

CITY OF HARBOR SPRINGS
PLANNING COMMISSION MEETING
MINUTES – 21 MAY 2009

Chairman Fred Walstrom called the meeting to order at 6:00 PM in the Harbor Springs City Council Chambers, 160 Zoll Street, Harbor Springs, MI, 49470

1. Roll Call and Verification of a Quorum

Present: Fred Walstrom, Andrew Bowman, Mary Ellen Hughes, Laura Kors, Lee Kramer, Sheryl McCleery and Sara Smith

Absent: Jeffery Ford, Jack Deegan

Also Present: City Manager Tom Richards, City Planner Larry Nix and City Clerk Ronald B. McRae.

2. Approval of Minutes

Commissioner **Bowman** questioned City Attorney Ramer's answer to Tom Graham's question regarding whether new, more restrictive setbacks would apply in the case of a site condominium where a the building envelope was described in the original site condominium description. Discussion followed regarding Ramer's response to the question and whether the new, more restrictive setback would supersede the original condominium description.

Since City Attorney Ramer was not in attendance, City Manager Richards suggested that approval of the minutes be tabled until the next meeting when Ramer could clarify the law and his response to the question.

A motion to table approval of the minutes was made by McCleery and supported by Hughes. The motion was approved by a unanimous vote of the commissioners present.

3. Public Comments

Chairman Walstrom asked if there any correspondence had been received, or if any member of the public had comments or questions on any issue not on the agenda. There were no comments or correspondence.

4. New and Old Business

- A. Chairman Walstrom opened the discussion of proposed changes in the lot coverage and setback restrictions in the R-1-C district. Planner Nix discussed his review of the impact of the proposed lot coverage restrictions on small lots in the R-1-C district. He stated that he and City

Manager Richards had met with Dennis Wiggins to clarify Wiggins' concerns about how the proposed restrictions could severely limit the potential to build even a modest home on lots like the ones he owns, which are both small and narrow.

Nix shared a drawing provided by Wiggins illustrating the proposed setbacks and the small size of a home that could be built to within the proposed requirements. Nix emphasized that the maximum size of the home would be even smaller if a detached garage were included in the plan.

Nix noted that the proposed reduction in lot coverage; from 50% to 35% would have a severe restriction in the case of several lots in the Southard and Crandall subdivision.

Discussion followed regarding the possibility of exempting lots in the subdivision, or specifically exempting narrow lots from the proposed 35% lot coverage rule.

Also discussed was the effect that a three stall garage would have on further reducing the buildable area for a home on the small and narrow lot. It was recalled that the motivation for the proposed restrictions was to help prevent the building of disproportionately large homes on average or more normal sized lots. Nix pointed out that the proposed restriction appears to have an unintended and more severe and limiting impact on small lots and more specifically the narrow lots.

In further discussion, Commissioners noted that the new, more limited lot coverage restriction might lead to the construction of more two-story homes because it would be difficult to build a single story home of with adequate interior space.

After more discussion about the proposed restrictions and the potential of making it difficult to build reasonably sized homes, Planner Nix suggested that the Commission may want to take no action but to have him research the options and provide some ideas that might be less problematic for the owners of smaller lots. He proposed to study the question further and work on some examples with the intent of determining if another option might be to make exceptions or loosen restrictions for narrow lots.

Commissioner Hughes suggested that the commission table the issue to have Nix run some variations and scenarios that might help the commission find a more equitable and workable solution.

Commissioner Bowman asked Nix if the proposed restrictions could have the effect of reducing the buildable area on a small lot by anywhere from 23% to 39%. Nix confirmed that depending on the proposed structure, both numbers were correct.

Commissioner Kors stated that she felt that the proposed rules were not fair to smaller lots, and that the restrictions needed to be changed. Other commissioners agreed and asked for further review by Nix.

A motion to table the question was made by Hughes and supported by Bowman. The motion passed.

- B. City Manager Richards presented background on the question of zoning and permitting wind turbine electric generators. With photos, he described the various types of wind turbines that are being used in various settings, including small roof-top units, small pole mounted generators for residential areas, and larger community and utility sized turbines.

Richards discussed the various items that are typically addressed in wind ordinances including;

- location, height and setback restrictions
- appearance and visual objections
- signage requirements, restrictions
- safety concerns
- noise and vibration objections
- construction types
- electrical interconnections
- requirements for decommissioning old units
- insurance and liability concerns

Discussion followed regarding the economic payback and potential for wind power to replace the traditional sources of electric generation. Richards noted that most generators that are smaller than the large utility-scale machines have a fairly limited energy output. He also noted that the capital costs are quite high and the energy output is quite intermittent.

The Commission discussed the current height limitation for structures (35 feet) which may limit the potential of any installations in the City.

In further discussion the Council felt there was a need for a proactive approach to set the City's standards soon, hopefully before the first request is received from a resident wanting to erect a turbine. Discussion followed regarding the current tax incentives that are now encouraging

these installations and the technological advancements that are gradually making them more efficient.

By consensus, the Commission requested City Manager Richards and Planner Nix to continue researching the necessary zoning considerations for wind turbines and to make policy recommendations to the Commission.

5. Member Comments

There were no comments offered.

6. Adjournment

With no further business, Chairman Walstrom adjourned the meeting at 7:12 PM.