

**LAKE TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING**  
**September 24, 2014**  
**APPROVED MINUTES**

Meeting called to order by Chairman Jerry Pobanz at 7:10 p.m. Pledge of Allegiance was recited.

Roll call: Bob Siver, Jerry Pobanz, Nicole Collins all present. Clay Kelterborn arrived at approx. 8:20 p.m., Todd Gordon absent. Two guests in attendance.

**Approval of August 27 Regular Meeting and September 3 Workshop minutes:**

Motion made by Collins to accept minutes, seconded by Siver. All ayes-motion carried.

**Approval of agenda:** Motion by Pobanz to accept the agenda, seconded by Siver. All ayes-motion carried.

**Correspondence:** Lou Colletta submitted a copy of the Ray Township mining ordinance to the PC which included information on mining, extraction and landfill; permit procedures and regulations. Collins stated that unbaricaded holes, pits, wells (etc.) constitute a danger and should not be permitted. Pobanz added that traffic regulation should also be considered.

**Public Comment:** None

**New Business:** None

**Old Business-Non-conformities and the language** Collins stated that the current non-conformity ordinance does not allow for the Zoning Administrator to approve the horizontal plane. Pobanz said that he would like to see an absolute minimum of non-conformity. The overhangs count as part of the structure and are included in the setbacks. The ZBA needs to discuss non-conformity. Siver said he believes that the Lake Twp. process works and gives a voice to adjacent neighbors. Collins offered that if 51% of the building is destroyed then the current setbacks must be met. She agrees that the process works and it is the wording that needs to be adjusted. Siver would like to define what the goal is in re-writing the non-conformance ordinance between the PC and the ZBA. Pobanz suggested a review of the master plan with perhaps asking an outside planner to assist. Siver said that the PC/ZBA needs to agree collectively with the goal.

**Lighting** The PC would like to pass as a general ordinance. Pobanz would like to further discuss the ordinance when there is a full board in attendance.

**Mining** Collins said she would like to see excavation restricted in residential areas. Siver said he does not believe excavating is compatible with residential areas. Collins said if excavation is allowed in residential areas then rules and regulations must be followed. Kelterborn stated that the intent to zone mining should be defined. It should be a comprehensive ordinance to include various types of mining such as shale and bedrock

(etc.) and not limited to sand only. We need to define if this will be a commercial use, define where the use can take place, what are the conditions to grant a permit, restoration of excavated areas. Siver said that the mining ordinance should include traffic flow. Collins would like to see restoration of land and vegetation. Perhaps a limit on how much can be taken out. Kelterborn said the DEQ should have some oversight in the Rush Lake area. Zack Branigan, Saginaw Basin Land Conservancy may have some input when he addresses the PC in October. Motion by Kelterborn to table mining ordinance until October meeting, seconded by Siver. All ayes-motion carried.

**Public Comment** Valerie McCallum stated that 95% of variances should not be granted. A variance should only be granted based on difficulty or hardship. We need to look ahead at what the township will look like, as each variance granted sets a precedence.

Motion by Siver to cancel the December 3, 2014 workshop with the ZBA, seconded by Collins. All ayes- motion carried. Pobanz will notify the ZBA members.

#### **October agenda**

- Presentation by Zack Branigan, Saginaw Basin Land Conservancy
- Mining ordinance
- Lighting ordinance

#### **Future agenda items**

- Review of Master Plan re: Non-conformities ordinance (when full board is present)

**Adjourn** Motion by Collins to adjourn, seconded by Siver. All ayes-motion carried. Meeting adjourned at 9:06 p.m.

**The next Planning Commission meeting is October 22, 2014 at 7:00 p.m.**

Minutes prepared by:  
Maryanne Williams, Deputy Clerk