

**LAKE TOWNSHIP PLANNING COMMISSION**  
**Corrected Minutes**  
**Wednesday, May 26, 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 9 guests.

**Corrected Minutes of the March 29, 2010 and the Minutes of the April 28, 2010 regular meeting.**

Motion by Hartsell, to accept the corrected minutes from the previous month and the minutes from the last meeting, seconded by Krueger. All ayes. Motion carried.

**Agenda**

Szumlinski offered that he would like to add appointment of ZBA member to New Business. Motion by Szumlinski, seconded by Hartsell. All ayes. Motion carried.

**Correspondence:**

McBride read an email from Robert Siver, Lake Township resident, regarding the septic committee.

McBride read a letter from Cindy Jurek, Lake Township resident, regarding ordinance proposals.

**Old Business:**

**Letter sent to Huron County Planning Commission** from the Lake Township Planning Board was reviewed by members.

**Width and Square Footage**

Szumlinski suggested that the public meeting for the zoning amendments of Sec. 705 and 805, be held at 6:00pm, June 23, 2010, prior to the next regular meeting.

Motion by Hartsell, seconded by Krueger, **to schedule public hearing for June 23, 2010, 6:00pm.** All ayes. Motion carried.

**Joining of Lots Together**

Szumlinski talked with Arnie Russell, Zoning Administrator, and he has no problem with the amendments. Tory Geilhart, Building Inspector, feels that everyone who has joined them before, they should be able to separate the lots. He does not agree to newly joined lots being separated.

Geppert offered pictures of an accessory structure near his home. He stated it is clear that people are staying in the structure. They have a well and septic running to the structure and it is screened in.

Szumlinski read from the suggested ordinance changes and it specifically says no water and sewer.

Geppert countered that it is already happening and will continue.

Szumlinski stated that he does not feel people will abuse the ordinance.

Geppert answered that he was just showing him proof that this type of thing happens. These people are not using it as a garage; they are using it as a residence.

Hartsell is against this and feels we should stay in line with other townships in the area.

McBride feels that the Board should look further into what's right and wrong so as to come up with an ordinance that will not be violated.

Szumliniski asked for a motion on the proposed changes to the Joining and un-joining of Lots.

Geppert asked for clarification as to what was being voted on.

Szumliniski stated that it would allow property owners to build an accessory structure on a jointly owned neighboring property, or separate the lots if an accessory structure exists in order to sell the un-needed lot.

Szumliniski asked for support.  
No motion. Motion failed.

### **Reschedule Workshop Meeting**

Szumliniski stated that he would like to reschedule the workshop meeting with Tory Geilhart, Building Inspector and Arnie Russell, Zoning Administrator for Monday June 14, 2010 at 7:00pm.

Hartsell answered that he cannot attend.

Geppert stated that he was unsure if that date was free.

### **New Business:**

#### **ZBA Appointment**

Szumliniski offered that it is required that one (1) member of the Planning Board must serve on the Zoning Board of Appeals and it is his nomination that Gerry Geppert be that member.

Geppert declined the nomination.

Szumliniski asked Krueger if he would accept the nomination.

Krueger replied yes.

Motion by Hartsell, seconded by Szumliniski, to appoint Gordon Krueger to the Zoning Board of Appeals. All Ayes. Motion carried.

#### **Correspondence received**

Szumliniski referred to the letter received from Robert Siver and stated that the minutes are accurate as to what was said at the last meeting.

Hartsell agreed.

Szumliniski moved on the letter from Cindy Jurek.

Hartsell stated that enforcement of golf carts and such; these items are up to Sheriffs Dept. and are a law enforcement issue. Regarding the boat hoist, that is regulated by the State of Michigan. The private property being left on the easements would be up to an association or whoever the easement belongs to.

#### **Public Comments**

Pat Przystup asked about rules pertaining to golf carts driving on the shoulder of M 25.

Hartsell replied that they cannot drive on the shoulder of M 25, or any other roads except for

private roads.

Stephanie Krohn commented that the minutes incorrectly stated that they have owned their land for 5 years when in fact it has been owned for 7 years. Also, she would like to know why Arnie Russell, Zoning Administrator, "is allowed to pick and choose" when he wants to enforce the camping ordinance.

Szumliniski replied that she should question Arnie about this.

Krohn stated that she was told Arnie doesn't enforce the ordinance on holiday weekends or during Cheeseburger, because those are busy times. Yet, she is required to have ~~one~~ for non holidays. She would like to know if more people need to be hired to enforce this and keep it fair.

Correction:  
a temporary use permit

Szumliniski replied that her question would be better directed to the Lake Township Board, as Arnie answers to the Board and not the Planning Commission.

Lou Colletta stated that width and square footage agenda item was not addressed.

Szumliniski replied that they had determined that this would be addressed on the same day at the next meeting.

Colletta asked if the letter was sent to the Huron County Planning Commission regarding the septic and sewer study.

Szumliniski replied that yes it had.

Colletta questioned why the Board was asked about the letter.

Szumliniski answered that it was on the agenda to provide a copy to the Board members.

Hartsell replied that a motion was made at the last meeting and a letter has been written and sent as agreed upon.

Colletta asked what the content of the letter.

Hartsell summarized the letter.

Colletta stated the letter should be public knowledge.

Hartsell replied that the letter inquired as to if the County has in the past, or has any future plans to adopt such an ordinance.

Colletta asked if the Board was handing this matter over to the County.

Szumliniski replied no, we are just inquiring as we had decided at the last meeting, and did not feel he should call a special meeting to approve sending a letter to the County.

Colletta feels that as citizens of this township, they are entitled to know what gets mailed out and it's content.

Hartsell replied that the Board made a motion to send the letter to the County and he doesn't need to see every letter that gets mailed.

Yvonne Bushey commented that at the last meeting she made the suggestion to send a letter to the County regarding a Point of Sale Septic Ordinance.

Konke read the letter dated May 19, 2010, sent to the Huron County Planning Commission.

Robert Siver questioned when this ordinance changed from transfer of ownership to point of sale.

Szumliniski feels that these are basically the same thing. And if this were to become an ordinance these are things that would be worked out.

Siver commented that this is not what he signed up to work on and that transfer of ownership was what he was specifically concerned with.

Szumliniski replied that this letter was an inquiry as to request any information they could provide.

Lou Bushey commented that when there is a transfer of ownership there is a deed. Point of sale and transfer of ownership is the same thing.

Walt Kloc commended Yvonne Bushey for the presentation she made at the last meeting regarding this issue. Personally, he feels that it is the jurisdiction of Huron County to enforce these issues. Also, waterfront property keeps getting referred to and it seems as though if this ordinance is written, it is specifically in regards to waterfront properties. He does not see this area as a problem. He also owns property in Ray Township. When those inspections are done, they are done by a county official or contracted representatives. He would be concerned if a private contractor was doing these inspections, and that the county inspectors should do this.

Geppert stated that a county official did his inspection.

Szumliniski commented that in researching this he found that Macomb County has a health officer do these inspections.

Colletta added that the reason all this came about because there was no cooperation from the Huron County Health Dept. The question was brought up many times about septic systems on the beach.

Siver commented that with S.O.S and muck issue, and it seemed like the biggest issue might be on the beach. But, to be fair, they included the whole township. So it could be said that the waterfront was targeted but only because of the muck on the beaches.

Val McCallum referred to what Mr. Siver was saying and that a house was being rebuilt on the shoreline. According to the building plans, there were 5 bedrooms but they did not have a big enough piece of property to accommodate a house with 5 bedrooms. According to a letter on file with Lake Township from the Huron County Health Department, they were denied their permit unless they called some of these rooms a library or study, then they could get approval. So they changed the building plans and called the extra rooms a study and a den and got approval. For the 3 bedroom house, they needed 16 chambers and could only install 12, and did the work on a weekend. Now they are remodeling the house and will have 5 bedrooms. Muck and water quality was also questioned when the Pigeon Watershed Project started. Everyone was pointing fingers. Lake Township formed this committee because the County was not, and probably would not do anything about this issue. Hopefully, other communities would follow suit to solve some of these issues.

Szumliniski asked what the Planning Board did with it.

McCallum commented that the Planning Board didn't have jurisdiction over it. The Township Board created the septic committee. The septic committee gave a draft to the Township Board; they sent it back to the committee for revision. The new administration formed a new committee, who had the initial draft, though they came up with a whole new draft of their own.

Kloc seemed to remember that there was a public hearing.

McCallum replied that no there never was.

Kloc stated that it was the public hearing that stated that any room that was 70 square feet or more, be classified as a bedroom.

McCallum replied that, that was a whole other issue and the septic ordinance never came to a public hearing.

Colletta stated that was brought about by Tory and Arnie. And was in regard to how we could define a bedroom and had nothing to do with a septic ordinance.

Larry Crews stated that what they were trying to do was say that every room in a house was a bedroom so that the septic systems would have to be much larger than needed. He bought a home a few years ago with public sewers and water near St. Roch's church and the beach there is worse than any beach in Lake Township. In his opinion, it's not the sewage that is causing the problem.

No more public comments.

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

**Meeting adjourned at 8:00pm.**

Workshop Meeting June 14, 2010, 7:00pm

Next regular Planning Commission meeting, July 28, 2010, 7:00pm.

Respectfully submitted,  
Lisa Konke, Recording Secretary