

Minutes: Watersmeet Township Planning Commission

Monthly Meeting of January 8, 2014

Watersmeet High School Library

1: Call to Order: Meeting called to order by Chairman Roy D'Antonio at 6:35 PM.

2: The Pledge of Allegiance was given.

3: Roll Call: Members Present: Chairman-Roy D'Antonio, Vice Chairman-David Sherrill, , Township board Liaison-Rich Henriksen acting as Secretary, Larry Potter, Pete Peterson, Jeff Zelinski, John Cestkowski and Jeff Wasson were in attendance. Secretary John Neumann was absent. A quorum being present, business could be officially conducted. **Members of the community present:** Zoning Administrator-David Neumann and 4 members of the community were in attendance.

4: Agenda Changes: Chairman D'Antonio asked for changes and additions to the agenda. A motion was made by David Sherrill with support by John Cestkowski to approve the agenda as presented. Voice vote: All in favor.

5: Approval of minutes:

The minutes of the December meeting were approved, after some discussion, on a motion by David Sherrill with support from Jeff Wasson. Voice vote: All in favor.

6: Appointment of Planning Commission Officers for 2014:

The following officers will be retained for 2014: Roy D'Antonio- Chairman, David Sherrill-Vice Chairman and John Neumann-Secretary. John wasn't present to decline so is stuck with the job for another year. Voice vote: All in favor.

New Business

7: Zoning Administrator's Report:

David Neumann reported on a request by at&t™ communications to expand the size of the Watersmeet Central Telephone Office by approximately an additional 33%.

8: Form Sub-Committee to Develop Language Changes:

David Sherrill, Rich Henriksen, Jeff Zelinski, Pete Peterson and Dave Neumann volunteered to serve on this sub-committee. This was approved on a motion by David Sherrill with support from John Cestkowski. Voice Vote: All in favor.

9: Wait Special Use Permit:

Dan Wait presented a letter to the Planning Commission regarding progress and options available to him for upgrading the septic capacity of his Clearwater Lake Short Term Rental Investment. This letter will be attached to the official minutes filed at the Township Offices.

10: Rural Street Lighting: Discussion ensued on this topic. Concern over the retina scorching Nimrod electronic sign flashing into the eyes of motorists on U.S. Highway 45 has been discussed at length in the past. It clearly violates the sign provision of the Zoning Ordinance as well as being an annoying distraction and possible hazard to motorists on Hwy 45. The law states that the school is not subject to the Watersmeet Township Zoning Ordinance. Case closed. Street lighting was also discussed. Several members stated that any street lighting violates the character of the Northwoods experience due to light pollution obliterating the fabulous star-show of a clear night sky. Others opined that street lighting of major rural intersections provide a safety factor for motorists. Both views are correct which dictates a balanced approach in the future.

Old Business & Previously Tabled Items

11: Guest home Rental and Keyhole access Ordinance Language Change:

This pair of issues was separately discussed. The current language of the keyhole ordinance, in the opinion of the Township Attorney, Michael Pope would be inconsistent with the desire of property owners to extract extra income from maximizing the number of additional families residing on their single family residential L1 and L2 lots. Chairman D'Antonio claimed that Attorney Pope had stated in a letter that our current language would not stand up in court, either. He could not produce a copy of that letter.

The new language was presented at the October 2013 Public hearing and rejected by the lake area residents in attendance (to whom it exclusively applies). These two items were tabled in October because more information was deemed necessary at that time. The "new" language as previously presented follows in italics:

Section 5.03 Key-holing/Funneling/Pyramiding

The following restrictions are intended to limit the number of users of Lake Frontage in order to preserve the quality of the waters, to promote safety, and to preserve the quality of recreational use of all lakes within the township. It is intended that keyhole development or funnel development not be a permitted use on privately owned lands abutting all lakes.

The effect of Key-holing/Funneling/Pyramiding is to funnel back lot development from off shore lots or residences via a parcel of Riparian Land to provide access to the water.

Said practice in any form, directly or indirectly, is prohibited.

Note: Contiguous properties that run from lake to back lots, such as L-1 and L-2 properties joining Recreational and Forest (R&F) properties must also abide by Section 6.01B of this ordinance (Buffer Zone).

Pete Peterson moved that this new language; authored by the former Chairman and cleaned up by Attorney Pope, be sent to the Township Board for adoption. This was supported by Larry Potter. A roll call vote followed: Roy D'Antonio=Y, John Cestkowski=Y, Jeff Wasson=Y, Jeff Zelinski=Y, Pete Peterson=Y, Larry Potter=Y David Sherrill=N, Rich Henriksen=N. Motion passed 6 yea to 2 Nay. The Guest House rental issue will be considered as part of the development of the updated Master Plan.

12: Short Term Rental Ordinance and the Establishment of Guidelines:

This issue will be addressed as part of the above mentioned development of the updated Master Plan.

13: Marijuana Dispensary Ordinance: An ordinance has been developed by a neighboring Township and marked up by Township Attorney; Michael Pope, to fit Watersmeet's needs. During the ensuing discussion, a few minor language changes were noted which do not significantly change the meaning of this ordinance. It was generally agreed that this ordinance would protect Township Residents while not imposing special or disingenuous restrictions not applied to other legitimate businesses. Once the proposed minor word changes (Houses of Worship vs. Churches) are blessed (or not) by Pope, the ordinance will be presented to the public at a Public Hearing in the near future. The timeliness of getting this ordinance passed is important both to the Township residents and the Medical Marijuana (Michigan Legal Spelling) business interests. This proposed ordinance, and the process to further its passage, was moved by Pete Peterson with support from Jeff Wasson. Voice Vote: All in favor.

14: Public Comments: none

15: Adjournment: Motion to Adjourn at 9:22 PM by Jeff Zelinski and supported by Jeff Wasson. Voice Vote: All in favor.

Respectfully submitted by:

Richard T. Henriksen - Planning Commission Secretary (pro-tem)

Approved: 02/12/2014