

Changes to the Watersmeet Township Cemetery Ordinance:

1.3 The Cemetery Board reserves the right to appoint a Cemetery Administrator (Sexton) to act as its agent to carry out administrative duties and ensuring the specified regulations, herein, are followed. This appointment shall be approved by the majority of the Township Board.

1.5 All applicable funds/fees collected by the Cemetery Board, or Township Treasurer, for burial rights, purchases, grave opening/closing fees, perpetual care, or from gifts, grants, bequest or any other manner for cemetery purposes shall be deposited into the Township "General" Fund.

1.5.1 The cemetery maintenance and perpetual care costs will continue to be funded by the Township General Fund budget.

4.3 All costs and fees shall be deposited in the General Fund account.

5.3 No burial spaces shall be opened and closed except under the direction and control of the Cemetery Administrator, or Cemetery Board. Only persons approved by the Cemetery Administrator, or Board, may open/close a burial site. This provision shall not apply to legal proceedings for the removal and re-interment of bodies and remains, which matters are under the supervision of the County Health Department.

5.7.1 No wooden cremain containers are allowed, unless encapsulated in a permanent box.

5.7.2 "Green" burials must have a permanent marker or memorial installed prior to interment. "Green" burials are defined as those interments without a metal casket.

5.7.3 No burials are permitted, until the following year after:

1. October 31 OR
2. ground freeze-up OR
3. significant snowfall

5.13 Certain burials may be subject to special Health Department restrictions.

SECTION 7: MONUMENTS, INTERMENT METHODS AND STRUCTURES

7.4.1 In the case where there is more than one interment in the same standard burial space, each additional interment must have a marker and it shall be a "ground flush" marker

7.14 Indigent interments, as determined by the Cemetery Administrator shall not be allowed except at County expense.

9.3 No permanent flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Cemetery Administrator. Any one of the foregoing items planted without such approval may be removed by the Cemetery Board, Sexton, or designated work crew.

9.8 Summer decorative memorial items (flower pots, urns, wreaths, artificial flowers, crosses, emblems etc.) shall not be placed by burial spaces prior to May 15. Summer decorative memorial items shall be removed from burial spaces by October 30.

10.5 The driver of any vehicle, motorcycle or other conveyance, will be held responsible for any damage said driver may do, whether intentional or not intentional. Speed limit shall be five (5) miles per hour within the cemetery boundary.

WATERSMEET TOWNSHIP CEMETERY ORDINANCE

No. _____

TABLE 1: BURIAL FEE STRUCTURE

Revision Date: 11-1-14

All fees shall be made payable to "Watersmeet Township" and paid to the Township Treasurer	RESIDENT OR PROPERTY TAXPAYER (***note below)	FORMER RESIDENT and non-taxpayer at time of death	NEVER A RESIDENT and non- taxpayer at time of death
<u>BURIAL RIGHT FEE</u> 1 Standard Burial Space each--(includes perpetual care)	\$150	\$250	\$500
<u>INTERMENT</u> (includes grave open/close) Standard Burial Space----- Cremation Burial Space----- "Green" Burial Space	\$250 \$100 \$250	\$250 \$100 \$250	\$250 \$100 \$500
<u>OVERTIME FEES</u> Add this fee to the Interment/ Disinterment fees shown. Weekend-or after 3pm wkday Holiday-----	\$100 \$150	\$100 \$150	\$100 \$150
<u>DISINTERMENT</u> (add to Interment fee) Standard Space-----Cremation Space-----	\$500 \$300	\$500 \$300	\$500 \$300
<u>REINTERMENT</u> Same as Interment Fees			
<u>TRANSFER FEE</u> Burial Rights Ownership	\$50	\$50	\$50
<u>LOCAL VAULT STORAGE</u> For local interment-----For interment elsewhere----- (limited to winter months)	\$0 \$100	\$0 \$100	\$50 \$100
<u>OTHER</u> Raise grave and/or move marker (owner request only)	Time/Materials	Time/Materials	Time/Materials

(***) Includes persons that were relocated directly from residency status to a non- resident nursing home, assisted living facility or relative's home for assisted care. Members of the local Tribe are considered to be residents.

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September 17, 2014

Mr. Mike Rogers
Supervisor
Watersmeet Township Office
P.O. Box 306
Watersmeet, MI 49969

VIA EMAIL and MAIL

Re: Conflict of Interest
(Planning Commission)
Our File No. WAT 230

Dear Mike:

This letter follows up on our recent conversation concerning allegations of conflict of interest involving certain Planning Commission members for their vote in favor of a zoning amendment. I reiterate the opinions expressed in my 9/25/13 letter. Under Michigan law, a conflict of interest exists when there is an existing contractual arrangement that provides financial benefit. Motivation should not be confused with a conflict of interest.

The legality of the Planning Commission's acts cannot be tested by analyzing the motives of the individual members. *Pythagorean, Inc. v Grand Rapids Township*, 253 Mich App 525 (2002). Keep in mind, the Planning Commission only conducts zoning amendment hearings for the purpose of a recommendation to the Township Board and the Township Board has the ultimate final decision. Planning Commission members are selected based upon their personal backgrounds and qualifications. That selection criteria should not be used to claim a conflict of interest. Again, the motivation of individual Planning Commission members, who approve or reject a zoning proposal, is irrelevant to a determination of the validity of those actions. *Pythagorean, supra*.

Based on the above and my 9/25/13 letter on conflict of interest, it is my opinion the following do not constitute a conflict of interest for a Planning Commission member. First, the ownership of land that may be affected by a zoning amendment. Example, supporting a reduced square footage provision allowing development of a 40 acre parcel with a smaller structure. Second, owning or operating a business that may get future work because a decision may lead to an increase need for that work. Example, a contractor favoring a reduced square footage provision for a dwelling.


DEAN & POPE, P.C.

Mr. Mike Rogers
September 17, 2014
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If you have any questions, please do not hesitate to contact me.

Very truly yours,

DEAN & POPE, P.C.

By: 
MICHAEL K. POPE

MKP:jab

cc: Sandra Mansfield, Clerk

October 14, 2014

Watersmeet Township Board of Trustees
P.O. Box 306
N4660 US Hwy 45
Watersmeet, Michigan 49969

RE: Proposed reduction for minimum finished living area

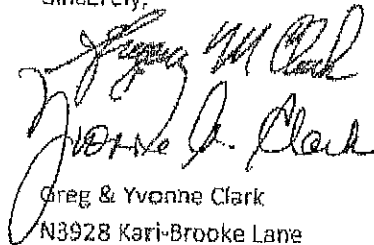
Dear Watersmeet Township Board of Trustees,

We wish to express our strong opposition to the proposed zoning change reducing the minimum finished living area of a dwelling in L1, L2 and transition zones from the present 1200 sq. ft. The change would seriously detract from what helps make this area the special place that it is. In 2011 when we were looking for a place to retire to from Ohio, we carefully looked over the existing zoning regulations and considered them an important factor in our decision. We could have gone literally anywhere, but chose Watersmeet Township for its unique set of attributes. The minimum dwelling footage and lake frontage regulations helped reassure us that Watersmeet Township was the kind of place that justified spending a significant portion of our life's savings to relocate to.

We all know or have heard of other places that have lost their natural beauty because of a relaxation of zoning laws (resulting in increased density, reduced quality of housing stock, etc.) We also know from experience that, as a practical matter, there is no real recovery from that kind of loss. We strongly urge the Watersmeet Township Board of Trustees not approve zoning changes that lead us down that path. While a few may profit from it, it's the majority that suffer the losses.

Thank-you very much for considering our thoughts. If at all possible, we would very much appreciate if this letter could be read into the minutes at the next Township Board of Trustees meeting.

Sincerely,



Greg & Yvonne Clark
N3928 Kari-Brooke Lane
Watersmeet, MI 49969

September 25, 2014

Mike Rogers
Watersmeet Township Supervisor
N4660 US HWY 45
P.O. Box 306
Watersmeet, MI 49969

Dear Mike,

At the Watersmeet Planning Commission (PC) meeting on September 10, 2014, the public in attendance overwhelmingly voiced their opposition to the Zoning Ordinance 5.01 proposed change in L1, L2 dwelling size from 1200 square feet to 750 square feet. A couple people spoke of a "compromise" and offered solutions that were blatantly disregarded by the PC. The PC passed the proposed change and sent it on to the Town Board for approval.

I would like to offer a "compromise" to our elected officials on the Town Board for consideration:

5.01 – 1 Said dwelling not including caretaker or guest house, shall have a minimum footprint and finished living area of no less than 750 (seven hundred fifty) square feet with a minimum dimension of 20 (twenty) feet on any side;

Please consider this recommendation, table the approval at this time and send the proposed change back to the PC with your request to have the change made as I have highlighted in red.

Please read and enter this letter in the record for the October 15, 2014 Township Board meeting Public Hearing.

Thank you,



Arnold Domanus, Jr.
N4176 Kari-Brooke Lane
Watersmeet, MI 49969

906-358-9912

Cc: Township Clerk Mansfield
Treasurer Kemppainen
Trustee Henriksen
Trustee Neumann

Proposed change to Zoning Ordinance sent to Planning Commission by Town Board of Trustees:

Section 5.01

1. Regular designed Dwellings (square or rectangle), not including caretaker or guest house, shall have a footprint of no less than 750 (seven hundred fifty) square feet with a minimum dimension of 20 (twenty) feet on all sides as measured from corner to corner of the main structure. Irregular designed structures, such as an octagon would not need to meet the 20 (twenty) foot sides but must meet the 750 (seven hundred fifty) square foot footprint.

Section 6.01B

a.1 Those one family residential structures of regular design (square or rectangle) located within 1,000 feet from the OHWM of any lake in the L1 or L2 Lake areas shall have a minimum footprint of 750 square feet with all sides having a minimum of 20 feet measured from corner to corner of the main structure. Irregular designed residential structures, such as a octagon, would not have to meet the 20 foot sides, but would have to meet the 750 square foot footprint.

a.2 Those one family residential structures located beyond 1,000 feet of the OHWM of any lake in the L-1 OR L-2 Lake areas shall have a minimum footprint of 201 square feet.