

PLANNING COMMISSION MEETING MINUTES
Wednesday April 7, 2010

I. Call to Order - Pledge of Allegiance - Roll Call

The meeting was called to order at 7:03 p.m. and opened with the Pledge of Allegiance.

Roll Call **Beth Ball - present**
 Donald Hartwick – absent
 Keri Kittmann – absent
 John Maahs – present
 Francis McNamara - absent
 Charles Openlander - present
 Ronald Overton – present
 Richard Turcotte – present
 Ulrika Zay – present

Also present – Andrea Polverento, Planning Director

II. Communications Received

Polverento reviewed the correspondence.

III. Agenda Approval

MOTION by **MAAHS** and seconded by **OPENLANDER** to approve the agenda as presented.
Passed 6-0, 3 absent.

IV. Public Comment – Non-Agenda Items - None

V. Approval of Minutes from February 3, 2010 Regular Meeting

MOTION by **MAAHS** and seconded by **ZAY** to approve the minutes of the February 3, 2010 regular meeting as presented.
Passed 6-0, 3 absent.

VI. Public Hearings - None

VII. Unfinished Business

A. Case # 09-01 TXT – Wind Energy Conversion Systems

Polverento explained that she forwarded the draft language to the attorney. The attorney suggested a clarification in the definitions, that the phrase “A windmill, turbine or any similar machine designed to be operated by the wind *for the purpose of mechanical or electrical power generation*” be added in the definition defining a wind energy system.

Polverento also said the attorney had some concern that the noise issue was not addressed. He provided some sample language but the language is for large scale turbines, which is more technical than **Polverento** feels the ordinance needs.

Polverento attached Delta Township and Clinton County language; there is some variation in the number of decibels each one allows. **Polverento** feels that choosing somewhere in the middle would be a good choice.

Turcotte agrees with the clarification language in the definitions. Discussion took place regarding the proposed language. It was agreed that the proposed language from the attorney be added to the draft wind ordinance.

MOTION by **VERTON** and seconded by **MAAHS** to add the suggested language from the attorney to read "A windmill, turbine or any similar machine designed to be operated by the wind *for the purpose of mechanical or electrical power generation*" be added in the definition.

Motion Passed 6-0, 3 absent

Polverento outlined the Township's current noise ordinance and explained that there has been discussion by the Board of Trustees to eliminate the noise ordinance.

Overton feels that noise should be addressed in the ordinance. **Zay** agrees with **Overton**, addressing the noise caused by wind turbines is important. **Polverento** likes the wording of the Clinton County Ordinance but suggested their decibel range is too low. She suggested a range of 50 to 60 decibels.

Discussion took place about inserting language in the noise section to read: "*Small WECS shall comply with the requirements of the Noise Ordinance.*" The Commission agreed that this wording should be included into the Ordinance and if at such time the township noise ordinance is eliminated they will address noise further at that time.

MOTION by **VERTON** and seconded by **MAAHS** to add the following language to the Draft Wind Energy System Ordinance "Small WECS shall comply with the requirements of the Watertown Township Noise Control Ordinance. All WECS shall be exempt from this requirement during rare short term events such as utility outage and/or severe wind storms, or other unique weather events."

Motion Passed 6-0, 3 absent

Polverento will make the suggested changes and present a final draft to be reviewed at the next Planning Commission meeting.

VIII. New Business

A. Officer Elections

MOTION by **MAAHS** and seconded by **TURCOTTE** to continue with the same officers as last year for the current year.

Motion Failed 0-6, 3 absent

MOTION by **VERTON** and seconded by **MAAHS** to appoint **Richard Turcotte** as Chairman of the Planning Commission.

Motion Passed 6-0, 3 absent

MOTION by **OVERTON** and seconded by **MAAHS** to appoint **Ulrika Zay** as Vice-Chairman of the Planning Commission.

Motion Passed 6-0, 3 absent

MOTION by **OVERTON** and seconded by **ZAY** to appoint **Keri Kittmann** as Secretary of the Planning Commission.

Motion Passed 6-0, 3 absent

MOTION by **ZAY** and seconded by **BALL** to recommend to the Board of Trustees the appointment of **Ronald Overton** to the position of ZBA representative from the Planning Commission for 2010/2011.

Motion Passed 6-0, 3 absent

B. Planning Director's Report – March 2010

Polverento discussed the Deer Creek development. She expects that Deer Creek will start the process of finalizing their project as the foreclosure proceedings are expected to be done sometime in May. The developer has indicated an interest in changing from a platted subdivision to a site condo development.

Polverento outlined the meeting she attended regarding the local regulation of medical marihuana. **Polverento** explained she has seen interest in the topic from a few residents. She explained that the Township Attorney has advised that since the state law is silent on the issue of local regulation that the best course of action was to have “no opinion.”

Polverento provided materials to the Commission regarding the direction that the City of Grand Rapids has taken the issue.

The Commission feels that there is not a need for action at this time but would like to continue to monitor this activity.

C. Accessory Buildings, Section 28-559 – Minimum size without permit

Polverento explained that currently the Zoning Ordinance requires all accessory buildings in excess of 120 square feet be designed and constructed to be compatible with the main building.

Polverento feels that to be more consistent with what the building code requires and with surrounding townships, 200 square feet would be more appropriate.

Overton feels the limitation should be larger than 200 square feet. **Overton** suggested 320 square feet. That size is compatible with the largest shed kit that can be purchased at home improvement stores.

Polverento pointed out that regardless of the size limitation the commission places on accessory building, the Building Code requires building permits for accessory buildings larger than 200 square feet.

Zay would like to see it go to 200 square feet and be consistent with the building code.

Planning Commission Meeting Minutes

April 7, 2010

MOTION by **OVERTON** seconded by **ZAY** that a zoning amendment be drafted to replace “120 square feet,” with “200 square feet,” in Section 28-559 (c) (3) and also insert the phrase “accessory buildings less than 200 square feet shall be exempt from the requirements of section 28-48.”

Motion Passed 6-0, 3 absent

Maahs feels the phrase “and shall be subject to requirements of Section 28-48,” should be added to the paragraph of 28-559 (c)(3) after the phrase “...compatible with that of the main building.” **Turcotte** feels that phrase would be a good addition to the language as well.

MOTION by **MAAHS** and seconded by **OVERTON** to add the phrase “and shall be subject to the requirements of Section 28-48,” to section 28-559 (c) (3).

Motion Passed 6-0, 3 absent

IX. Committee and Staff Reports

- A. Executive Committee Report – None
- B. Ordinance Review Committee Report – Set meeting date, Polverento will suggest meeting dates
- C. Site Plan Review Committee Report – None
- D. Board of Trustees Report – Draft Minutes 3/15/10 – **Maahs** presented the Board of Trustees report.
- E. Zoning Board of Appeals – None
- F. Capital Improvements Committee - None
- G. Zoning District and Uses Committee Reports – Draft minutes 2/23/10 and 3/24/10
- H. Staff Reports
 - 1. Director’s Report, February 2010
 - 2. Assistant’s Report, February and March 2010

X. Comments and Questions from Audience, Staff, and Commissioners

XI. Adjournment

MOTION by **OPENLANDER** and seconded by **BALL** to adjourn the meeting.

Passed 6-0, 3 absent.

Meeting adjourned at 8:41 p.m.

Date approved:

Richard Turcotte, Chair

Beth Ball, Secretary