

MINUTES OF THE 385TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, JANUARY 20, 2010

The Meeting was called to order at 7:30p.m. by Chairperson Zalucha at the Township Hall.

WTPC Members Present: Wilber Woods; Erica Perry, Robert Mitzel, Cynthia Zuccaro, Paul Zalucha, Gary Koch, Dave Lovell

Members Absent: None

Also Present: Martha Zeeb, Megan Masson-Minock, Bruce Pindzia, and 14 citizens

I. Approval of December 16, 2009 Regular Meeting Minutes Gary Koch moved, 2nd by Erica Perry, to approve the Regular Meeting minutes of December 16, 2009 as written. Motion carried.

II. Township Board Report and Approval of Agenda were next on the agenda.

- A. Township Board Report - Gary Koch reported that the Township Board will have a Budget Meeting at 7p.m. on February 2, 2010. Erica Perry, Cynthia Zuccaro and Gary Koch were reappointed to the Planning Commission.
- B. Approval of Agenda – Erica Perry moved, 2nd by Gary Koch, to approve tonight's meeting agenda. Motion carried.

III. Comments from Citizens:

- A. Eric Aupperle was concerned that his cottage at Baseline Lake would be non-conforming as it is less than 10,000 sq feet and the garage is too close to the boundary. He asked if this would affect his ability to make modifications or to sell his property and if there would be legal problems.
- B. Herb Hildebrandt distributed an Executive Summary of Hildebrandt document of 18 January 2010 and Notes for Township Meeting January 19, 2010 (attached). He reviewed the Executive Summary. He stated that the South Side Base Line Lake Exploratory Committee wants more specifics for lakes in the proposed Zoning District. In addition there is opposition to fencing and since 1914 the Master Deed said there should be linear façade line where cottages should be situated.
- C. Ed Dorrington thanked the Commission for our work. He stated the goal is to protect Base Line Lake and the view, so the fence and the shortness of some lots are a problem. He asked for a joint meeting with Megan and Bruce before the public hearing.

IV. Zoning Officer Update: Bruce Pindzia reviewed his Zoning Report, dated January 11, 2010 (see attached). He mentioned that he has met with Mark Koernke who will clean up the property in the next two weeks. The Michigan Society for Cow Protection wants vegetable gardens in 2010. The Health Department is now involved and a new Drain field is needed.

OLD BUSINESS:

V. Lakefront Overlay Regulations

- A. Paul Zalucha asked Bruce Pindzia about Mr. Aupperle's modification and resale ability if his Baseline Lake lot was not in compliance. Bruce said Mr. Aupperle would still be non-conformance status and it won't change anything. Megan said Bruce would do an Administrative Review if a new roof was needed. Bruce asked Mr. Aupperle to call him for further discussion.
- B. Megan reviewed her Summary of changes to Draft Base Lake Zoning District dated January 13, 2010 (attached) based on the December Planning Commission Meeting changes.
 - 1. This has been changed to the Base Lake District.
 - 2. Only sewer service is there so references to water services were deleted.
 - 3. The Minimum lot size is now 10,000 square feet.

4. The Minimum rear (lake) yard for Principal Building is now the shortest distance to the shoreline from any portion of the house, including the deck.
5. The Minimum Side Yard setback for all structures was increased to 20 feet for lots which are not served by public sewer. Megan explained that 80 foot wide lots not served by public sewer would have larger side yard setbacks so the house is not overwhelming on the lot.
6. In the Fence Regulation the Back (lake) yard was changed to Rear (lake) yard.

- C. Bruce Pindzia said we need to change the Zoning District to Base Line Lake as that is the name of the lake.
- D. The Commissioners discussed fencing. Bruce said a fence permit would be required. Megan said no fences would be allowed on the lake side for safety, or in the side yard ally on the wide side, and fences are allowed in the R-2 District so why not here. The Commissioners agreed.
- E. The Commissioners discussed Rear (lake) side setback measurements. They liked the wording used in the Master Deed of 1914 to not use the lakeshore as a measurement as it is irregular. The Commissioners agreed to use the average of 2 lots on each side of the proposed house to draw straight lines and take the average of the two lines.
- F. Cindy Zuccaro moved, 2nd by Rob Mitzel, to hold a public hearing at the February 17, 2010 meeting. Motion carried unanimously.

VI Planning Commission Work Plan & Budget for next year was discussed. Megan presented the ENP Services Estimate for Webster Township Budget 2010-2011 (attached) which totaled \$7352.50. Adding this amount would give a total budget request for the Planning Commission of \$21,000. Rob Mitzel moved, 2nd by Erica Perry, to include the three study items of ENP into the proposed 2010-2011 Planning Commission budget. Motion carried.

VII Resident Survey Status Report - Rob Mitzel has 12 responses so far with a mix of answers.

NEW BUSINESS:

VIII. Master Plan Revisions per the Township Board Direction

A. Rob Mitzel gave a slide presentation of lot sizes that currently exist in the Northeast R-1 5,488 acre area. It currently has 743 parcels with 7.4 acres being the average size. 529 of these parcels are 2 acres or less. If you exclude the Independence Lake lots the average lot size is 10 acres. He did not think a single lot size was good for the whole area.

B. Megan showed that if clustering is required it gets the same results as requiring 5 or 10 acre lots. Bio Reserve Maps and natural features can be used as data to establish residential areas. Clustering can protect the land if areas are identified up front and developers are told the Township's intention. We could amend the Zoning Plan by using the Bio Reserve, and say the plan looks at overlay which requires clustering.

C. Paul Zalucha said Dexter Township identified pockets of sensitive areas in ENP & Associates Memorandum dated 1/13/2010 on Natural Features Preservation Techniques (attached). He asked if our Master Plan could be changed to similar wording. He felt we needed the overlay district in the whole township as it is defensible in court. As we need to get an answer to the Township Board by May he asked the Commissioners what should be done with the yellow (R-1) Northeast corner of the Township and suggested it be changed to Green (AG) except for sensitive areas.

1. The Commissioners agreed that changing the area to 2 acre minimum lot size was acceptable. Rob Mitzel thought we should leave the (R-1) by Independence Lake and at the corner of Valentine and Jennings, and at the corner of Merrill and Walsh, as they are already small lots.

2. Megan felt 2 acre Ag was difficult to defend in court. Cindy asked about 2 acre Residential and Megan said it was good in court.

3. Rob felt we could look at density in the whole Township to protect farmland for the next Master Plan revision. Erica said we are only going to have 6 meetings per year and Rob said we might need a Master Plan subcommittee.

4. Paul directed Bruce to change the Maps throughout the Township to show the BioReserve areas for the next meeting. Megan will change the text to put the Bio Reserve on the Master Plan, use Dexter Township wording, and in the Zoning Plan show the overlay District relates to Zoning District now and the Township look at property density changes and cluster.

D. Erica suggested requiring open space conservation easements of cluster properties for the horse community to use and the Conservancy could monitor it so it is off the Township books.

E. Text Changes RE: Municipal Services in South Township Area - the Commissioners reviewed the wording (attached) to be inserted into the Master Plan in Section 6 and were okay with the language.

IX. Citizens Wishing to Address the Commission: Janice Schneider said 2 acre minimums helped to keep development out. Bruce said he will change it to 2 acres.

X. General Discussion: The Commissioners discussed a Citizen Planner sign-up sheet and other education possibilities from MTA, Michigan Assoc. of Planners, UofM, etc.

XI. Erica Perry moved, 2nd by Cindy Zuccaro, to adjourn. Carried. The meeting adjourned at 10:57 pm.

NEXT MEETING DATE:

Public Hearing, Wednesday, February 17, 2010 at 7:30 p.m.
Regular Meeting, Wednesday, February 17, 2010 at 7:30 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley
M. Heller
Erin Perdu
Bruce Pindzia