

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, September 27, 2006

This meeting of the Lake Township Planning Commission was called to order at 6:00 PM by Chairman Lou Colletta. McCallum, Geppert, Ehrlich and Lalley present along with approximately 70 guests, including Mike Kleppinger of Michigan Sea Grant, Mike Canteberry of Land Design Collaborative and Walt Salens, Lake Township Attorney.

Chairman Colletta opened the public hearing on the proposed rezonings, the proposed zoning ordinance and the proposed overlay zone. Mike Kleppinger gave a presentation on the survey sent to township residents in April 2005 and the results of that survey. The survey had a very good response rate of 60%. Mike Canteberry then addressed those present on the intent and purpose of the overlay zone, indicating that the overlay zone was not taking away property owner's rights, but rather providing guidelines for creative development that will allow for protection of the view along the M-25 corridor and also help to protect water quality by suggesting plant species to be used in landscaping which are known for their nutrient uptake.

Following the above presentations, Chairman Colletta took public comment. Approximately 20 persons offered comments and several letters were read. The following persons offered comments in regard to Chapter 18:

Neil Rohner, 4514 Port Austin Road
Ilene Arthur, 5572 Port Austin Road
Mark Krebs, 4504 Port Austin Road
Donald Landeschier, 5238 Port Austin Road
June Kirby, 4610 Port Austin Road
Sharon Winfield, 4610 Port Austin Road
Dorothy Fischer, 6187 State Park Road
Herb Dwyer, 3970 Port Austin Road
Sally Brown, 4702 Port Austin Road
Leonard Babisz, 4706 Port Austin Road
Larry Schuldt, 4962 Port Austin Road
Kay Roth, 4970 Port Austin Road
Bruce Grauf, 4574 Port Austin Road
Tom Main, 3974 Port Austin Road
Michael Osmond, 4580 Mary's Drive
John Neville, 4367 Port Austin Road
Linda Collins, 9121 Pointe Charities Avenue, Pigeon

Comments on the overlay zone ranged from alleging bias in the survey, can't see any benefit to water quality, the use of "encourage" is too open ended, the township already has plenty of view area and doesn't need more, taking away legal rights of property owners, the view won't matter if the water quality isn't good, property owners should be able to build berms to prevent noise and dust pollution along M-25, restrictions on lakefront property owners will divide the township, imposing a sub-urban plan on a rural community, and concerns with height restrictions and setbacks.

Don Vandenberghe, 4425 Port Austin Road, stated that he likes the view and if a large house was built across the road from his, it would break his heart.

Letters from the following individuals were read during the public hearing:

Robert and Audrey Scott, 4760 Port Austin road
Ed and Terry Brice, 4762 Port Austin Road
Pat and Jack Kashouty, 4762 Port Austin Road
Ray and Virginia Eskau, 3954 Port Austin Road
Paul and Charlene Rolfe, 4524 Port Austin Road

Mark Krebs spoke on behalf of the rezoning of the commercial property owned by Marvin Krebs. Mr. Krebs is not opposed to the rezoning to Residential-Business other than the height limitation of 27'.

Paul Beck commented on the rezoning of his property and also submitted a letter in opposition. Laura Simmons had no objections to rezoning her property to commercial as long as they are allowed to continue with the current use of their property, which includes a business and a residential dwelling.

Aaron Britt and Ric Geilhart, local builders, stated that the zoning restrictions are bad for business.

Chairman Colletta closed the public hearing at 7:45 P.M. A brief recess was taken.

The meeting resumed at 8:15 P.M. Approximately 20 guests remained in attendance.

Motion by Lalley to accept the minutes of August 10, August 23 and August 30, 2006, seconded by Geppert. Motion carried.

Four additional letters submitted for the public hearing were read from the following property owners:

Raymond & Genevieve Brown, 4260 Port Austin Road
Alfred Bracciano, 6765 Slavin Road
Linda Strugala, 4490 Port Austin Road
Willis Bloxsom, 4446 Port Austin Road

New Business - Site Plan Review:

1. **6721 Taylor Drive** – Submitted by Michael Bellentini for a new garage. Two sheds currently on the property will be removed following construction. Zoning Administrator Russell verified the location of the property lines. Approval recommended.
2. **7092 B Drive** – Submitted by Ric Geilhart on behalf of Mark Kay for a living addition. Zoning Administrator Russell verified the location of the property lines. Approval recommended.
3. **3741 Port Austin Road** – Submitted by James Stone for a deck already constructed without a permit within the setback area. Recommended that it goes before the Zoning Board of Appeals.
4. **3770 Shady Lane** – Submitted by Leonard Pagano for a garage. Zoning Administrator Russell confirmed property lines. Approval recommended.

Memo from Karen to the planning commission regarding tent like structures used as storage buildings. According to the zoning ordinance, a tent is a temporary structure and subject to a 14 day temporary use permit or site plan approval is required for an accessory structure which would have to conform to zoning and building codes.

Question from Karen on the transfer of boat hoist registrations. This does not fall under the planning commission's jurisdiction.

Old Business:

Rezoning of Sections 12 through 18 Proposed Corridor Overlay Zone (Chapter 18). Chairman Colletta recommended tabling until the planning commission can do more research and receive more input.

Rezoning of parcel in Section 13, vacant acreage off Pine Drive. Motion by McCallum to recommend rezoning from General Business to Residential, R-2, seconded by Colletta. Motion carried.

Rezoning of parcel in Section 13, 6707 Oak Beach Road. Motion by Geppert to recommend rezoning from Industrial to General Business, seconded by McCallum. Motion carried.

Rezoning of General Business parcels in Sections 12 and 16, located at 3478 Port Austin Road, 4750 Port Austin Road and 4744 Port Austin Road. Motion by Geppert to recommend rezoning these parcels to Residential-Business keeping the height limitation for the R-B District at 35', seconded by Lalley. McCallum and Colletta opposed. Motion carried.

Rezoning of General Business parcels in Section 16, Parcel Nos: 3213-016-281-00 and 3213-016-2887-00. Chairman Colletta read letter submitted by Paul Beck. Lengthy discussion as to the continuance of the business and rebuilding of the structures should a catastrophe occur. Walt Salens, Lake Township attorney, suggested adding the "Act of God clause" from the 1992 Zoning Ordinance. Motion by McCallum to table to allow planning commission time to review suggestion by attorney, seconded by Ehrlich. Motion carried.

Rezoning of industrial parcel in Section 34, on W. Kinde Road. Motion by McCallum to recommend rezoning to agricultural, seconded by Geppert. Motion carried.

Motion by Geppert to recommend submission of the proposed Zoning Ordinance, Chapters 1 through 17, only, to the Huron County Planning Commission for review, seconded by Lalley. Motion carried.

Next meeting scheduled for October 25, 2006 at 7:00 P.M. Motion by McCallum to adjourn, seconded by Lalley. Motion carried. Meeting adjourned at 10:10 P.M.

Valerie McCallum, Secretary