

LAKE TOWNSHIP PLANNING COMMISSION
Unapproved Minutes
Wednesday, April 28, 2010

The **regular meeting** of the Lake Township Planning Commission was called to order at 7:00 PM by Chairman Dave Szumlinski.

Pledge of Allegiance was recited.

Roll call by Lisa Konke, Recording Secretary. Present were Dave Szumlinski, Deb McBride, Dale Hartsell, Gerry Geppert, and Gordon Krueger, along with approximately 16 guests.

Minutes of the March 24, 2010 regular meeting. Geppert stated that on page 3 of the minutes he **agrees** not disagrees.
Motion by Hartsell to accept minutes from the last meeting with changes, seconded by McBride. All ayes. Motion carried.

Agenda

Szumlinski offered that he would like to add Jeffery Krohn under New Business to address the Board.
Motion by Szumlinski, seconded by Hartsell. All ayes. Motion carried.

Correspondence:

Szumlinski read a letter from Jeffery Krohn, dated and received April 20, 2010.

Mr. Krohn addressed the Board regarding the letter. He stated that, along with his wife, they purchased 2 lots near the corner of Frank's Party Store. They purchased these parcels with the intent of someday building a house, but have since built a driveway and have been parking their camper on the vacant pieces of property for the last 4 to 5 years. Recently, they received a letter from Arnie Russell, Lake Township Zoning Administrator, stating that they were in violation of township ordinances. Mr. Krohn would like to apply for some type of permit or variance to allow for them to park the unit there for longer than the 14 days that is allowed by getting a Temporary Use Permit from the Township. He stated further that when the leaves are on the trees, the camper can not be seen. When the tanks fill up, they take it to Sleeper State Park and empty it, and bring it back. He pays taxes just like every other property owner and would like to enjoy the property as well. He thanked the Board for allowing him to comment on his letter.

Szumlinski thanked Mr. Krohn and added that the Board would address this under New Business.

Old Business:

Septic Study

Yvonne Bushey reported that the Septic Committee was formed in April 2009. They started out by discussing a possible point of sale inspection ordinance for septic systems and wells. Jeanne Henry, Bob Siver, Neil Roehner, and she met from April 22, 2009 to June 23, 2009. They reviewed the septic draft that the previous committee had written along with other township ordinances of this type. The other ordinances reviewed were very short, to the point type documents. Bushey, Roehner, and Siver concurred that this type of an ordinance would probably be the best as far as our township is concerned. Bushey met with Tip McGuire, Huron and Tuscola County inspector. She presented to Mr.

McGuire, the previous draft and the draft that the new committee had prepared and read from a list of questions (on file) that he posed as he reviewed both documents.

Bushey then presented to the Board ordinances from the following: Helena Township, Secord Township, Cleveland Township, Charter Township Clinton County, Long Lake Township Grand Traverse County, and also regulations for Barry-Eaton District Health Department.

Hartsell commented that it doesn't sound as though Mr. McGuire is in favor of this type of ordinance.

Bushey replied that it's not that, he thinks that this type of ordinances is a good thought. He was just informing us of the legal ramifications that go along with an ordinance of this type.

Geppert stated that when he lived in Shelby Township he could not put his home up for sale until he had an inspection because it was leaking.

Szumliniski said he had checked on that as he said he would at the last meeting and that it is Macomb County that handles that. He said Macomb County is better staffed to handle septic and well inspections. He does not feel that our township has the resources to enforce this type of ordinance.

Bushey suggested that she feels that this Board should work with the Huron County to come up with something that would affect the whole county.

Krueger offered that anyone who is purchasing or selling a home can call Huron County Health Dept. and order a septic or well inspection or usage study. You have to pay for it, but that is available if you are concerned.

Bushey suggested that the Lake Township Planning Board write a letter to the Huron County Planning Commission stating that we would like to have the issue put on their agenda to start studying it on the county level.

Motion by Hartsell, seconded by McBride, **to write a letter to the Huron County Planning Commission regarding a point of sale septic/well ordinance.**

Roll Call: Geppert-Aye, Krueger-Aye, Hartsell-Aye, McBride-Aye, Szumliniski-Aye.

Motion carried.

Width and Square Footage

Szumliniski presented the members with wording changes that he suggests that would clarify our existing ordinance on dimensional requirements and lot sizes. He noted that the only change would be to insert into Sec. 705 and 805: (Except platted subdivisions that fall under LAND DIVISION ACT 288 OF 1967). Also, on page 4-4 to add an insertion: (D: Except platted subdivisions that fall under LAND DIVISION ACT 288 OF 1967). He noted that this does not change the ordinance, but clarifies it.

Motion by Hartsell, seconded by Krueger, **to recommend to the Board of Trustees the wording changes to clarify our existing ordinance.**

Roll Call: Geppert-Aye, Krueger-Aye, Hartsell-Aye, McBride-Aye, Szumliniski-Aye.

Motion carried.

Szumliniski referred to page 13-2 of Lake Township Zoning Ordinance. He stated that as it reads, you are allowed to split a lot down to 65 foot lot. But in order to build on it you

have to apply for a variance. He feels that the area of the ordinance that should be corrected is: Sec. 1304, Page 13-2: Change wording to reflect that the minimum a lot can be divided is 100' not 65'.

Motion by Szumlinski, seconded by McBride, to change wording on lot divisions.
Roll Call: Geppert-Aye, Krueger-Aye, Hartsell-Aye, McBride-Aye, Szumlinski-Aye.

Motion carried.

Joining of Lots Together

Szumlinski feels that our existing ordinance is out of date. He presented to the Board, changes he suggest to Sec. 1202.5. He would like to see the property owners in our township have more control over their property. He feels you should be able to build on a vacant lot if you own the property next to it with a residence on it. The building would have to meet all building codes and is not allowed to have any sewer or water. Also, if anyone has joined their properties so as to build and accessory structure on it, let them separate them, and sell the lot with the accessory structure on it if they choose.

Hartsell stated that Hume and Port Austin Townships do not allow this.

McBride asked why this ordinance was written the way that it is.

Hartsell answered that it was probably to prevent anyone from parking campers, or living in garages or sheds.

Geppert answered that once you have the garage, then you hook the water and restroom up and then people will stay in these structures.

Szumlinski disagreed that there are restrictions and he feels that people will not abuse this. He feels that our ordinance now has outlived itself.

Hartsell stated that he would like to take this matter up with Lake Townships Building Inspector, Tory Geilhart, and Zoning Administrator, Arnie Russell.

Motion by Hartsell, seconded by Geppert, **to table joining of lots together until the Board can meet and talk to Lake Township Building and Zoning officers.** All ayes. Motion carried.

New Business:

Szumlinski asked new member, Gordon Krueger, to introduce himself.

Krueger stated that he has been a resident of Lake Township since 1964 but has been coming here his whole life. He is employed by Saginaw St. Mary's Hospital as a boiler operator. He accepted the Planning Commission appointment to see if he could make a difference.

Election of Officers

Motion by Szumlinski, seconded by Hartsell, **to elect Deb McBride as Planning Board secretary.** All Ayes. Motion carried.

Jeff Krohn violation

Szumlinski referred to Sec. 1202.4, Sec. D, and 1201.12, Parking and Storage of Campers, Travel Trailers, and Boats, of Lake Township Zoning Ordinance.

Szumlinski stated that this ordinance does not allow for any extension of the normal 14 days that a Temporary Use Permit will allow. The Board can see no provision to extend the 14 days whatsoever.

Geppert stated that he had to build a garage to store his motor home in and he has a house on his property. He does not feel that it's fair to allow this when others have gone to the expense to follow the rules.

Hartsell stated that this is all the Board can go by right now and it's not allowed except for the 14 days. Our ordinance would have to be changed, and that cannot be done right now.

McBride stated that Mr. Krohn is not encroaching on anyone. His property is large enough, the unit is self contained, and it's not an annoyance to others. She would like to see some kind of allowance made to him which would allow him to park the camper on his property.

Szumlinski stated that the only allowance that could be made would be to change the ordinance. But the issue in front of us right now is, can we extend the 14 days. He stated our ordinance will not allow this.

Motion by Hartsell, seconded by Krueger, **to abide by Lake Township Zoning Ordinance and deny Jeff Krohn's request for extension to park his camper on his vacant property.**

Roll Call: Geppert-Aye, Krueger-Aye, Hartsell-Aye, McBride-Aye, Szumlinski-Aye.

Motion carried.

Schedule Workshop Meeting

Szumlinski stated he had a request from Tory Geilhart, Building Inspector and Arnie Russell, Zoning Administrator to have a workshop meeting with the Planning Board to discuss some ideas that they have. The meeting would take place on Tuesday May 4, 2010 at 7:00pm.

Motion by Szumlinski, seconded by Hartsell, to schedule a workshop meeting for May 4, 2010 at 7:00pm. All ayes. Motion carried.

Public Comments

Pat Przystup questioned the 14 day temporary use permit. She asked who issues this permit, and that this should be 14 days and no more.

Conrad Przystup commented that Arnie issues the permit and should be enforcing it.

Szumlinski stated that he will talk with Arnie Russell about this.

No more public comments.

Motion to adjourn by Szumlinski, seconded by McBride. All ayes. Motion carried.

Meeting adjourned at 8:05pm.

Next regular Planning Commission meeting, May 26, 2010, 7:00pm.

Respectfully submitted,
Lisa Konke, Recording Secretary

