

MINUTES OF THE 361ST REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, JANUARY 23, 2008

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

WTPC Members Present: Wilber Woods, Paul Zalucha, Dave Lovell, Erica Perry, Gerry Calhoun, Gary Koch, Cynthia Zuccaro, Rob Mitzel

WTPC Members Absent: None

Also Present : Martha Zeeb, Bruce Pindzia , Megan Minock, Jennifer Simonds, Rick Kleinschmidt, Charles Estleman, John Kingsley, Mary Dee Heller

OLD BUSINESS:

I. Paul Zalucha read the minutes of the December 19, 2007 Regular Meeting. Gary Koch said that in item II A it should be “Alternate” instead of “Alternative”. Gary Koch moved, 2nd by Erica Perry, to approve the minutes with this change. Motion Carried.

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

A. Gary Koch reported on the January Township Board Meeting.

1. Cynthia Zuccaro and Robert Mitzel were appointed and Wilber Woods, and Paul Zalucha were re-appointed to the Webster Township Planning Commission. Lorie Hunter will be the ZBA Alternate. Karl Fink resigned from the Township Board effective February 1, 2008.

2. The Township Board did not take action on the Earth Art Special Use Permit.

B. Gerry Calhoun moved, 2nd by Gary Koch, to accept the agenda as written. Gerry amended her motion to add the new Commissioners and remove Don Heller from the Roll Call. This change was acceptable to Gary Koch. Motion Carried.

III. Citizens Wishing to Address the Commission: None

IV. Bruce Pindzia presented the Zoning Officer Update and Year End Summary. Work is completed on North Meadows and the Preserve. The Methodist Church has completed 3 of the drainage items.

V. Zoning Ordinance Review of Articles 6 – ZBA followed with Jennifer Simonds, Chairperson of the ZBA, asking for specific changes.

A. Jennifer asked that item 6.10 I Annual Budget be deleted and the Commissioners okayed this change.

B. Jennifer asked that item 6.15 B 2 be changed from “filed with” the Township Clerk to “submitted to” the Township Clerk because when it is filed the clock starts. The Planning Commissioners accepted this change.

C. Jennifer asked that item 6.15 B 8 –Township Planner be eliminated as the ZBA By Laws spell out how to handle applications.

1. Megan said the Planning Commissioners need to consider the flexibility of the By Laws and what needs to be communicated to applicants. Megan said the By Laws purpose is to structure common operating procedures and it can be changed by the ZBA. The Zoning Ordinance is law and can take a long time to change.

2. Jennifer said Mark Reading worked closely with the ZBA to write the By Laws.

3. Megan asked if the Commissioners would like to have the Zoning Ordinance say

“Members of the ZBA, in accordance with the ZBA By Laws, shall determine...” The Commissioners accepted this change.

D. Jennifer asked that in item 6.15 B 14 (a) “the appeal number” be removed as we don’t use appeal numbers. The Commissioners agreed with this change.

E. Jennifer asked that in item 6.15 B 14 (b) “may issue or” be deleted as they don’t issue permits. The Commissioners agreed with this change

F. Jennifer asked that the first sentence of item 6.20 B 2 be removed. The Commissioners agreed to remove this sentence. They said to instead include Bruce’s proposed underlined wording, in addition to keeping the last sentence.

G. Jennifer asked that item 6.20 B 4 Staking be removed as not every application needs this and it is a procedure in the By Laws. After discussion the Commissioners agreed to remove it.

H. The Commissioners agreed to eliminate Township Planner in item 6.20 B8 and change it to agree with action item on verification of completeness.

I. Jennifer asked that in item 6.20B 10 to add “and verification of completeness” after “Following receipt”. The Commissioners agreed with this change.

J. Jennifer asked that item 6.20 B12(b) be replaced by 9 Standards of Review which she found on line that is easier to understand and easier to make decisions and is easier for the applicant. Megan agreed they were good for decision making and good for the average person as they say the same things as in 12 (b) and is defensible.

1. The Commissioners wanted 12 (b) i “All required information has been provided and fees paid” to remain in the Standards. Megan agreed for consistency throughout the Ordinance.

2. Rob Mitzel asked if “dust, noise, fumes...” in item x should be included. Megan said that Webster is a rural community that has these and we should not set the farmer up. She asked for a show of hands to add “dust, smoke,” etc. to item 5 of the Standards of Review. 2=yes and 5=no.

3. The Commissioners reviewed the 9 proposed Standards of Review.

a. The Commissioners agreed to add item 1, 2 from current Standards as requested, & 3.

b. The Commissioners discussed item 4 and 6 of the Commissioners agreed it should be added – however Erica and Gary felt it needed rewording. Megan will work on this.

c. The Commissioners agreed to add item 5 and item 6, both with a change to add “surrounding properties” after neighborhood.

d. The Commissioners agreed to add item 7 as it is substantial justice.

e. The Commissioners agreed to add items 8 and 9.

K. Jennifer asked to change item 6.20B 14 from 12 months to 180 days so it is the same as our current Zoning Ordinance. The Commissioners agreed, but Megan will check State law.

L. Jennifer asked to make Section 6.25 a separate article in the Zoning Ordinance as it is not under the ZBA umbrella. Megan liked this idea as it is not clear when buried in the ZBA Section. The Commissioners all agreed.

M. Section 6.30 was discussed

1. Jennifer asked that in item 6.30 A we remove all except the first sentence as we don’t tell the court how to do their business. Megan said there was no other mention of the circuit court so it is not consistent to have it in here.

2. Jennifer asked that in item 6.30 C the time to file an appeal should be changed from 30 days back to 21 days. Bruce looked at the 2006 Zoning Enabling Act and learned it is 30 days and most of item 6.30 is in the Zoning Enabling Act so it is not necessary. The Commissioners agreed to remove the Circuit Court.

NEW BUSINESS: None

VI. Citizens Wishing to Address the Commission: None

VII. GENERAL DISCUSSION:

- A. Paul Zalucha showed the Commissioners the Certificate of Appreciation for Don Heller that he will get to him.
- B. There is a Citizen Planner Seminar on Risk Management for Planning and Zoning on February 13, 2008.

VIII Erica Perry moved, 2nd by Rob Mitzel, to adjourn. Motion carried. The meeting adjourned at 10:35 p.m.

NEXT MEETING DATE:

Regular Meeting, Wednesday, February 20, 2008 at 7:30 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsely

M. Heller

E. Perdu

B. Pindzia