

Minutes:
Watersmeet Township Planning Commission

Regular Meeting of June 11, 2014

Watersmeet High School Library

- 1) Meeting called to order by Chairman Roy D'Antonio at 6:30 PM.
- 2) Pledge of Allegiance was given.
- 3) **Roll Call:** Members Present: Chairman Roy D'Antonio, Vice Chairman Dave Sherrill, Secretary John Neumann, Township Board Liaison-Rich Henriksen, Pete Peterson, Jeff Wasson, John Cestkowski, Larry Potter and Jeff Zelinski were present. Township Supervisor, Zoning Administrator and 2 community members were present.
- 4) **Approval of Agenda/Changes:** Two items were added to the agenda by Roy D'Antonio; Minute Taking of PC meetings (item 5) and wording to be added by Pete Peterson (item 12). A motion was made by Jeff Zelinski to accept the Agenda, second was made by John Cestkowski. Unanimous yes vote to approve agenda.
- 5) **Minute Taking:** Roy D'Antonio stated that more diligent minute taking is needed. This came up because at the ZBA hearing the ZBA felt they didn't have enough information provided in the minutes to make a decision dealing with the Wait property. There was a discussion on PC recording information and what should be done to insure the information at public hearings is documented. It was stated the information should be available to the public and a process should be developed. There is a question on whether or not recordings are required to be saved and should possibly be researched. The general consensus is that there should be more clarity on public hearing decisions by the PC and the minutes should be more detailed.
- 6) **Approval of Minutes:** Copies of the minutes were not provided so the Minutes approval was tabled until the next meeting. Motion was made by Roy D'Antonio, Second by Dave Sherrill to table. Unanimous yes vote.
- 7) **Zoning Administration Report:** David Neumann reported that building permits for the Family Dollar store, four dwellings and two garages were approved since the last PC meetings. Dave stated that he wasn't sure if everyone understood the difference between signs and billboards so he explained; signs are advertising for your property, a billboard is when you are advertising on your property for another business. This is controlled by the State. Land O' Lakes Recreational Center wanted to park a truck trailer on their property and use it as a billboard. Dave also stated that the reason why there weren't any complaints concerning the Elders Property and the Wait Property is that no one received notices from the PC as required. Rich Henriksen stated he did send out the letters to the property owners from a list provided to him. Dave said no one received them so this was unresolved. Dave said he received one complaint concerning some trash on Langford Lake. There hasn't been anyone in the building for years and the property has old cars and equipment laying around. He is looking into the problem.
- 8) **Key Hole Ordinance Language Update:** Chairman D'Antonio said Attorney Michael Pope is creating language for the Key Holing Ordinance and should have it ready for the PC by our

next meeting. A motion was made to table by Pete Peterson and second by Jeff Wasson. All in favor

- 9) **Township Survey:** Dave Sherrill asked who had taken the Survey and how long it took them to take it. Dave was recognized for all the work he did putting this Survey together. The general consensus was that it took around 45 minutes and most believed the Survey was too long. Dave stated that the reason for the Survey is to aid the Township in receiving grants and we are competing with other towns for grant dollars. There was a discussion on the value of and the response to surveys. All PC members should go over the Survey and make their comments and changes and be ready to discuss this at the next PC meeting. A motion to table a decision on the Survey was made by John Cestkowski and second by Jeff Wasson. All in favor.
- 10) **Recreation Plan Review:** There was a discussion on whether or not changes needed to be made to the Recreation Plan or to just use it as an attachment, as is, to the Master Plan. There was a lengthy discussion on the needs of a Recreation Plan that stands on it's own from the Master Plan as it's a requirement to obtain grant money. A motion was made by Dave Sherrill to replace the Parks and Recreation Element in the Master Plan to the Recreation Element with a page referencing the Watersmeet Township Recreation Plan of 2011 and removing the rest of that section. Second by Pete Peterson. All in favor.
- 11) **Master Plan Updates/Review:** Dave Sherrill commented that he has updated the Master Plan incorporating the changes discussed in earlier meetings. He has changed some language to be more reflective of the intent. The PC should go through what he has written, document any comments and be ready to discuss the edits at the next meeting.
- 12) **Language for Private Property Rights:** Pete Peterson submitted to the PC language he would like incorporated by the PC into one of our documents. It stated that, "Watersmeet Township recognizes the fundamental rights of private property owners, and will endeavor to not only sustain these rights, but to strengthen them". There was a discussion concerning the PC's intent on how Private Property Rights are going to be protected within the Townships Ordinance and where this comment could be inserted. Some members had problems with the portion "but to strengthen them" because a right is a right and can't be strengthened. There was a lot of discussion on whether a right can be strengthened or not and an example was given by the Township Supervisor Rogers concerning only one house on a piece of property and how our Ordinance limits the free use of that land to add another house. Changes to that portion of the Ordinance would strengthen the private property owner's right. The short term rental discussion was raised again concerning private property owners rights versus neighbor property rights. A motion was made by Dave Sherrill to include the language "Watersmeet Township recognizes the fundamental rights of private property owners" in the Zoning Ordinance Preamble. Second by Rich Henriksen. Roll call vote, Chairman Roy D'Antonio, yes, Vice Chairman Dave Sherrill, yes, Secretary John Neumann, yes, Township Board Liaison-Rich Henriksen, yes, Pete Peterson, yes, Jeff Wasson, yes, John Cestkowski, yes, Larry Potter, yes, and Jeff Zelinski, yes. Motion carried.
- 13) **Zoning Sub-Committee Update:** There are changes that the committee is contemplating one residential zone instead of R1 and R2. The only difference is two different lot sizes, 150 ft. vs 200 ft. There was a discussion about how many lots have been grand-fathered that

do not comply with our current Ordinance and what the Ordinance restricts as far as septic systems are concerned. The R1 R2 discussion centered around the property by Land O' Lakes. Dave Neumann said the lot descriptions do not match the map in the Zoning Ordinance and it was suggested that we to get an updated map. There is going to be another meeting by the committee to discuss this issue further.

14) **Public Comments:** Craig Hesse complained that he doesn't think anyone on the PC listens to him and don't care about his property rights. He pays commercial taxes and the PC approves short term rentals that are hurting his business but they don't pay commercial taxes. He is very frustrated with the PC and disagrees with short term rentals. He said we don't listen to the lake owners around these rentals. Dave Neumann commented as a resident and not Zoning Administrator. He believes that the direction the PC is heading, Watersmeet's lakes will end up polluted like the lakes in Indiana, Illinois and Wisconsin. He believes that if we did the survey we will end up forming a different opinion than what we currently have concerning individual property rights on the lakes. Julie Mathiesen commented on the questionnaire and recommended putting someone in the Post Office or Transfer Station 10 days after the survey is sent out reminding people to fill out the survey to get a better response. She also commented that the Zoning Ordinance could better define special use activities. Supervisor Rogers stated that he takes exception to some of the questions in the survey in particular the questions concerning the Fire Department and First Responder. He stated that these are all volunteers and he believes these questions wouldn't be appropriate questions. He also stated that the Watersmeet Transfer Station was considered the cleanest by the DEQ inspector at the last inspection. The questions in the survey concerning these departments bug him. Roy D'Antonio asked why Craig Hesse couldn't separate his home from his business. There was a discussion concerning this and Craig said the State does not allow him to separate his home from his business. There was a lengthy discussion about short term rentals again.

15) **Adjournment:** Motion to adjourn by Dave Sherrill, second by Pete Peterson, Unanimous yes vote.
8:50 PM

Respectfully submitted by,

John Neumann – Planning Commission Secretary

Approved: July 9, 2014