

LAPEER TOWNSHIP PLANNING COMMISSON
Lapeer Township Hall and Community Building
Monday April 20, 2009
Regular Meeting
7:30 pm

PRESENT: Chairman Tim Roodvoets, Vice-Chairman Kenneth Ewing, Secretary Ruth Lendt, Commissioners Phillip Thick, Deborah Cady, Fred Green and John Rutzen.

ABSENT: All Commissioners present

OTHERS

PRESENT: Christopher McLeod of Community Planning & Management, P.C. -
Lapeer Township Planning Consultant
Cory Mabery of Davis Land Surveying & Engineering Co. – Lapeer
Township Engineering Consultant
Scott Jarvis, Lapeer Township Supervisor
Dan Gingell, Lapeer Township resident
Dawn Walker, Lapeer Township Clerk

Chairman Roodvoets called meeting to order at 7:30 p.m.

Roll call followed, a quorum was present.

APPROVAL
OF MINUTES:

The March 16, 2009 regular meeting minutes and the April 6, 2009 study session meeting minutes were presented for approval.

MOVED by Commissioner Thick, support by Commissioner Cady to approve the March 16, 2009 regular meeting minutes and the April 6, 2009 study session meeting minutes as presented. A vote was taken, Ayes: All (7). ***MOTION CARRIED.***

PUBLIC TIME:

Chairman Roodvoets opened the meeting for public time.

No one appeared wishing to address the Planning Commission during public time.

Chairman Roodvoets made an addition to the agenda: Lapeer Township Soil Removal Ordinance; under New Business.

NEW BUSINESS:

SOIL REMOVAL:

Engineer Cory Mabery briefed the Planning Commission on the process of development of the soil removal ordinance. A committee was formed to discuss and review variations for an ordinance. The committee was comprised of Supervisor Scott Jarvis, Planning Commissioner Deborah Cady and Engineering Consultant Cory Mabery.

Commissioners were presented with a draft soil removal ordinance along with Article 8, Section 8.04 (2), Special Land Uses, Extractive Industry, being our current regulation from the zoning ordinance. The Township in

the future may need better guidelines than what are currently in place. Commissioner's discussed pertinent points of the proposed ordinance as reviewed with them by Engineer Mabery.

Areas of discussion included approval's needed for soil removal from a site. Waiver of environmental studies and traffic impact studies and requirements for a special land use. Also discussed were pond permits versus soil removal permits.

Clerk Walker asked Planning Consultant Chris McLeod if this would require amendments to the zoning ordinance.

Engineer Mabery emphasized that as the current draft is written extraction of any soil from a site should come in for approval. For a project to receive any waivers it must encompass less than one year. An application must be specific. It must also be complete before any further extraction would be allowed on a site.

Commissioner Rutzen asked if applicants could receive a waiver on the financial guarantee.

Commissioners asked how ordinance compliance is affected by the right to farm act.

OLD BUSINESS:

HUNTERS CREEK CHURCH:

A letter was received from Hunters Creek Church asking for a one year extension for site plan 2003-001. Dan Gingell, a member of the church was asked about the status of the project. It was noted that if in the construction phase a construction inspection deposit should be left with the deposit. Commissioners also stated that no further extensions are needed as phase three is in process.

OTHER BUSINESS:

TEMPORARY HOUSING
ORDINANCE:

Proposed Ordinance Amendment
Temporary Housing, Draft #4, dated April 16, 2009

The Township Supervisor may grant approval for a single temporary dwelling on a site in the instance that new construction or reconstruction is necessary as a result of fire or other force of nature. The issuing of approval of a temporary dwelling shall only be permitted if a building permit has been issued for the construction of the principal residence, adequate assurance has been obtained that the temporary dwelling will be removed upon the completion of the main residence, the method of servicing the temporary dwelling with water and sanitary services has been secured, all applicable setbacks have been met, and all other necessary permits have also been obtained.

To assure the removal of the temporary dwelling, a cash bond or other acceptable financial surety shall be provided to the Township. The amount of the bond shall be a minimum of \$5,000 and may be increased by the Township Supervisor based upon a determination that additional monies are necessary based on the size and configuration of the building.

The length of occupancy shall be valid up to six months and may be extended one time by the Township Board for a period up to six months upon written request by the homeowner. Any additional requests for extensions beyond the initial twelve months shall require an application to the Zoning Board of Appeals.

Commissioners reviewed the above draft.

Commissioner Ewing stated that the verbage on various methods of security deposits should be uniform throughout the Township ordinances. Discussion followed.

Commissioner Rutzen asked how the Supervisor would know what the setbacks are?

Planner McLeod stated that a plot plan would have to be submitted to insure conformity.

Supervisor Jarvis stated that permits would still have to be obtained from Construction Code Authority. They should ensure that the proper setbacks are met.

Planner McLeod stated that other sections of the zoning ordinance still have to be followed.

MOVED by Commissioner Ewing, support by Commissioner Thick to schedule the Temporary Housing ordinance amendment Public Hearing for the May 18, 2009 Planning Commission meeting. A vote was taken, Ayes: All (7). MOTION CARRIED.

FOCUS GROUP:

Planning Consultant, Chris McLeod supplied and reviewed Draft #2 – Lapeer Township Visioning Session questionnaire with commissioners.

One change was requested by commissioners to change the first page, second paragraph from will to may. Commissioners do not want to give the impression that suggestions will be done. Yet the input is vital and needed.

Further discussion took place in regards to planning commissioners taking an active part in group discussion. How setup should be done. How to keep discussion groups moving as to keep to the time schedule. Introductions will be done by Community Planning & Management.

Clerk Walker presented sample resident letters and postcards that would be mailed to interested persons.

WIND ENERGY:

Wind Energy Ordinance, draft #5 dated February 12, 2009

The above draft was reviewed by Planner Chris McLeod. With a height of forty feet or more needing a special land use, everyone will need a special land use.

Commissioner Green introduced discussion regarding rooftop models. These models are being used for one specific purpose (ie., lights) rather than to power your whole home.

Planner McLeod noted that in the draft ordinance turbine models attached to the home is a permitted use. Planner McLeod also noted the following:

Do you want to allow installation of windmills with no notification to neighbors?
Once people investigate the payback most are discouraged from following through.
In residential areas there are more concerns over the size allowed.
Some communities look at windmills as something no larger than their silo's.

Commissioner Green noted that the height is judged based upon the KW wanted. The taller it is the larger capacity. He also noted that if the government gives a tax incentive on wind energy we could see a bigger push for them.

Supervisor Jarvis asked if the height could change with the size of the property. Is a windmill on a farm agricultural exempt?

Commissioner Lendt noted that as the price tag goes down you will get more in the communities.
Commissioner Green noted the height we may see on housetop models with a two story home and a wind turbine mounted on top.

Supervisor Jarvis departed at 9:30 pm.

Commissioner Rutzen noted that we hate to over regulate them but protection has to be provided for neighbors.

Commissioners also discussed: the total height (vertical access) being no taller than x feet above the structure without a special land use.

Chairman Roodvoets stated that they have to start somewhere. We can approve the first draft and amend if needed later. Commissioners were in agreement.

Further questions were voiced regarding homemade systems and certification of such and the number of wind systems allowed on a site.

Dan Gingell departed at 9:53pm.

CORRESPONDENCE:: None was received.

REPORTS: Board report given by John Rutzen. He also spoke regarding a meeting he attended at Kamax on April 17th.

Clerk Walker broached the subject of recycling in the Township.
Commissioner Rutzen elaborated on this also.

Commissioner Green spoke regarding County Planning.

ADJOURNMENT: There being no further business before the Commission,

MOTION by Ewing support by Thick to adjourn meeting at 10:05 p.m. By unanimous consent the meeting was adjourned.

Ruth Lendt
Secretary

Dawn M. Walker
Recording Secretary