

## Lake Township Planning Commission

June 26, 2013

### Approved Minutes

Meeting called to order at 7:02 by Pobanz. Pledge of allegiance. Roll call. Siver, Pobanz, Geilhart and Kelterborn present. Approximately 13 guests.

**Approval of Minutes:** Minutes of May 22, 2103 approved upon motion by Kelterborn, seconded by Siver. Motion carried all ayes.

**Approval of Agenda:** Agenda approved upon motion by Kelterborn, seconded by Geilhart. Motion carried all ayes.

**Correspondence:** The board acknowledged the letter of resignation from Lynette Rose.

At Kelterborn's request Mark Treder (Zoning Administrator) discussed attending the Corp. of Engineers Detroit Division at the Caseville Township Hall. He learned that Lake Township has a 95% boat hoist registration. Mark (Zoning Administrator) also stated that he thought it was helping the USACE (U.S. Army Core of Engineers) keep a good handle on the boat hoist registrations, and that Lake Township should continue it.

Furthermore Mark Treder(Zoning Administrator) discussed learning that each lakeshore community in Michigan has specific ordinances to address setbacks from Ordinary High Water Marks. Some of the setbacks are less than 35' and some are more. Lake Townships is 35'. There was a discussion on determining water marks. Mark Treder and Geilhart explained the process of determining the high water marks using a transit.

Kelterborn read an e-mail from Kurt Schindler on how local government (and state government have no authority to enforce deed restrictions. The township issues zoning permits, or not based solely on compliance with the zoning ordinance, not anything else. Decided to keep this in the correspondence.

Kelterborn brought up Letters to Planners- Requests for Services. He read the letter from Paul Golsch requesting a quote of expenses to review Lake Township's Master Plan and updating it. He also mentioned letters from Mark Eidelson (Land Plan Inc.) Siver stated he wants to discuss Land Plan further. It was suggested to send letters to get some feedback. Thought it would be a good idea to have Mark Eidelson come in and make a presentation. Siver asked if they had to be licensed. Thought maybe could look into getting a student working on degree? Committee decided to revisit in old business.

Letters and emails complaining about excessive lighting at Mark Shuttleworths were addressed. Kelterborn asked Lou Colletta how long they worked on the Excessive Lighting Ordinance. Lou responded several months. What they had was working now it has become an issue again. When asked by Kelterborn, Mark Treder (Zoning Administrator) said he thought the ordinance should be revisited again. He thinks there should be more in it.

### **Public Comments:**

Jim Simmons questioned how there can be jurisdiction once the boat is in the water. Didn't feel Lake Township could dictate the water. Mark Treder (Zoning Administrator) said it's needed for the easement. Pobanz recommended bringing it up at the board meeting.

Pat Przystup asked if it was ok to rent your home. Planning Commission stated that it was not up to them to say yes or no; it was up to the Twp. Board.

Linda Hoffman brought up the lighting issue with Mr. Shuttleworth. Stating she can't enjoy her Lake Township home of 58 years due to the excessive lights every night.

Jean Driscoll also complained of the excessive lighting, also had a police report.

Mr. Shuttleworth said when they are home he tries to turn them off. Hoffman and Driscoll both stated he does not.

Mark Treder stated that Mr.Shuttleworth had contacted D&D construction to see if he can build awnings for lights to prevent them from shining on neighbors' properties. Mr. Shuttleworth said he is trying to satisfy everyone but he wants his lights on.

Geilhart suggested working on the Excessive Light Ordinance.

### **Old Business:**

***Philips County Park Sanitation Facility:*** small discussion about no bathrooms or running water. Needs more revenue to help fix it. Geilhart is going to get estimates. Kelterborn made a motion to revisit this next meeting. Seconded by Geilhart. Motion carried all ayes.

***Township Master Plan-*** Kelterborn suggested sending a letter to Land Plan. Mark Treder suggested Kurt Shindler. Discussion on how master plan is a tool- guide to instruct us on planning. How planners can answer questions on land preservation and issues of zoning, and the issues the community is dealing with.

Lou Colletta asked why the documentation wasn't available for the board. Kelterborn said he asked Paul Golsch twice and got no answer.

Kelterborn motioned to start working on this with the sending of letters. Seconded by Geilhart. Motion carried all ayes.

**Wind Ordinance-** Last one turned down. Kelterborn suggested that they need to be working on it, something needs to be adopted. Geilhart brought up how Meade Township made their own Zoning 2200 ft. from property line. Kelterborn motioned to have Swinbanks come in and talk at the July meeting. Seconded by Siver. Motion carried all ayes.

Kelterborn suggested looking into other ordinances and table this till next PC meeting. Seconded by Pobanz. Motion carried all ayes.

**Decks:** Brief discussion on decks. Geilhart mentioned that he didn't have a problem with decks above 30" requiring railing and 29" and below not requiring railing. Whether or not there should be lot coverage on small decks. Mark Treder thought the lot coverage hurt smaller lots and that it might be nice to look into a overlay for that. Talked about how they discussed landscaping on regular site plans or if it should be a zoning issue. Kelterborn suggested that Siver and Mark Treder should look at the language in other townships ordinances and see what they are doing. Kelterborn motioned to table until next meeting. Seconded by Geilhart. Motion carried all ayes.

**Joint meeting with Township Board:** Kelterborn brought up that Dale Hartsall can't make Wednesday night meetings due to work. Would like a joint meeting scheduled before the Township Board Meeting on July 15, 2013.

Pobanz motioned to have the joint meeting at 6:30 on Monday July 15, 2013 before regular Board meeting. Seconded by Siver. Motion carried all ayes.

**Discussion of Overlay from Thompson Park west to Taylor Drive:** Small discussion about the set back and road right away, and creating an overlay map. Geilhart motioned for Mark Treder and himself to work on the overlay. Seconded by Pobanz. Motioned carried all ayes.

#### **New Business:**

**Oak Beach Boat Ramp:** Discussion on how a boat ramp would be fortunate for the parks in Lake Township. Kelterborn added that it was brought up about seven (7) years ago but couldn't keep it going. Lou Colletta suggested talking to Bob Bolger. Valerie McCallum said she talked to him, and he thought it would be good to get more citizenship involvement. He offered to sit on a committee or help with a fundraiser. Tom Pierce commented that we should try to figure out what something like this would cost before getting too involved with it. Make sure it is something people want and could use. Bob McLean suggested putting a letter together and sending it out with the tax bills. Pobanz suggested that Geilhart look into what it would cost. Geilhart replied he would look into what Hume Township has. Pobanz motioned for Geilhart to get an estimate on

Boat Ramp and let us know at the next meeting. Seconded by Siver. Motion carried all ayes.

***Small sheds:*** Discussed size of sheds, if there should be a cutoff of size for permits and limits to number of sheds. Talked about Mrs. Snyder's moveable 4x8 shed. Whether or not she should've had to have a variance. Planning Commission had a small discussion. Siver motioned to table the small shed issue until the next meeting. Seconded by Kelterborn. Motion carried all ayes.

***Lighting Ordinance:*** Kelterborn suggested reading over a couple different samples of Lighting Ordinances. Small discussion between Planning Commission on how the light spray should be on your own property not the neighbors. Kelterborn motioned to table the Lighting Ordinance until the next meeting. Seconded by Pobanz. Motion carried all ayes.

***Canvas Structures:*** There was discussion about whether or not to allow the Canvas Structures. Siver thought that the committee should discuss the safety issues of the Canvas Structures. Geilhart concerned of the unsightly appearance of the Canvas Structures. Kelterborn motioned to table the Canvas Structures at next month's meeting. Seconded by Pobanz. Motion carried all ayes.

***Port-O-Johns:*** Discussed whether or not the Township should require permits for port-o-johns. Talked about allowing them for a few days, but not permanent; whether or not they would charge or just require a permit. Kelterborn read the Zoning Enabling Act to see if it would apply to the Temporary Use Permit. Siver suggested putting this information in the newsletter so people know the committee is thinking about it. Tom Pierce suggested an effective date also. Pobanz motioned to have Mark Treder look into the Port-O-John under temporary use permit. Seconded by Kelterborn. Motion carried all ayes.

**Public comments:** None

**Motion by Geilhart to adjourn. Seconded by Siver. Motion carried all ayes.**

**Meeting adjourned at 10:00 p.m.**

Submitted by Kim Simpson, Recording Secretary