

**Minutes:**  
**Watersmeet Township Planning Commission**  
**Regular Meeting of August 12, 2015**  
Watersmeet School Library

- 1) Meeting called to order by Vice Chairman David Sherrill at 6:31 PM.
- 2) Pledge of Allegiance was given.
- 3) **Roll Call:** Members present included, Vice Chairman Dave Sherrill, Township Board Liaison-Rich Henriksen, Pete Peterson, Jeff Wasson, John Cestkowski, and Larry Potter. Chairman Roy D’Antonio, Secretary John Neumann, and Jeff Zelinski were absent. As John Neumann the secretary was again absent, Rich Henriksen agreed to author these minutes as Secretary Pro-Tem. Zoning Administrator –Dave Neumann and Township Board Supervisor- Mike Rogers were also present. Several members of the community were present including Peggy Tuttle, Kathy Pirk, Pat Walsh, and a number of Clearwater Lake residents including Mr. and Mrs. Jim Hoots and Mr. and Mrs. Jack Earhart. With six of the nine Planning Commission members present, the requirements for a quorum were met and business could be conducted.
- 4) **Approval of Agenda/Changes:** Vice Chairman David Sherrill asked that the agenda be amended to include a number of additional items. Pete Peterson stated that an attorney recently told the school board that making significant changes to the pre-published agenda violates the open meetings act. The possibility exists that some people would not attend the meeting because a pet project is not listed on the published agenda. This person would have attended if the pet project had been published in advance. Adding a large number of new items at the meeting which includes the pet project cuts that person out of the communication stream. Jeff Wasson made a motion to accept the agenda as originally posted. This was supported by Larry Potter. Unanimous “Yes” vote. Note: After the meeting, the Township Attorney was consulted and he stated that changes to the agenda are permitted.
- 5) **Approval of Minutes:** An insufficient number of members were present at this meeting that had also attended the May 13<sup>th</sup> meeting to consider approving those minutes. They will remain a draft version for now. David Sherrill suggested some wording changes to the June 10<sup>th</sup> minutes in “Updates to Zoning Ordinance” item 9. The secretary agreed to make those changes. The minutes were approved as amended upon a motion by Larry Potter with support from Jeff Wasson. No quorum was present at the July meeting so the “minutes” that were posted on the website describing why there was no business

conducted will continue to be posted on the web and shown as approved with no vote necessary.

**Zoning Administrator Report:** Dave Neumann said he approved permits for five garages, one house and one land division. Dave distributed copies of two letters he wrote to the current owners (Daniel Wait) regarding the rental property on Clearwater Lake. See attachments 1 and 2. The number of renters far exceeded the total of four that are allowed per the short-term rental special use permit applicable to that property. Discussion followed over the lack of township oversight for long-term property rental. It was pointed out that there are probably a number of sub-standard septic systems that exist within the township which neither the Township Planning Commission or the Township Board discusses or is even aware. Therefore when the property owner lives on or rents out a property on a long-term basis, the septic system's adequacy or inadequacy is not directly addressed by Watersmeet Township. If any septic system is suspected of failure, the Zoning Administrator should be notified. If the Zoning Administrator agrees, after making an inspection, the Zoning Administrator will contact the Gogebic County Health Department for resolution. The Wait property was recently rented to a large group that occupied both the main house and the guest house. The guest house cannot be rented per the current zoning ordinance. The latest incident ostensibly occurred with a long term rental contract that was later shortened as a result of the renter leaving early. As a result of changing the intended use from a Short Term Rental to a Long Term Rental property, the existing Special Use Permit for Short Term Rental is automatically rescinded due to discontinuation of the Short Term Rental use. Future Short Term Rental use of the Wait's Clearwater Lake property will require a new Special Use Permit to be requested. Pete Peterson mentioned that there are properties within the Township that are being short-term-rented without the requisite special use permit. He believes that we need to find them and require them to apply for Special Use Permits before making any requirements on those that comply with the ordinance and state their intentions to short term rent their property. Mr. and Mrs. Hoots had asked the renters of the Wait property to hold back on some of the noise they were making, over a three week period, which bothered both she and her husband as taxpaying, full time resident, homeowner neighbors. The screaming children were bothered by the request to be less noisy and had their parents call the police on the Hoots couple for harassing them. The renters repeatedly stated that "WE'RE ON VACATION" which they felt excused their near continuous racket. David Sherrill made a motion that Daniel Wait be sent a letter from the Zoning Administrator listing the large number of complaints of noisy renters far in excess of the four people permitted by the septic system capacity at that Clearwater Lake residence. This was supported by Rich Henriksen. A roll call vote was called. The vote was a unanimous "Aye". Vice chairman David Sherrill reminded the Planning Commission (P-C) membership to review the proposed changes to the Watersmeet Township Zoning Ordinance and be prepared to vote on those changes at a future meeting. These changes are mostly clarifications of existing language and moving certain items to the "Definition" section to ensure "single source" reliability of rules and regulations as previously noted. The Zoning administrator produced a list of five required items he wants included in the

Zoning Ordinance to apply to short term rental special use permits for all zoning districts. See attachment 3. This may require a modification to the Zoning Ordinance and needs to be decided at a future meeting and subsequent Public Hearing.

- 6) **Recreation Plan Update:** Vice Chairman David Sherrill mentioned the great deal of work that needs to be done to the Recreation Plan. Primarily, new rules have been adopted requiring ADA compliance language to be added as well as a detailed list of requirements for citizen lunches, surveys, community information workshops etc, etc. Further discussion revisited that Coleman Engineering would help inform us about all the things we need to do in exchange for payment of a \$5,000 fee. We would still need to do the actual work and absorb all of the costs associated with these activities. An updated recreation plan is essential to get the grants necessary to continue such items as the proposed bicycle trail expansion as well as any other future additions to the Township's recreation catalog. It was suggested that we get a copy of the latest compliant Recreation Plans from surrounding communities to guide the P-C to bring the recreation plan up to date. The consensus of the P-C is that there is no need to spend the additional \$5,000 to get assistance from Coleman Engineering. This update needs to be completed so the subject should be continued on September's meeting agenda. Supervisor Mike Rogers will attempt to get copies of Recreation Plans from neighboring communities for us to use as a guide.
- 7) **Sign Regulations:** The U.S. Supreme Court (SCOTUS) has ruled that sign ordinances that apply different standards based on type of content essentially attempt to regulate speech and therefore are unconstitutional. Our ordinance does not differentiate by a sign's word content so no changes seem to be needed to comply, at this time.
- 8) **Public Comments:** Vice Chairman David Sherrill passed on P-C related education opportunities, made available by Township Supervisor Mike Rogers. To take advantage, a P-C member must make the choice of venue and contact the Township Clerk, Sandy Mansfield, by August 17<sup>th</sup>. Peggy Tuttle asked what is being done about the spotty attendance of some P-C members. She also asked if there are openings for replacement members? Mike Rogers affirmed that the P-C Secretary, John Neumann, had in fact resigned after the April meeting. This is the first official mention of this fact in front of the assembled Planning Commission. In the future, John Neumann will no longer be listed as absent during Roll-Call as I have for the May, June, July and August P-C meetings. Pete Peterson stated that "everyone has missed meetings" because life gets in the way of members achieving perfect attendance. (Yours truly HAS perfect attendance, in fact). Jean Erhart asked about how the Township can inspect ALL septic systems going forward, for the health of the lakes? Good question. No answer at this time, but may be addressed at some future meeting. Kathy Pirk asked about how we can handle a resident of a residential Cisco Lake L1 property with a flock of chickens and crowing roosters going off at all hours of the day? Answer: Report "nuisance domestic pets" to the police or animal control in Bessemer. This is currently covered in the Zoning Ordinance only for R1 and R2 zoning districts.

- 9) **Master Plan Update Continuation:** Vice Chairman David Sherrill has done extensive work capturing the changes necessary to update the Township’s Master Plan. These updated documents have been available to the P-C’s membership for several months. The Vice Chairman read through the new language and the Township organization responsible for overseeing the accomplishment of; and the time frame applicable to these items. The P-C agreed to accept the work completed with a couple of minor tweaks which David has agreed to incorporate. The next step, to move the new Master Plan forward, is a presentation at a Public Hearing as part of the September regular meeting of the Planning Commission.
- 10) **Adjournment:** Motion to adjourn at 8:50 PM by Pete Peterson, with support from Jeff Wasson. Unanimous “Yes” vote followed.

Respectfully submitted by, *Rich Henriksen* – Planning Commission Secretary

Approved: September 9, 2015