

**CITY OF WAYLAND
PLANNING COMMISSION
MINUTES**

**Tuesday, December 8, 2009
City Hall - City Council Chambers**

Chair J.D. Gonzales called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chair Gonzales led the Pledge of Allegiance to the American Flag.

ROLL CALL

Members Present: Chair Gonzales, Commissioners Sam Dykstra, Joel Frederickson, John Frigmanski & Jim Ramey and Ex-Officio Commissioner Ron Kobish

Members Absent: Commissioners Ann Kilmartin, Arnie Rodriguez & Kelle Tobolic

Others Present: City Planner Mark Sisson & City Manager Chris Yonker

Commissioner Frigmanski moved, seconded by Commissioner Frederickson to excuse Commissioners Rodriquez & Tobolic who had notified staff of their planned absences. **All Yes; motion carried.**

APPROVAL OF MINUTES

Commissioner Frederickson moved, seconded by Commissioner Ramey to approve the Minutes of the Regular Meeting held October 13, 2009 as distributed with the meeting packet with the following correction:

Page 2: Public Communications & Comments: The motion should read to excuse Commissioner "Shafer" from the meeting, not "Dykstra"

All Yes; motion carried.

OTHER MINUTES FOR REVIEW

Chair Gonzales acknowledged for the file the following Minutes of the Regular Meetings of the:

- City Council held October 5 & 19 (Regular & Special) and November 2 & 16, 2009
- Zoning Board of Appeals held November 11, 2009
- Downtown Development Authority held October 15 & 19, 2009

Commissioners expressed concern with the process used to grant the variance during the November 11th ZBA meeting. Mr. Sisson stated that the consideration of variance requests is not about mercy but about justice. Variances granted by the ZBA, which is a semi-judicial body, are precedence setting and should be considered only if the applicant can satisfy all four of the conditions for granting variances as contained in the Zoning Ordinance. The Commissioners by consensus felt that there should be additional training made available for the ZBA members & that a decision matrix worksheet should be used to document the findings of fact & satisfaction of the variance standards. It was also noted that as an Alternate ZBA member, Linda Dumond should not have voted unless she made up part of the quorum for the meeting.

CITIZENS APPEARING BEFORE THE COMMISSION

None

COMMUNICATIONS

None

OLD BUSINESS: ZONING ORDINANCE AMENDMENTS: WIND & SOLAR ENERGY SYSTEMS

Chair Gonzales opened the floor for additional discussion on the proposed zoning ordinance amendments. Mr. Sisson distributed the following documents dated 12-8-2009 to the Commissioners:

- Alternative Language Considerations for Solar Panel Regulation
- Wind & Solar Power Amendments to Zoning Ordinance; Summary of Changes to the Proposed Amendments based upon Earlier Discussions

The following comments were offered:

- Ordinance would limit solar system generating capacity to 20 kilowatts (kW) in the residential districts and 150 kW in all other districts (commercial & industrial)
- Measurement of the maximum 16-foot height would be to the highest point of a ground-mounted solar panel
- The first 40 square feet of a ground-mounted solar panel would be exempt from the calculation of maximum lot coverage for detached accessory buildings (which stands at 25% of the rear yard area)
- Up to 40 square feet would be allowed regardless of total lot coverage
- Provisions have been made to permit the creation of cooperative solar panel array sites, which is created with the mutual consent of two or more adjacent property owners
- Solar panel array sites would still be subject to the lot coverage & generating capacity limitations
- Consider using a special use permit to allow the maximum lot coverage on one lot of a solar panel array site
- Ordinance covers only photovoltaic electrical generating solar panels at this time; Commission may consider the addition of “thermal” solar panels (water & air heaters) in future amendments

Consensus of the Commissioners was that the refinements to the original proposed wind & solar energy ordinance helped clarify the Commission’s original ideas & intent and resulted in a proposed ordinance that encourages the use of alternative energy systems in the emerging Green economy. The Commissioners agreed to move forward & schedule a second public hearing on the entire ordinance as modified at the next regularly scheduled Commission meeting on January 12, 2010.

NEW BUSINESS: 2010 PLANNING COMMISSION MEETING SCHEDULE

By consensus, the Commissioners accepted the proposed “2010 Planning Commission Meeting Schedule with Deadlines for Site Plan Reviews” as contained in the meeting packet. Meetings will continue to be held on the second Tuesday of each month @ 7:00 PM in the City Council Chambers of City Hall.

PUBLIC COMMUNICATIONS AND COMMENTS

City Manager Chris Yonker informed the Commissioners of the success in receiving the grant from the MDNR Trust Fund for the planned development of the Rabbit River Park. The City will receive the full amount of the request (\$224,000). The Weaver Family Trust will provide \$96,000 in local match, bringing the overall park development project budget to approximately \$320,000. Construction should occur sometime this coming summer.

There were no additional public communications or comments.

ADJOURNMENT

Being no further business before the Commission, Chair Gonzales adjourned the meeting at 9:06 PM.

Respectfully Submitted,

Chris A. Yonker
City Manager

J.D. Gonzales
PC Chair