

MINUTES OF THE 387TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, MARCH 17, 2010

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

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

Members Absent: Erica Perry,

Also Present: Martha Zeeb, and 11 citizens

I. Approval of February, 2010 Minutes: Gary Koch moved, 2nd by Dave Lovell, to approve the Regular Meeting minutes of February 17, 2010 as written. Motion carried. Gary Koch moved, 2nd by Dave Lovell, to approve the Public Hearing Minutes of February 17, 2010 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 held a Budget Meeting on February 23, 2010 and the budget was approved. The Township hall will be closed on Fridays due to budget constraints. At last night's Board meeting they approved the appealed decision on Jenny's Farm Market.
- B. Approval of Agenda – Gary Koch moved, 2nd by Cindy Zuccaro, to approve tonight's meeting agenda as written. Motion carried.

III. Comments from Citizens:

- A. Bob Cooley said the street side restrictions of the Baseline Lake Overlay District were most harmful. He suggested we get a Real Estate Agent's idea on the effect these regulations will have on property value.
 1. Paul Zalucha asked which street side regulations were detrimental. Mr. Cooley said the setback of the house to the street being the average of the neighbors.
 2. Paul Zalucha asked about deed restrictions. Mr. Cooley said there are no deed restrictions on the street side.
- B. Dan Gallagher said he has not seen the new proposal of the Baseline Lake Overlay District. Paul Zalucha said we would review it tonight.

IV. Zoning Officer Update: Paul Zalucha said that Bruce Pindzia was sick and we could read his Zoning Report, dated March 16, 2010 later (see attached).

OLD BUSINESS:

V. Lakefront Overlay Regulations – The Commissioners reviewed Megan Masson-Minock's Summary of changes to Draft Base Lake Zoning District dated March 10, 2010 (attached).

- A. The Commissioners liked increasing the Design Standards to 30% lot coverage.
- B. The Commissioners liked the changes to the Minimum Rear (Lake) yard for Principal Building.
- C. The Commissioners agreed to the change in Minimum Side Yard for All Structures to change the word "landscaping" to "bushes". Dave Lovell said bushes would allow people to put in flowers and Bruce had said he knows what unimpeded access means.
- D. The Commissioners discussed Deck Regulation changes that decks would be allowed in all yards, with Megan's suggestion that the street yard deck could be limited to 10 feet beyond the principal building façade and deck heights could be restricted to 31" so railings are not required.
 1. Dave Lovell asked if this speaks to the 2nd floor. Rob Mitzel read that a deck is a roofless structure supported by footings. Paul Zalucha said anything higher than 31" is part of the measurement of the house. The Commissioners were comfortable with a 31" limit on the height of decks. Gary Koch asked that Bruce check with the county on how they measure

height, where they measure from, etc.

2. Dave Lovell said they could allow a 20 foot deck in the street yard and in the lake yard. Gary Koch agreed.
 3. Rob Mitzel said in the Ag District a deck is allowed to the setback and here the setback is 5 feet from the road so there is no limit and it would be the same as other zoning districts. Cindy, Dave and Wilber agreed. Gary was not sure it was the right thing to do.
 4. The Commissioners agreed to allow a 20' deck or to the street side of the detached structure, whichever is greater.
- E. Paul Zalucha asked about the limit on house height. He said current is 35' but 40 feet is equivalent to the new zoning ordinance where you measure to the peak. The Commissioners decided to leave it at 35 feet as that is high enough for a lake where people complain about a blocked view.
- F. Paul Zalucha said he would ask Bruce to write these changes.
- G. Rob Mitzel moved, 2nd by Dave Lovell, to recommend to the Township Board to include the BaseLine Lake Overlay District into the Draft Zoning Ordinance with the two changes set tonight – being the deck height and the deck encroachment into the street side. Motion Carried.
- H. Paul Zalucha explained that when the Township Attorney is finished making minor changes to the proposed zoning ordinance the Township Board will have a public hearing and people will be able to tell the Board their opinion. Paul will put these changes on the website.
1. A lady in the audience complained about the requirement for a 10 foot unimpeded access as they talked to the Fire Department and learned they would not drive to the lakefront.
 2. A man in the audience verified that the street side deck would be limited to 20 feet or the street side outbuilding whichever is greater.
 3. A man did not like the rule that eaves are part of the house when measuring setbacks.

VI Master Plan Revisions

- A. The Commissioners reviewed the three maps (attached) - Future Land Use Map – revised 3/10/10; Future Land Use Map & Bioreserve Overlay – revised 3/10/10; and Webster Township Natural Features & Agriculture Overlay.
1. The Bioreserve Overlay is for the proposed Natural Feature Overlay area. John Kingsley said the map would suffice for the Master Plan but they would need to describe the area in detail for the Zoning Ordinance.
 2. Paul Zalucha explained that the Commissioners changed the yellow North East Corner to 2 acres for the Master Plan. He asked if it is to be an Ag District or is it 2 acre Residential? Cindy liked 2 acre Residential but Dave Lovell thought it was easiest to keep it Ag instead of new language. Gary Koch said it is now Ag and Bioreserve is the reason.
 3. Paul Zalucha said the Bioreserve areas will be changed to dark green and R-1 will become Ag in the Master Plan except for what is currently zoned to R-1 and the text should not be limited to Ag Zoning. The Smythe property boundary will be corrected. We can discuss extending the Overlay District at the next meeting. We will look at a changed Map at the next meeting.
- B. Bruce will add the text changes on Municipal services in south Township area to the Master Plan.

NEW BUSINESS:

VII. Subcommittee Organization

- A. Rob Mitzel and Bruce Pindzia will meet on the 26th of March for Site Plan
- B. Rob Mitzel and Gary Koch and 2 residents at large could make a recommendation to the Planning Commission on how open space can be achieved by TDR
- C. Paul Zalucha said he would keep subcommittees on future meeting agendas.

VIII. Citizens Wishing to Address the Commission:

- A. John Kingsley explained that the Village of Dexter has proposed becoming a city. The State may force the boundary lines to be smoothed out. He asked the Commissioners to look at the verbiage about

the 425 agreement with the Village after the Master Plan is done. Charter Townships would be protected from annexation.

B. John Kingsley explained that CAPDART has 3 college students working on an access plan to link the metroparks. Scio and Dexter Area Fire Departments are in discussion on merging.

IX. General Discussion: Paul Zalucha explained that the Township Budget was adopted for 2010-11 (attached). The Planning Commission can meet each month but funds for contracted service/planner is very limited so Paul will work with Bruce. Our April meeting will start at 7:00 p.m.

X. Rob Mitzel moved, 2nd by Cindy Zuccaro, to adjourn. Carried. The meeting adjourned at 9:32 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, April 21, 2010 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

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