

CITY OF ORCHARD LAKE VILLAGE
MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

JANUARY 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 January 5, 2016 at City Hall, and led the Pledge of Allegiance.

ROLL CALL

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

ABSENT: None

STAFF: Director of City Services McCallum

GUESTS: Mayor Finkelstein

DECEMBER 1, 2015 REGULAR PLANNING COMMISSION MEETING MINUTES APPROVAL

A MOTION WAS OFFERED BY COMMISSIONER KRAUSE AND SECONDED BY COMMISSIONER PEDELL TO APPROVE THE DECEMBER 1, 2015 REGULAR PLANNING COMMISSION MEETING MINUTES.

MOTION CARRIED 6-0, with two abstentions

PUBLIC HEARING ON PROPOSED CHANGES IN THE ZONING ORDINANCE AS LISTED:

Definitions – Article II, Section 2.02
Accessory Buildings, Structures and Uses, Article IV, Section 4.15(D) (1)(b) & Section 4.15(F)
Residential District Signs – Article IV-A, Section 4A.07
Single Family Residential Zone 1 – Article VII, Section 7.02A
Single Family Residential Zone 2 – Article VII, Section 8.02A & Section 8.03
Single Family Residential Zone 3 – Article IX, Section 9.02 A & Section 9.03
Single Family Residential Zone 4 – Article X, Section 10.2A & Section 10.03
Professional Office Zone 5 – Article XI, Section 11.02
Local Business Zone 6 - Article XII, Section 12.02 & Section 12.03, Subsection- A
Schedule of Regulations, Article XIII (footnote L)
Site Standards for Permitted Uses after Special Approval, Article XIV

DEFINITIONS – ARTICLE II, SECTION 2.02

Chair Valvona opened the public hearing at 7:02 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:03 P.M.

Commissioner Pedell suggested deleting the word "or" after the word "religion" on page 9, second paragraph of Article II, Section 2.02.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY VICE CHAIR WADE TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED CHANGES TO THE ZONING ORDINANCE, ARTICLE II, SECTION 2.02 WITH REVISIONS.

MOTION CARRIED 8-0

ACCESSORY BUILDINGS, STRUCTURES AND USES, ARTICLE IV, SECTION 4.15(D) (1)(B) & SECTION 4.15(F)

Chair Valvona opened the public hearing at 7:09 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:10 P.M.

Commissioner Sonnevile mentioned a few corrections on page 3, in Section 4.15 (D) (1) (b) Attached accessory structures. Change the word "principla" to "principal", also the word "garagse" to "garages"

Vice Chair Valvona changed the word "sheades" into the word "sheds" in Section 4.15 (D) (2) (a).

A MOTION WAS OFFERED BY COMMISSIONER KRAUSE AND SECONDED BY COMMISSIONER DZIUBA TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED CHANGES TO THE ZONING ORDINANCE, ARTICLE IV, SECTION 4.15(D)(1)(B) AND SECTION 4.15 (F) WITH REVISIONS.

MOTION CARRIED 8-0

RESIDENTIAL DISTRICT SIGNS – ARTICLE IV-A, SECTION 4A.07

Chair Valvona opened the public hearing at 7:15 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:16 P.M.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER KRAUSE TO SET FOR ADOPTION BY CITY COUNCIL THE PROPOSED CHANGES TO THE ZONING ORDINANCE, ARTICLE IV-A, SECTION 4A.07.

MOTION CARRIED 8-0

SINGLE FAMILY RESIDENTIAL ZONE 1 – ARTICLE VII, SECTION 7.02A

Chair Valvona opened the public hearing at 7:17 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:18 P.M.

A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER PEDELL TO SET FOR ADOPTION BY CITY COUNCIL THE PROPOSED CHANGES TO THE ZONING ORDINANCE, SINGLE FAMILY RESIDENTIAL ZONE 1 – ARTICLE VII, SECTION 7.02A

MOTION CARRIED 8-0

SINGLE FAMILY RESIDENTIAL ZONE 2 – ARTICLE VII, SECTION 8.02A & SECTION 8.03
SINGLE FAMILY RESIDENTIAL ZONE 3 – ARTICLE IX, SECTION 9.02 A & SECTION 9.03
SINGLE FAMILY RESIDENTIAL ZONE 4 – ARTICLE X, SECTION 10.2A & SECTION 10.03

Chair Valvona opened the public hearing at 7:19 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:20 P.M.

Commissioner Pedell suggested deleting the "family" from "Foster family group home" in Section 9.02A (B) and Section 10.02A (B). Commissioners agreed.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER KRAUSE TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED CHANGES TO THE ZONING ORDINANCE IN ARTICLE VII, SECTION 8.02A & SECTION 8.03, ARTICLE IX, SECTION 9.02 A & SECTION 9.03 AND ARTICLE X, SECTION 10.2A & SECTION 10.03 WITH THE ABOVE REVISIONS.

MOTION CARRIED 8-0

PROFESSIONAL OFFICE ZONE 5 – ARTICLE XI, SECTION 11.02

Chair Valvona opened the public hearing at 7:22 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:23 P.M.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER SUTSCHEK TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED CHANGES TO THE ZONING ORDINANCE, PROFESSIONAL OFFICE ZONE 5 – ARTICLE XI, SECTION 11.02.

MOTION CARRIED 8-0

LOCAL BUSINESS ZONE 6 - ARTICLE XII, SECTION 12.02 & SECTION 12.03, SUBSECTION- A

Chair Valvona opened the public hearing at 7:24 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:25 P.M.

Commissioners decided to remove 12.02 (H) as the same language indicated in 12.02(J)

A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER KRAUSE TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED ZONING ORDINANCE, LOCAL BUSINESS ZONE 6 - ARTICLE XII, SECTION 12.02 & SECTION 12.03, SUBSECTION - A WITH REVISIONS.

MOTION CARRIED 8-0

SCHEDULE OF REGULATIONS, ARTICLE XIII (FOOTNOTE L)

Chair Valvona opened the public hearing at 7:27 P.M.

Mayor Finkelstein mentioned an error on page one under minimum lot area for residential zone, it should be 20,000 SQ. FT.

Chair Valvona closed the public hearing at 7:29 P.M.

Commissioner Sonnevile changed the word "principle" to the word "principal" on page 4 and 5.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER DZIUBA TO SET FOR ADOPTION BY CITY COUNCIL THE NEW PROPOSED CHANGES TO THE ZONING ORDINANCE, SCHEDULE OF REGULATIONS, ARTICLE XIII (FOOTNOTE L) WITH REVISIONS.

MOTION CARRIED 8-0

SITE STANDARDS FOR PERMITTED USES AFTER SPECIAL APPROVAL, ARTICLE XIV

Chair Valvona opened the public hearing at 7:31 P.M.

No public comments.

Chair Valvona closed the public hearing at 7:32 P.M.

Director of City Services McCallum indicated that this chart was revised by the City Planner Doozan. The main revisions are on page 2, where it addresses churches, convents and rectories and the revisions are relative to setbacks and other requirements.

Commissioner Pedell indicated that the requirements for churches, convents and rectories were previously listed in the Zoning Ordinance and it is not a new revision. Commissioner Pedell indicated that the only revision in Article XIV is the Institutional Uses.

Commissioner Sutschek questioned the definition of Institutional uses with the setback requirements and suggested postponing the adoption of this Article to be reviewed by the City Attorney and the City Planner. Commissioner Pedell agrees.

Chair Valvona suggested adding the definition of Institutional Uses to the chart on page 4 and add the language "except as regulated herein this Section." Commissioners agreed.

Commissioner Dziuba questioned listing churches, convents, and rectories in page 2 of the chart when it is considered a Special Use and should be part of the Institutional Uses on page 4 of the same chart.

A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY VICE CHAIR WADE TO ADD THE NEW LANGUAGE INDICATED ABOVE TO PAGE 4, INSTITUTIONAL USES.

MOTION CARRIED 7-1, Commissioner Dziuba opposed

A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER PEDELL TO SET FOR ADOPTION BY CITY COUNCIL THE PROPOSED NEW ZONING ORDINANCE, SITE STANDARDS FOR PERMITTED USES AFTER SPECIAL APPROVAL, ARTICLE XIV.

MOTION CARRIED 8-0

GROUND MOUNTED SOLAR ARRAY DISCUSSION

Chair Valvona indicated that at the last City Council Meeting there was a variance request for ground mounted solar array; the action was postponed for further review. Chair Valvona stated

that the current Zoning Ordinance does not list solar arrays as a permitted accessory structure; therefore, a Zoning Board of Appeal action was required.

Commissioner Pedell indicated that he met with the contractor and he was very intelligent and well-spoken. The contractor has a property located at 5670 Commerce Road that has the mounted solar arrays. Commissioner Pedell mentioned that the solar arrays are poorly shielded by evergreens to get as much light as possible for efficiency.

Chair Valvona mentioned that there are about 850 residential homes within Orchard Lake and accessory structures are not allowed in the front yard, lake side or side yards that do not meet the minimum requirement. Chair Valvona indicated that ground mounted solar arrays are hard to deal with in our community and suggested viewing roof mounted solar arrays.

Director of City Services McCallum indicated that 5670 Commerce Road is located within West Bloomfield Township and he was informed that West Bloomfield Township did not amend their Zoning Ordinance to grant the ground mounted solar arrays but they are dealing with it case by case through the Zoning Board of Appeals.

Mayor Finkelstein stated that Council needs direction from the Planning Commission regarding this matter. Some communities have an ordinance that regulates solar arrays and its requirements. There are a lot of issues with ground mounted solar panels, such as, height, size, lot coverage and open space requirements.

Director of City Services McCallum mentioned that if the Commission wishes to draft an ordinance, then some direction is needed to relay to the City Planner. Director of City Services McCallum suggested contacting the contractor who presented the variance case at the last Council meeting to speak at the next regular Planning Commission Meeting.

Chair Valvona suggested researching more information regarding the solar arrays before meeting with the contractor.

Commissioners did not wish to consider ground mounted solar arrays as a permitted accessory structure.

Commissioner Sutschek indicated that the Planning Commission should relate to City Council that, in single family zones, there should only be allowed flush-mounted roof solar arrays.

Chair Valvona suggested that the City Planner draft a list of all the technical information for the solar arrays then have an expert speak at the Planning Commission meeting.

A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER BIRRELL TO NOT CONSIDER GROUND MOUNTED SOLAR ARRAYS AS A PERMITTED ACCESSORY STRUCTURE AND FOR THE PLANNING COMMISSION TO REVIEW THE FLUSH-MOUNTED ROOF SOLAR ARRAYS.

MOTION CARRIED 8-0

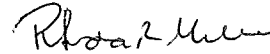
ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, COMMISSIONER PEDELL MOVED TO ADJOURN THE MEETING AT 8:44 P.M. VICE CHAIR WADE SECONDED THE MOTION.

MOTION CARRIED 8-0



VINCE VALVONA
CHAIRMAN



RHONDA MCCLELLAN
CITY CLERK

NY

1/21/2016