

West Lakeland Township
Reconvened Workshop on Ordinance Recodification
(other posted business)
May 17, 2011
Oak-Land Jr. High Room 102B 7:00 p.m.

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Steve Ebner, Town Clerk Sue Agrimson and Betsy Vance, Attorney Scott McDonald

Residents: Vivian Votova, Dave Elowson, Michael Raykowski and Pat Schultz

Jim Gilles(Lakeland Public Works Department) & Bob Bieraugel (Aggregate Industries)

Joint Powers Agreement with Lakeland for Booster Station on Current Water Tower Site South of Interstate 94

Chairman Dan Kylo received a call from Jim Gilles of Lakeland indicating that bids for the booster station were going out on May 17, 2011. Lakeland could not wait until the Town Board meeting on June 13th to sign the Joint Powers Agreement for municipal water service provided by the City of Lakeland to former Ray's truck stop site located in West Lakeland Township. Upon a few minor modification to the Agreement, Chairman Kylo made a motion to accept and sign the JPA. Seconded by Supervisor Schultz. Motion carried.

Dan Kylo signed copies of the modified JPA upon consultation from Attorney Scott McDonald and Jim Gilles. Mr. Gilles said that he would later send a completely signed copy of the JPA to Clerk Agrimson.

Aggregate Industries, Inc. Request for Expansion of Hours of Operation

Mr. Bob Bieraugel of Aggregate Industries appeared before the Board to request to expand current hours of operation from 7 a.m. to 7 p.m. to 6 a.m. to 10 p.m. to accommodate a customer who has a large project and this project is set to start before our June 13th regular meeting. He indicated that they would be removing 500 tons per hour and showed a photograph/map of what they would be mining for this project. It would be at least 1800 feet to the closest resident(See farm). This project would take about five weeks to complete with operations Monday through Saturday.

Upon advise from Attorney McDonald indicating that a temporary five week extension could be an acceptable request on the permit, Supervisor Ebner made a motion to approve the five week extension. Seconded by Supervisor Schultz. Motion carried.

CONTINUATION OF CODE REVIEW

2.3.2 **Notice:** Written notice of all public hearings....within ~~one thousand(1,000) feet of the affected property.~~

2.3.5 **Zoning Variances:** A variance is thedetermined that , ~~by reason of exceptional circumstances~~the strict enforcement of the zoning ordinance would cause ~~unnecessary hardship~~practical difficulties.

2.3.6 ..difficulties ~~or particular hardships~~in the way of carryout out....Practical difficulties ~~hardship~~as used in connection with the granting of a variance means that the ~~property in question cannot be put to a reasonable use if used under conditions allowed by the zoning ordinance;~~Economic conditions alone ~~shall~~do not ~~constitute a hardship if a reasonable use for the property exists under the terms of this zoning ordinance~~practical difficulties. The Town Board....”practical difficulty ~~hardship~~in the granting....Where the opinion of the board, a variance ~~may~~will result in a material adverse affect on the environment, the applicant ~~may~~ will be requested.....

Supervisor Ebner produced Washington County Development Code(Exhibit A) that he has been studying as it applies to our revisions. Again, we are coordinating very closely the County code as it applies to our particular needs. He & Town Board have taken into close consideration suggestions from resident, Vince Anderson’s review of the proposed draft.

*(West Lakeland Code)
Refinements from County Code*

12.6.3.3 If the preliminary plat is approved, such approval shall not constitute final approval of the layout. Final approval will be required as specified by section 12.6.4

12.10.1.6 Through or double frontage lots shall not be permitted except where such lots abut an arterial or highway or as a means to overcome specific disadvantage of topography and orientation. Such lots shall have an additional depth of 10 feet for screening along the rear lot line.

12.14.9.8All storm water retention facilities must have a catch basin to remove course grain particles prior to discharge to a water course or storage basin.

6.8.3.2 A non conforming structure except aFor the purposes of this Zoning Ordinance, the term “Appraised Value” shall mean the market value of the structure ~~property~~as determined.....

8.2.6 Any roofing materials that are visible from ground level.....concrete, asphalt shingles or slate.

8.9.4.1 Add: The township shall perform such cleanup as required and deduct the cost from the security posted by the Owner.

8.14.3 **Exception:** In any district, a proposed tower 200 feet high.....standards of ~~Part (8) (B) through (G) of~~ 8.14.8 this Section.....

8.14.6.2 In the event of revocation of a permit , the tower and all a accessory structures must be.....In the event that structure is not removed and the site restored, the Township retains the authority to complete ~~failure to do so will result in the Township's completing~~ the removal and site restoration and the Township's cost shall be assessed against the property ~~and collected as a real estate tax.~~

14. Special Well Areas – At the present time, the Department of Health is reviewing with the intent is to change some of the details in this part of the Code.

8.16 Storage of Vehicles & Personal Property

8.16.1 Board discussed storage of vehicles left in right- of- way -- include no property in township r-o-w---plows having to go around in winter

Steve will look at other municipalities for their language on this topic and then could refer to planning commission.

16.2.3. **Lawful** ~~except as herein specifically permitted and authorized~~ it is unlawful.....

16.4.6.4.4 **Swimming Pool Performance Standards:** ~~To the extent feasible,~~ back flush water....

16.4.6.5 Pool piping systems shall be constructed of materials prescribed in the ~~Town Plumbing~~ Universal Building Code.

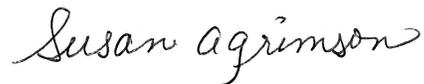
16.4.6.8 **Electrical Requirements** – All electrical installations....approved by a State Electrical Inspector. ~~No current-carrying electrical conductors shall cross residential swimming pools, either overhead or underground or located within fifteen feet of such pools, except as necessary for pool lighting or pool accessories.~~

Betsy will highlight changes and all of this will be available on website when complete before public hearing.

The topic of managing the Code book after recodification when there will be amendments/additions. There was a thought that we could place the changes after each section and also considering the possibility of eliminating page numbers for ease of insertion of amendments/additions. This would also work well with the management on the website as well.

This Board will reconvene in July and all parties will be informed of the time and place as soon as available after the Clerk checks with the District Office for a space to meet in Oak-Land Jr. High.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Agrimson".

Susan Agrimson
Town Clerk