

Approved 3/26/2014
WATERSMEET TOWNSHIP BOARD OF TRUSTEES
PUBLIC HEARING AND SPECIAL MEETING
WEDNESDAY, MARCH 12, 2014
5:00 pm WATERSMEET TOWNSHIP SCHOOL LIBRARY
Watersmeet.us

The meeting was called to order by Supervisor Rogers at 5:05 pm. The meeting was moved from the Township offices to the school library due to the large response of people.

Present: Mike Rogers, Richard Henriksen, Bill Neumann, Paul Kemppainen, Sandy Mansfield

Also Present: Township attorney Michael Pope and 16 citizens

The public hearing began with Supervisor Rogers explaining the timeline of “keyholing” being added to the zoning ordinance section 5:03 in 2001. In 2003 the words “fee simple” were added. In 2006 a riparian owner was cited by the township for violations of the keyholing ordinance and in short, the judge determined that due to the fact that there was a public boat landing on the lake, the township could not restrict the use of the water to just the property owners. Attorney Pope then recommended to the Planning Commission amending the ordinance to clean up the language so that if we had to go into court again it was something that he could defend. He also stated that modifying the language is only a temporary fix and additional language would need to be developed to adequately address the keyhole access and the township regulation of such.

Comments were received from Julie Mathiesen, Bonnie Mansfield, David Sherrill, Russ Diethert, Joe LoMastro, Ed Kennedy, Bill Neumann, Richard Henriksen, Roy D’Antonio and others.

General consensus is that they are against keyholing and the “sticking point” seems to be the term “fee simple”. David Sherrill read a letter from Arnold Domanus of Long Lake and also stated that the Long Lake Property Owner’s Association is against any changes to the ordinance. This letter is available at the township offices for anyone interested. Julie Mathiesen also presented the board with a letter urging the board to reject the change in language in section 5.03 of the zoning ordinance. This letter is also on file at the township offices. Joe LoMastro suggested that the Planning Commission work with Attorney Pope and develop the language to avoid having to modify the ordinance twice in a short period of time.

It was requested by residents present that this entire issue be tabled until later when more lake residents are back from wintering in order to voice their opinions.

Supervisor Rogers asked Mr. Pope for his recommendation and he said he believes we have two options.

1. Send the ordinance back to the Planning Commission without approving it
2. Approve the language change, but add that it is being sent back for further review and revision.

The hearing was closed at 6:00pm and the special meeting resumed.

There was a motion offered by B. Neumann with support by R. Henriksen to reject the language change and send it back to Planning Commission for rework. Motion carried.

A motion was made by R. Henriksen with a second by B. Neumann to adjourn the meeting. Motion carried.

Meeting adjourned at 6:06 pm

Respectfully Submitted,

Sandy Mansfield, Clerk

Watersmeet Township