

**Pennfield Charter Township**

**Planning Commission Meeting**

**Minutes of May 4, 2009**

Chairman Paul Anderson called the Planning Commission meeting to order at 6:30 pm. Additional members present were: Jon Bartlett, Jack Pooler, Jay Weiss, Brad Messenger and Curtis Whitaker. Elaine Walter was excused. A quorum was met.

**Others present:** Rob Behnke, Zoning Administrator, Sandra Cummings, Recording Secretary, a representative of Access Vision, and three residents.

Meeting opened with the Pledge of Allegiance.

**Additions/Deletions to the Agenda**

No additions or deletions to the agenda.

**Approval of February 2, 2009 Meeting Minutes**

It was moved by Brad Messenger, seconded by Curtis Whitaker to approve the February 2, 2009 Planning Commission meeting minutes as presented. Motion carried.

**New Business**

**a) Public Hearing on amendments to Chapter 18 (Zoning Board of Appeals) of the Pennfield Township Zoning Ordinance.**

A public hearing was held to hear discussion on the proposed amendments to Chapter 18 (Zoning Board of Appeals) of the Pennfield Zoning Ordinance. There were no public comments made during the public comment portion of the meeting. Discussion by the board members included the need for the amendments to be addressed and /or approved, as some of the changes are state mandated amendments, and were originally addressed in 2007. Specific amendments are high-lighted and can be reviewed on attached copy of **Chapter 18, (Zoning Board of Appeals.)**

A motion was made by Jon Bartlett to approve the amendments as proposed, seconded by Jay Weiss. Motion passed. The amendments will now be submitted to the County Planning Commission for consideration, and then on to the Pennfield Township Board for approval. A voice vote follows for the motion:

Paul Anderson yes Jon Bartlett yes

Brad Messenger yes Curtis Whitaker yes

Jay Weiss yes Jack Pooler yes

Elaine Walter excused

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### **Citizen Comment**

Mr. Ernie Lahusky, of 19120 East Avenue North attended this meeting to make comments regarding a Township Ordinance which was adopted in 2006 involving **Chapter 22, Article I, Section 22-1: Nuisances Prohibited** : An Ordinance regarding outdoor, freestanding solid fuel-burning appliances. This Ordinance was designed to restrict the use of solid fuel-burning units (outdoor wood burners) to R-1 low density and AG - Agricultural zoned districts only. Mr. Lahusky had applied for a permit to install an outdoor wood-burner to heat his in-ground pool. Since his residence is located in an un-platted (R-2) zoning area, he was denied a permit, and also was unable to apply for a zoning variance, as "Nuisance Ordinances" cannot be appealed.

Some revisions of this ordinance may now need to be considered by the Township Board. The ordinance was created to protect residents in higher density residential areas from being exposed to the smoke created by outdoor wood-burners designed to heat homes. Smaller burners designed to heat pools only were not taken into consideration, along with the fact that some residents, such as Mr. Lahusky, are located in un-platted medium density zoning areas, but still have a large buffer area between themselves and neighbors. Mr. Lahusky has 2.39 acres of land, and a large wood-lot from which to draw a fuel supply. It was indicated that the unit he wishes to install is no larger than a small wood stove designed for in-home use, has no damper, and smoke output is similar to that of a small campfire in a yard. Also, the unit would only be used during spring and fall seasons to maintain a usable temperature in the pool.

Another issue that the Planning Commission will need to consider is the installation and use of "wind-turbines", as a resident has approached the township recently wanting to construct one on his property.

**Commissioner's Comments**

Brad Messsenger welcomes the spring weather, and asks that everyone watch out for motorcyclists.

Brad Messenger made a motion to close meeting, seconded by Jon Bartlett. Meeting adjourned at 6:59 pm.

Sandra Cummings

Recording Secretary