

**CITY OF ORCHARD LAKE VILLAGE**

**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

**APRIL 5, 2016**

Chair Valvona called the Regular January Meeting of the City of Orchard Lake Village Planning Commission to order at 7:00 p.m. on April 5, 2016 at City Hall, and led the Pledge of Allegiance.

**ROLL CALL**

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

**ABSENT:** Commissioner Dziuba

**STAFF:** Director of City Services McCallum and City Planner Doozan

**GUESTS:** Mayor Finkelstein, Dan Whalen, Mark Hagerty, David Barczys, Stan Kieller, Tom Chubb, George Perry and Mike Hicks

Chair Valvona mentioned that Commissioner Dziuba will not be able to attend tonight's meeting and asked to be excused.

**A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER KRAUSE TO EXCUSE COMMISSIONER DZIUBA FROM ATTENDING APRIL 5, 2016 PLANNING COMMISSION MEETING.**

**MOTION CARRIED 6-0**

Chair Valvona asked to add one more item to tonight's agenda. Add item # 2, Election of Chair and Vice Chair.

**A MOTION WAS OFFERED BY COMMISSIONER KRAUSE AND SECONDED BY COMMISSIONER SUTSCHEK TO ADD ITEM 2, ELECTION OF CHAIR AND VICE CHAIR TO THE APRIL 5, 2016 MEETING AGENDA.**

**MOTION CARRIED 6-0**

**OATH OF THE OFFICE - COMMISSIONER WADE**

Director of City Services McCallum administered the Oath of Office to the re-appointed Planning Commission Member Ted Wade.

**ELECTION OF CHAIR AND VICE CHAIR**

**NOMINATION OF COMMISSIONER VALVONA FOR CHAIRMAN AND COMMISSIONER WADE FOR VICE CHAIRMAN: A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER SONNEVILLE.**

**COMMISSIONER KRAUSE MOVED TO CLOSE THE NOMINATIONS AND IT WAS SECONDED BY COMMISSIONER SUTSCHEK.**

**MOTION CARRIED 6-0**

**JANUARY 5, 2016 MEETING MINUTES APPROVAL**

**A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER KRAUSE TO APPROVE THE JANUARY 5, 2016 REGULAR PLANNING COMMISSION MEETING MINUTES.**

**MOTION CARRIED 6-0**

**SITE PLAN APPROVAL - ST. MARY'S ROWING CREW HOUSE**

Daniel Whalen representing Orchard Lake St. Mary's School, indicated that the proposed site plan for the new 3,400 sq. ft. boat house facility meets all the setback requirements and will not need any variances. The new building will be painted; will have windows and a shingle roof instead of steel materials. Landscaping will be planted for enhancement on the Commerce Road side.

Vice Chair Wade mentioned that Orchard Lake St. Mary's School needs to provide a landscaping agreement for the proposed plants for future maintenance. Chair Valvona stated that this can be added as a condition if the Commission wishes to approve the site plan.

Chair Valvona indicated that the proposed site plan meets all the Zoning Ordinance requirements. However, the west side of the building is the sensitive side and needs more enhancement. Mr. Whalen indicated that six panel doors and a round top window will be added to the west side to enhance the façade.

Chair Valvona stated that the City is currently working on drafting the Institutional Use Ordinance which allows a roof height greater than 15 ft. The proposed site plan shows 4:12 ft. roof pitch which is a lot lower than the structure adjacent to it. Chair Valvona asked if the proposed building could have a higher roof pitch. City Planner Doozan indicated that if the applicant wishes to have a higher roof pitch, then a height variance is required to comply with the current Zoning Ordinance.

Commissioner Sutschek suggested that Orchard Lake St. Mary's School seek variances from the Zoning Board of Appeals to match the roof pitch of the new boat house building with the building adjacent to it.

Mayor Finkelstein asked Director of City Services McCallum whether Orchard Lake St. Mary's School can still be advertised for the April Zoning Board of Appeals Meeting. Director of City Services McCallum indicated that it is too late for April's meeting and it will have to be added for May's meeting.

Mr. Whalen asked what the practical difficulty would be to allow him to seek a higher roof pitch for the proposed boat house building. Director of City Services McCallum indicated that the

practical difficulty in this situation would be that the City has a potential ordinance that will be approved and adopted soon which will allow a higher roof pitch.

Commissioner Sonnevile thanked Mr. Whalen for revising the plans and addressing all of the Planning Commission's concerns.

**A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER SUTSCHEK TO APPROVE THE NEW BOAT HOUSE FOR ORCHARD LAKE ST. MARY'S SCHOOL WITH CONDITIONS:**

- 1- TO MAINTAIN, OR REPLACE AS NEEDED, THE TREES TO THE SOUTH**
- 2- IMPROVE WEST FAÇADE BY ADDING ARCHITECTURAL FEATURES**

**MOTION CARRIED 6-0**

City Planner Doozan asked about the future use of the existing boat house. Mr. Whalen indicated that the plan as of right now for the existing boat house is that it will be maintained and kept to store longer boats.

City Planner Doozan asked if Orchard Lake St. Mary's School will be using his recommendations for landscaping screens along the roads. Mr. Whalen mentioned that English Gardens recommended similar landscaping plants which will live longer.

**SOLAR ARRAY DISCUSSION**

Chair Valvona indicated that the ground mounted solar arrays are not listed as a permitted accessory structure under the City Zoning Ordinance. The Zoning Board of Appeals asked the Planning Commission to review this matter and to determine if it should be part of the permitted accessory structures.

Commissioner Pedell stated that he has reviewed all the materials that were provided to the Commission prior to the meeting and it was very helpful. Currently, there are two types of solar arrays that need to be discussed today; roof mounted and ground mounted. Commissioner Pedell visited a couple of sites that have the ground mounted solar array in West Bloomfield Township. Commissioner Pedell believes that free standing ground mounted solar arrays are not appropriate in residential zoning.

Commissioner Sutschek complimented City Planner Doozan on the solar array book that he put together for the Commission prior to the meeting. Commissioner Sutschek suggested that prohibiting ground mounted solar arrays be continued and indicated that he was in favor of allowing the roof mounted solar array.

Chair Valvona mentioned that he would like to know more about the ground mounted solar array, such as design, size, and how much energy it can produce.

Mark Hagerty from Michigan Solar Association stated that there is a variety of ground mounted solar arrays, what is being presented today is called "Four Tall Landscape" which have a height that most residential areas will not appreciate. There is also "One Tall Landscape" which is much shorter. The panels on the ground mounted arrays produce more energy than a roof

mounted array for many reasons such as, they are easy to maintain and can be angled in any direction for better energy.

Chair Valvona asked what size panel produces what portion of usages for a resident. Mr. Hagerty stated that the proposed Four Tall Landscape solar array will cover 100% of the usage. Vice Chair Wade asked how high the solar array is from the ground. Mr. Hagerty indicated that for the Four Tall Landscape Array is 12 ft. high.

Michael Hicks, resident of 6019 Carmen Ct., applied for a Zoning Board of Appeals to obtain variance approval for installation of Four Tall Landscape Ground Mounted Solar Arrays. The Zoning Board of Appeals postponed his appeal to allow the Planning Commission to review this matter and to determine whether these types of facilities should be permitted as an accessory structure.

Mr. Hicks indicated that he respects all decisions made by the Planning Commission, he also mentioned that if he is granted the approval to install the ground mounted array, he will locate it in his backyard away from the neighbors' view and not visible at all from the street.

Commissioner Pedell asked whether it would be acceptable for Mr. Hicks to build an accessory structure that meets all the Zoning Ordinance requirements and add a roof mounted solar array. Director of City Services McCallum mentioned that it will be acceptable as long as the permitted accessory structure or building complies with the Zoning Ordinance.

Director of City Services McCallum mentioned that when Mr. Hicks approached the Zoning Board of Appeals, he asked for two types of situations: to determine the ground mounted solar arrays as a permitted accessory structure, and for setback variance.

George Perry, President of LaPlaya Subdivision, mentioned that the LaPlaya Subdivision Board feels that the ground mounted solar array structures will not fit well in the subdivision. If multiple owners install ground mounted solar arrays, then the subdivision will look like an industrial park. Another issue is that the Association does not approve a secondary structure unless approval of the Architectural Committee was obtained.

Mayor Finkelstein indicated that he had reviewed the material that was put together by City Planner Doozan, and realized that most cities do not allow ground mounted solar arrays in residential districts, and at the same time, they encourage solar arrays very much. Mayor Finkelstein believes it is reasonable for the City of Orchard Lake to support the roof mounted solar arrays and prohibit the ground mounted ones.

Commissioner Sutschek would like to propose a motion not to permit free standing solar arrays as an accessory structure and to further discuss the roof mounted solar arrays.

**A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER KRAUSE TO NOT PERMIT THE FREE STANDING SOLAR ARRAYS AS AN ACCESSORY STRUCTURE.**

**MOTION CARRIED 6-0**

**ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS, COMMISSIONER PEDELL MOVED TO ADJOURN THE MEETING AT 8:25 P.M. COMMISSIONER KRAUSE SECONDED THE MOTION.**

**MOTION CARRIED 6-0**



VINCE VALVONA  
CHAIRMAN



RHONDA MCCLELLAN  
CITY CLERK

NY

4.13.2016