

**CITY OF ORCHARD LAKE VILLAGE**

**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

**JANUARY 6, 2015**

Chair Valvona called the Regular January Meeting of the City of Orchard Lake Village Planning Commission to order at 7:00 p.m. on January 6, 2015 at City Hall, and led the Pledge of Allegiance.

**ROLL CALL**

**PRESENT:** Chair Valvona, Vice Chair Wade, Commissioners Sutschek, Birrell, Dziuba, Krause, and Pedell.

**ABSENT:** Commissioners Magnell & Bradbury

**STAFF:** Director of City Services McCallum and Building Department Clerk Yacoub

**GUESTS:** Mayor Beach

Chair Valvona mentioned a correction on tonight's agenda, and changed the agenda date from January 6, 2014 to January 6, 2015.

**DECEMBER 2, 2014 MEETING MINUTES APPROVAL**

Commissioner Pedell mentioned a few changes to the minutes from December 2, 2014;

- First page, under the Wireless Communication Facilities change the word "Statue" to " Statute"
- Page two, third paragraph, add "these" before "to the current Ordinance"
- Page two, under Ordinance 4.15 D, 2B. Add the following to the discussion "Commissioner Pedell suggested changing the word "Shade" to the word "Sheds" on Ordinance 4.15 D, 2A. Commissioners Agreed."
- Page three, Other Business, remove the word "and" before "should be located in the Zoning Ordinance"

Commissioners agreed on the above changes.

**A MOTION WAS OFFERED BY COMMISSIONER KRAUSE AND SECONDED BY COMMISSIONER SUTSCHEK TO APPROVE THE DECEMBER 2, 2014 REGULAR PLANNING COMMISSION MINUTES WITH REVISIONS.**

**MOTION CARRIED 5-0,** Vice Chair Wade and Commissioner Dziuba abstained since they did not attend the December 2, 2014 Planning Commission Meeting.

## **AMENDMENT TO ZONING ORDINANCE SECTION 4.40 (WIRELESS COMMUNICATION FACILITIES)**

Director of City Services McCallum mentioned that the Planning Commission received two revised ordinances (Alternative 1 & Alternative 2) from the City Planner Doozan regarding the Wireless Communication Facilities. Alternative 1 changes the title for subsection C to "Definitions" and uses the same language that was used previously to describe Class A, B & C Facilities. Alternative 2, added short definitions for Class A, B & C Facilities in subsection C and the specifications for the Classes in subsection D. Other revisions were also made.

Chair Valvona asked the Commission to choose one of the two revised Ordinances for consideration and further discussion. The Commission selected Alternative 1 for consideration. Commissioner Sutschek preferred Alternative 2.

Vice Chair Wade asked if the business license application asks for the sublease information. Director of City Services McCallum commented that the City issues business licenses for the owner of the tower and not the service provider, but sublease information can be added to the application.

Commissioners reviewed the ordinance titled Alternative 1 and made the following revisions;

- 1- Page 2, C (1) Class A Facilities; add the word Zoning after "or any other"
- 2- Page 2, C (2) Class B Facilities; remove "Option A" and replace it with "Class A Facilities"
- 3- Page 4, D (2) replace the language of subsection C with the language of subsection D and subsection D with the language of subsection C.
- 4- Page 4, # 3 "Class C Facilities"; Replace the word "Option" with the word "Class"
- 5- Page 5, # 4 "Maximum Height" remove "higher towers may be permitted to achieve colocation".
- 6- Page 7, F (2) # 4; remove "at the time application was made for establishing the facility" and add (.) after the word posted.
- 7- Page 7, H (4) Security; needs to insert language to require the applicant to renew the security annually.
- 8- Page 8, top paragraph, added the word "in" after "prior to installation of the facility".

Chair Valvona and Vice Chair Wade expressed concern about the security amount on page 7. Commissioner Sutschek suggested that the security amount be based on the cost of demolition of the structure and the amount should be evaluated annually.

Commissioner Sutschek suggested adding two provisions on page 7, H4 Security; 1) Engineering estimate for removing and restoring and 2) estimate should be updated every three years.

Director of City Services McCallum mentioned that he will consult the City Attorney for the possibility of adding security requirements on the business license application in order to renew the security amount upon the renewal of the business license.

Director of City Services McCallum will apply all the revisions stated above to the Alternative 1 Ordinance and submit back to the Planning Commission for further review at the February 3, 2015 Regular Planning Commission Meeting.

### **FENCE REGULATION, ZONING ORDINANCE SECTION 4.38**

Director of City Services McCallum stated that, previously, Planning Commission discussed the removal of the fence requirements from the General Ordinance and placing it in the Zoning Ordinance. City Planner Doozan incorporated the fence regulations in the Zoning Ordinance, Section 4.38 (Natural Fence & Natural Barrier Regulations). Additional requirements were also added to the revised ordinance.

Director of City Services McCallum expressed concern regarding the additional requirements in the application process. The revised ordinance requires a site plan by a registered surveyor which will cause an additional expense for the applicant and not necessarily for fence installation.

Chair Valvona prefers keeping the site plan requirement to confirm property lines upon fence installation. The Commission agreed.

Director of City Services McCallum mentioned that if Planning Commission wishes to accept the revised ordinance, then a public hearing should be scheduled for the February 3, 2015 Planning Commission Meeting.

**A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER DZIUBA TO APPROVE THE REMOVAL OF THE FENCE REQUIREMENTS FROM THE CITY GENERAL ORDINANCE AND PLACE IT IN THE CITY ZONING ORDINANCE, SECTION 4.38 WITH THE ADDITIONAL REQUIREMENTS PROVIDED BY CITY PLANNER DOOZAN.**

**MOTION CARRIED 7-0**

**A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY VICE CHAIR WADE TO SCHEDULE A PUBLIC HEARING FOR THE REVISED FENCE REGULATIONS FOR THE FEBRUARY 3, 2015 REGULAR PLANNING COMMISSION MEETING.**

**MOTION CARRIED 7-0**

## **OTHER BUSINESS**

Chair Valvona indicated that he will not be able to attend the February 3, 2015 Regular Planning Commission Meeting.

Director of City Services McCallum stated that the Design Guidelines ordinance revisions will be added to the February 3, 2015 meeting agenda.

## **ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS, COMMISSIONER PEDELL MOVED TO ADJOURN THE MEETING AT 8:45 P.M. COMMISSIONER SUTSCHEK SECONDED THE MOTION.**

**MOTION CARRIED 7-0**

VINCE VALVONA  
CHAIRMAN

RHONDA MCCLELLAN  
CITY CLERK

NY

1/22/2015