port Austin Road. Application is for a 10 x 32 addition to the front of the house and a 10 x 46 deck in front of the addition....”

Motion seconded by Ehrlich and carried.

Notice of the Public Hearing for zoning ordinance amendments, as published, was read. Chairman Colletta opened the meeting for public comment on the proposed zoning amendments.

Comments related to the purpose of defining a bedroom, a bedroom shouldn't be smaller than 150 square feet, 70 is too small, and concerns that porches used for occasional sleeping could be construed as a bedroom. Russ Lundberg questioned the purpose of defining a bedroom since it is already defined in the building code. Chairman Colletta explained concerns the township has with inadequate on-site waste systems in relation to number of bedrooms. Lundberg stated it is a health code issue, not zoning. McCallum asked Lundberg how he would handle a situation wherein the health department tells an applicant whose plans show too many bedrooms for an on-site waste system to call the additional bedrooms a den, study, computer room, etc. Lundberg stated he has not seen this happen.

Bob Siver asked what happens when Lundberg sells his four bedroom home with a septic for a three bedroom home where he and his wife reside to a family with eight children. Lundberg suggested they pump the tank more often and stated that the Township cannot do the Health Department's job. Chairman Colletta said it always will come back to the Township.

Zoning Administrator Russell stated that when septic systems are installed the Health Department is supposed to inspect the installation before it is buried within 48 hours and often these are done on weekends and end up not being inspected. Bob Scott stated he had to submit photos to the health department.

Chairman Colletta stated that the planning commission would discuss this amendment further and moved on to the amendment regarding accessory structures. Linda Alashmaly stated that she owns a canvas structure to put her stuff in over the winter and her attorney says the township can't do anything about it. She further stated that Hume, Oliver and Chandler allow them and Lake Township is the only one ordianancing people to death.

Jim Simmons looked at some canvas structures on the internet and said that some are better looking than some existing sheds. The township should require people to maintain them since some people do not have the money for a permanent shed.

Lundberg stated that the property maintenance code may address accessory building maintenance. He further stated that if the township is going to prohibit canvas structures, they need to look at other temporary structures. He also stated that the township can require rat proof walls or sheds that will not fall down.

Bob Siver asked what prompted the planning commission to draft this amendment. Geppert responded that it impacts the appearance of the area. Colletta stated that in the winter they end up blowing all over.

Chairman Colletta closed the public hearing. The meeting continued with a video presentation by Supervisor Clay Kelterborn. Before beginning the video, Kelterborn stated that he took a trip to Wisconsin in early April to visit people living with wind turbines. This trip was prompted by the meetings in Lake Township discussing wind energy and the fact that DTE is entertaining the thought of placing wind turbines in Lake Township. The planning commission has been researching wind energy and DTE has been doing studies. He stated his goal was education so that hopefully when the time comes to make a decision; it will be a good decision. Wisconsin is a bit further ahead in wind developments, with two wind farms in operation since 1999 in Kewaunee County. The people in the video were both people living in the general area of the wind development and also people hosting the turbines on their land. Janice Foster asked Kelterborn who selected the questions. Kelterborn stated he did based upon questions asked at meetings.

(The video ran from approximately 8:15 to 10 PM)

Matt Wagner of DTE stated the video was very well done and gives everyone things to think about. He stated the questions were consistent but some could be construed as "leading" the witness.

Gene Champagne of Elkton stated that he thought it was interesting and that the people in the video shared similar things as he did at the April 23rd meeting.

Charles Parcels stated that his family is a landowner in Huron Township and they were presented with a couple contracts that are unsignable. He stated there are not enough local or state regulations and that what Lake Township is doing by taking time to research is a good idea since we will be here when the age of windmills is gone. He further stated that he has marked all of his neighbors' homes and he is concerned about what will happen to them. He commended the planning commission for being methodical and said that the state left the farmers out to dry and the county rolled over and said whatever. He stated that we have survived many things and we have to make a decision we won't regret. He stated that he isn't for or against wind energy but is learning a lot.

Matt Wagner stated that a lot of the focus of the video was the developers versus the utility and mentioned Rick James' comment about being glad we have DTE at the table.

Mr. Parcels responded to Matt Wagner that their contract gives DTE the right to sell. He stated he considers DTE's contract simplistic compared to the grand scope of the project. Matt Wagner told Mr. Parcels that it is his prerogative not to sign the contract.

Matt Wagner asked for a copy of the video and a list of the people interviewed.

Gene Champagne stated that he can look at the people in the video and they are like him. He stated this video could be done in Oliver Township by talking to his neighbors in six months or a year from now.

Neil Rohner commented that people living in the Harvest Wind area will be coming to the June meeting. When asked for names by Colletta, he responded that he doesn't have their names but Yvonne Bushey does.

John Depner stated he lives in the township and has farmed all his life. His family has farmed in the area for 100 years. He said he definitely knows there is a push for wind energy and we are all learning. He said the project in Oliver went up pretty well and he didn't think at first there were any issues such as sound, shadow flicker, bird migration, etc. He said that he appreciates that DTE

cares because they will not want to tear the turbines down. He further stated that he personally had 25 questions that he doesn't have answers to. He sent those questions to Terry Brown who wrote back stating that he didn't have the answers but would work on them. He stated he thinks the planning commission is doing the right thing by taking the time to study the issues. He mentioned ethanol and whether gas prices are going down, stating that corn is up, which is good for farmers, but the price of food is also up and maybe there are some lessons there.

Colletta asked Mr. Depner if he would provide his questions to the planning commission.

Gene Champagne stated that he retired last year and was recently approached by a gentleman representing a wind farm company, not DTE, who told him he should get a job so he could get away from the turbines. He wasn't sure whether it was a bad joke but he stated that he thinks the person felt he has too much time to talk to people and that he should shut up.

Kelterborn stated that what he learned from Wisconsin is that the 1000' setback is too close to homes and that it is very important to respect the property rights of people. Something of this magnitude will be long lasting and we have to look at all the impacts and do the homework up front.

Ron Sparrow asked why they are putting them in such populated areas, they are in New York and Arizona in the middle of no where. Matt Wagner responded that they would prefer less populated areas but it is the state requirements. Matt Wagner also stated that they haven't picked the locations yet.

Correspondence:

McCallum read a letter from Paul and Carol Beck regarding their opposition to wind energy development in Lake Township.

Site Plan Review:

Sparrow/Northwood Homes. Application is for a new home and garage. The structures do not meet the side yard setbacks. The garage needs to be moved in three feet in order to meet the required 16' total side yard setback. Also over 4% on lot coverage. Tom Herron suggested that the garage be downsized to 28 x 28 which will bring the lot coverage to 25%. Approval recommended with the

proposed changes of a six foot side yard setback at the garage and a 28 x 28 garage.

Konke/Stoltz. Application for an addition of 17'9" x 6' to an existing setback of 4'6". The ordinance would allow an extension of 15' but if the applicant isn't willing to comply with the ordinance they may request a hearing before the zoning board of appeals.

Old Business:

Discussion on zoning ordinance amendments. Colletta stated he doesn't want to make any recommendation until some of the questions can be answered. Lalley stated he also is not comfortable and wants to know more before making a decision. He stated that both Jim Simmons and Linda Alashmaly brought up valid points such as affordability.

Next meeting date discussed. McCallum and Ehrlich will not be able to attend the meeting as scheduled on the 25th of June. McCallum asked whether the board would be opposed to rescheduling the meeting for July 2nd. Motion by Colletta to reschedule the meeting for July 2nd, seconded by Geppert. Motion carried. McCallum to check on availability of park facility and to contact Neil Rohner regarding date change.

Motion by Colletta to adjourn, seconded by McCallum. Meeting adjourned at 11:15 PM.

Valerie McCallum,
Secretary