

LAKE TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, January 25, 2012

The **public hearing** of the Lake Township Planning Commission was called to order at 6:30 PM by Chairman Dave Szumlinski.

Pledge of Allegiance was recited.

Roll call

by Lisa Konke, Recording Secretary. Present were Dave Szumlinski, Dale Hartsell, Jeff Krohn, and Paul Golsch, absent Gordon Krueger. Along with approximately 23 guests.

Public Comment

Jerry Nutt commented that he is unsure as to why Section 1203.4 of the Lake Township Zoning Ordinance is being considered for repeal. He questions who will enforce the easements in Lake Township if this section is repealed.

David Battane read excerpts from a letter from Lake Township Attorney, Walt Salens, and he also read from a Supreme Court ruling regarding riparian rights.

Dave Brady commented in answer to Mr. Nutt's question as to who will enforce easements. He stated that it would be the DEQ who would enforce issues on easements. He further stated he is in favor of the repeal of Section 1203.4, but perhaps not the entire section.

Yvoone Wensing commented on the cleanliness of easements, as she lives next door to a private easement.

Jeanne Henry commented on riparian rights, safety issues involving hoists being stored on easements, and that without Section 1203.4 in the Lake Township Zoning Ordinance, residents would be at a loss.

Dave Battane commented that he has spoken with the fire department and that the storage of boat hoists is a safety concern.

Jeanne Henry commented that authority started with the United States Army Corp. of Engineers, (USACE). She stated that the USACE made it clear that they welcome townships help in the enforcement of waterfront easement issues.

Jim Simmons commented that in reference to Section A-F of 1203.4, this pertains to federal waters which Lake Township has no jurisdiction over.

Walt Kloc commented that Lake Township does not have jurisdiction over the water. He added that the Huron County Planning Commission, when this Section 1203.4 was being considered for adoption, said that this ordinance should not be considered for adoption or enforced.

Mike Buslepp commented he is in favor of the amendment to Section 1202.4 and that he got a violation letter from Lake Township for having his camper on his vacant property. He would like to be able to keep his camper on his property in preparation for building a

house.

Linda Collins asked where boat hoists should be stored if they are not allowed to be stored on vacant land.

Battane commented on boat hoist registrations and Mr. Russell patrolling the beach to check for violations. He asked if these registrations would still be required on could boat hoists now be stored on easements.

No more public comments.

Correspondence

Letter from Mary Quinn, dated January 25, 2012, asking that the public hearing be postponed and held at a later date, preferably in June, July or August.

Letter from Donald Hardy, dated January 23, 2012, fancy handwriting unreadable.

Letter from Jean Driscoll, dated January 23, 2012, opposed to the repeal of Section 1203.4.

Letter from Linda Parrish, dated January 21, 2012, opposed to repeal of Section 1203.4 and feels the environment will suffer due to repeal.

Letter from Melissa Hardy, dated January 20, 2012, urges the Lake Township Planning Commission vote no on the repeal of Section 1203.4.

Letter from Mike and Melissa Hardy, dated December 21, 2011, asking that the repeal of Section 1203.4 be tabled.

Letter from Yvonne and Louis, dated January 16, 2012, they are in favor of the repeal of Section 1203.4 and in favor of the amendments to Section 1202.4.

Letter from Lance and Janet Barker, dated January 15, 2012, against the repeal of Section 1203.4.

Letter from Cathy Snider, dated January 14, 2012, strong concerns about the repeal of Section 1203.4, and asks that the Planning Commission reconsider this repeal.

Letter from Keith and Linda Hoffman, dated January 12, 2012, has concerns with the repeal of Section 1203.4 and would expect that a plan is in place to replace the section being repealed.

Letter from Keith and Linda Hoffman and James and Janet Piana, dated January 12, 2012, has concerns with the repeal of Section 1203.4 and would expect that a plan is in place to replace the section being repealed.

Letter from George Hakim, dated January 11, 2012, against the proposed repeal of Section 1203.4.

Szumliniski apologized to Board members and public in attendance and stated that he did not receive these correspondence letters until the day of this public hearing.

Motion by Hartsell, **to close public hearing**, seconded by Krohn. All ayes. Motion carried.

7:35pm Close Public Hearing

Approval of Minutes

Motion by Golsch, **to approve the minutes of the November 16, 2011 regular meeting minutes**, seconded by Hartsell All ayes. Motion carried.

Motion by Golsch, **to approve the special meeting minutes of the December 13, 2012 regular meeting**, seconded by Krohn. All ayes. Motion carried.

Agenda

Motion by Hartsell, **to approve the agenda with no additions**, seconded by Krohn. All ayes. Motion carried.

Correspondence

Email from Lou Colletta, dated December 3, 2011, regarding wind developments and tax revenue in Huron County.

Old Business:

Zoning Amendments to Section 1202.4 and 1203.4

Szumlinski explained how the Lake Township Planning Commission came to amend this ordinance section and that Lake Township has no jurisdiction over private easements.

Szumlinski added that an association can be formed and that property owners can police these easements that are for their use.

Szumlinski added that regarding boat hoist registrations. Lake Township can charge for this and that the USACE encourages this practice.

Discussion amongst Board regarding these amendments and repeal. In light of the concern of the residents present and the correspondence read, the members feel that more needs to be considered before moving forward.

Motion by Hartsell, **to table the amendment of Section 1202.4 and Repeal of Section 1203.4 until the February 22, 2012 meeting**, seconded by Krohn. All Ayes. Motion carried.

Rural Residential Square Footage Requirements

Szumlinski offered that in regard to the allowed square footage for garage and accessory structures, he would like to see a sliding scale allowing for bigger structures depending lot size.

Golsch agreed but emphasized that this is a residential district and not agriculture and that care should be taken to not allow structures to be too large for the district.

Krohn agreed that he feels these size requirements are too restrictive in the rural residential district.

Szumliński offered also that he feels wall heights and ridge heights should be amended too.

Board members discussed some of the possibilities for square footage, wall heights, and ridge heights.

Motion by Krohn to **table these issues until the February meeting**, seconded by Hartsell. All ayes. Motion carried.

New Business

Wall Heights

Szumliński stated that currently Lake Township does not have an application in force for an above ground basement.

Hartsell suggested checking with other townships for their restrictions.

Golsch questioned if this would be an extension to Lake Township existing restrictions or would a whole new section.

Krohn agreed.

Public Comments

Jim Simmons commented on square footage requirements in the rural residential district. He stated that he has 10 acres in the R-2 district and asks why the Board is only considering on of the districts.

Stephanie Krohn commented that the Board did not discuss recreational vehicles in their discussion.

Jeanne Henry commented on easements, boat hoist placement, and riparian rights.

David Battane commented that if Lake Township has no jurisdiction over easements then why does the township require a sticker for boat hoist.

Walt Kloc commented that he has in the past obtained the court records from the Huron County courthouse regarding the court case in which Judge Knoblock ruled that Lake Township has no jurisdiction over private easements.

Linda Collins questioned the perpendicular placement and number of boat hoists allowed on an easement.

David Battane asked that the Lake Township Planning Commission have Walt Salens speak with the USACE and check into riparian rights.

Larry Murdoch commented on square footage requirements in the rural residential district. He suggested that perhaps 3% lot coverage would be sufficient. He also

suggested that a 14' wall height is more reasonable.

No more public comments.

Motion by Golsch **to adjourn**, seconded by Hartsell. All ayes. Motion carried.

Meeting adjourned at 9:30 pm.

Next regular Planning Commission meeting, February 22, 2012, 7:00 pm.

Respectfully submitted,

Lisa Konke, Recording Secretary