

MINUTES OF THE 395TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION AND  
JOINT MEETING WITH THE TOWNSHIP BOARD  
WEDNESDAY, JANUARY 19, 2011

The Meeting was called to order at 7:00p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: None

Also Present: John Kingsley, Mary Dee Heller, Charles Estleman, Carol Whitney, John Westman Bruce Pindzia, Martha Zeeb, Bill Sinkule, Jack Campbell

I. Approval of December 15, 2010 Regular Meeting: Gary Koch moved, 2<sup>nd</sup> by Erica Perry, to approve the minutes of the December 15, 2010 Planning Commission meeting as printed. Motion carried.

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

A. Township Board Report - Gary Koch reported that the Board discussed the Fire Dept and PDR. The Zoning Ordinance will be discussed in February.

1. John Westman said the Federal Government has funds for PDR and Webster's program has been so successful (1200 acres since inception) that the Township can't match these Federal Funds. It has helped that appraisal values have declined due to the economy and landowners have given contributions.

2. John Kingsley said the auditor has confirmed it is okay to borrow from the General Fund, knowing that future PDR tax millage collections will pay the General Fund back.

B. Approval of Agenda – Cindy Zuccaro moved, 2<sup>nd</sup> by Erica Perry, to approve the agenda as written. Motion carried.

III. Comments from Citizens: Jack Campbell said he came to listen to the Zoning Ordinance discussion. He said Dexter Township is making revisions to their Zoning Ordinance now and they will always need to be amended.

IV. Zoning Officer Update by Bruce Pindzia: (see attached Zoning Report dated 1/10/11).

V. The Township Board called their Special Meeting as a Joint Session with the Planning Commission to order at 7:20 p.m.

**NEW BUSINESS:**

VI. Proposed Zoning Ordinance Discussion

A. John Kingsley said the Board has reviewed the Zoning Ordinance and given Bruce changes to make it work so they are willing to pass it. The Home Builder concerns and others have been addressed. "Ordinance Revisions Based upon Board comments – December 9, 2010" (see attached) was distributed to the Commissioners. The Planning Commission should tell him or Bruce of any flaws noticed in the Zoning Ordinance by the end of January for major philosophy and a week before the meeting for minor changes. He expects the Board will pass it this spring but everything changes and there will be amendments in the future.

B. John Westman said the Woodlot Section was deleted due to personal property rights and trees are a crop that adds value to the parcel. This supersedes the interest of the general population for pretty trees. He said people have property rights and that takes priority unless it impacts the Health, Safety, and General Welfare of the public. He said it is a better approach for landowners and developers to work with us when given incentives instead of rules of what they can't do.

- C. Erica Perry and Cindy Zuccaro wanted verification of buffers near wetlands. John Kingsley said the Board did not change the buffers.
- D. Erica Perry wanted map colors changed and Bill Sinkule will do this.

#### VII Future Planning Commission Work Plan Topics

A. Paul Zalucha reviewed the Natural Features Preservation Area (Zoning Ordinance Update) (see attached) Paul said the Zoning Ordinance needs language on how to handle development of the lands north of North Territorial Road. This land was changed from 1 acre to 2 acres – AG for the Master Plan as it has Natural Features designated by the Huron River Watershed Council. The Zoning Ordinance should define these sensitive areas and how to handle them for development. This is a subset of the Lot size density TDR work proposal and it needs to be in line with the Township Board vision.

B. Rob Mitzel reviewed the Master Plan Study of Lot Sizes, Densities, and TDR (see attached). He wanted a study to look at lot size density and how the Master Plan goals jive with the build-out look. TDR might be used with a non-contiguous PUD in the Township. The Board expressed interest in TDR for the Township and suggested the UofM might help in this project. Bill Sinkule can help with GIS, etc.

C. Erica Perry reviewed the Watershed planning: determining impervious surface capacity to better manage growth at the rural/urban fringe (see attached). She said the Site Plans could require an impervious surface study and link this to the TDR program, cluster development, wetland buffers, and conservation easements. She wanted to plan for the future and has sample zoning ordinances. John Westman wanted to look at the entire Township and not small areas. He felt the Township's impervious area is small – just roads, roofs, and parking lots.

D Cynthia Zuccaro reviewed the Dark Sky and/or Light Ordinance (see attached) She wants to start with new construction to keep their lights directed down so it is safe. She has sample zoning ordinances and experts willing to talk to us.

#### VIII Direction from the Township Board - Paul Zalucha asked the Board what items they would like the Commissioners to work on.

- A. The Board said the Commissioners could work on all of the above 4 topics.
- B. John Westman suggested training on blue print reading and site plan review. He thought Bruce could be the trainer for this topic. He also wanted the Planning Commission to set up a Site Plan Manual with a specific checklist so expectations are clear.
- C. Mary Dee Heller asked the Commission to invite the Township Board to attend the training sessions as she learned a lot from the Right to Farm speaker.
- D. Erica Perry suggested more communication to the Township residents. John Westman said an electronic newsletter on a regular basis might work. John Kingsley said the telephone doesn't ring as much but the Website for property information has gotten 43000 hits.
- E. John Kingsley said Park Lake will need regulations soon and maybe Independence Lake also.

#### IX Public Nuisances Ordinance (see attached)

- A. Paul Zalucha asked the Township Board to review the Nuisance Ordinance that the Commissioners have been working on and make comments to improve it. He said the Commissioners wondered if the Board wants the Noise section to be very general or use specifics like decimal readings. John Kingsley liked the method the Commissioners are currently taking.
- B. John Kingsley wanted Section 3 12 B iv to include more animals than dogs. The Commissioners were concerned about Right to Farm regulations.
- C. John Kingsley wanted Section 3 12 C v to be silent on snowplowing.
- D. Carol Whitney wanted to add "that is unreasonably disturbing" to Section 3 12 B vii so people can honk their horn if needed.
- E. The Board liked not having the Dangerous Building Ordinance at this time.

X John Westman moved, 2<sup>nd</sup> by Mary Dee Heller, to adjourn the Township Board meeting. Motion carried. Their meeting adjourned at 9:37 p.m.

OLD BUSINESS: None

XI. Citizens Wishing to Address the Commission: Charles Estleman said the Commissioners should watch trying to cover everything in the Noise Ordinance and instead figure out what is defensible in court.

XII. General Discussion:

- A. Paul Zalucha said the Commissioners should give him their comments on the Dexter Township Master Plan and they are due January 25, 2011.
- B. Bruce can give Blue Print Training at the March Meeting.

XIII. Rob Mitzel moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Motion Carried. The meeting adjourned at 9:45 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, February 16, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley  
M. Heller  
Bruce Pindzia

MINUTES OF THE 396TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, FEBRUARY 16, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

WTPC Members Absent: Rob Mitzel (see email dated 2/16/2011)

Also Present : Martha Zeeb, Bruce Pindzia, John Kingsley, Mary Dee Heller, Kristina Lovell

I. Approval of Minutes of the January 19, 2011 Joint Meeting with the Township Board. Erica Perry asked to remove “appraisals” from item II A 1 and replace it with “appraisal values”. Gary Koch moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve the minutes with said change. Motion carried.

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

A. Gary Koch said the Board will discuss the Zoning Ordinance at their March meeting as it will have a completed Table of Contents and minor changes. Bruce Pindzia said he will have a CD of the changes by the end of next week. The Board will have a Budget Meeting February 22, 2011 at 6:30 p.m. in the Township Hall. The Road Side Cleanup is scheduled for April 23, 2011.

B. Meeting Agenda - Gary Koch moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve the agenda with the change of moving Old Business to Item 6 and New Business to Item 7. The motion carried unanimously.

III. Citizens Wishing to Address the Commission: Dave Lovell introduced his daughter who is taking a Government Class.

IV. Zoning Officer Report: See attached Zoning Report dated 2-7-2011.

A. Bruce explained that Jenny’s Farm Market wants a canning operation and more retail space. Bruce has denied the request as the Application was incomplete, there was not a site plan for the improvements, and they must fix the violations he found in 2008. They have appealed to the ZBA.

B. Bruce explained that the Koernke’s have yet to completely clean up their property as required by the court. The Township is looking for a contractor to finish the cleanup.

C. Bruce Pindzia discussed Chelsea State Bank’s application to rezone property in the Woodhaven subdivision to R-1. They will come to our March meeting so they can sell these parcels.

OLD BUSINESS:

V. Public Nuisances Ordinance.

A. Paul Zalucha said he will make the changes requested by the Township Board at our January Joint meeting.

1. He will put item 12B iv back the way it was to include all animals and birds or fowl.
2. He will add “that is unreasonably disturbing” to item 12 B vii about the sounding of any horn.
3. He will delete item C 5 about snowplowing services.

B. Paul Zalucha discussed Ann Arbor City's noise ordinance as it has lots of quantitative analysis and exception for occupations at certain times of the day. Bruce did not want this.

C. Paul Zalucha discussed Lima Township's Noise Ordinance (attached). He liked their Section 2: Purpose - which said to prohibit prolonged, unusual and unnatural in their time, place and use. He asked about adding this to our Section 12 A. He asked the Commissioners to look at Section 4 of the Lima Township Noise Ordinance to discuss at next month's meeting.

1. Dave Lovell liked having no noise over the property line as then we don't have to prove if the noise is unnatural or unnecessary. Gary thought at the property line was easy to enforce. Paul said he would add "at the property line".

2. Erica Perry asked if the Township will enforce "at the property line" for Independence Lake Park and Gordon Hall. Paul Zalucha will look at Public Property.

3. Paul Zalucha asked if a time limit of midnight was still desired in Item 12 B. ii. The Commissioners will discuss this at the March meeting.

D. Paul Zalucha will make changes and send them to the Commissioners 2 weeks before the March Meeting.

#### NEW BUSINESS:

VI. Election of Officers: Dave Lovell said he was comfortable with the current officers and asked if they were willing to serve again. All of them said it was okay. Erica Perry moved, 2<sup>nd</sup> by Dave Lovell, to retain the same roster of officers that are in place. Motion Carried. The Officers are - Chairperson = Paul Zalucha; Vice Chairperson = Rob Mitzel; Secretary = Wilber Woods.

VII. Future PC Work Plans - The Commissioners discussed possible procedures for future meetings. Cindy suggested a possible presentation for in house training on Dark Sky. Erica Perry suggested possible training on Impervious Surface calculations and Natural Feature Preservation Area. They will let Paul Zalucha know if they will have a speaker for March. Bruce Pindzia is scheduled to give a presentation on reading Blue Prints in March.

VIII. Citizens Wishing to Address the Commission: None

IX. GENERAL DISCUSSION: Paul Zalucha received a letter from Dexter Village stating they plan to update their Master Plan and will send us something soon for our comments.

X. Erica Perry moved, 2<sup>nd</sup> by Gary Koch, to adjourn. Motion carried. The meeting adjourned at 8:31 p.m.

#### NEXT MEETING DATE:

Regular Meeting: Wednesday, March 16, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley

M. Heller

B. Pindzia



MINUTES OF THE 397TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, MARCH 16, 2011

The Meeting was called to order at 7:00p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: None

Also Present: John Kingsley, Martha Zeeb, Bruce Pindzia, and two students.

I. Approval of February 16, 2011 Regular Meeting: Erica Perry asked to add “calculations” after Impervious Surface in item VII. Cindy Zuccaro asked to delete “and she will try to line them up” in Item VII. Gary Koch moved, 2<sup>nd</sup> by Dave Lovell, to approve the minutes of the February 16, 2011 Planning Commission meeting with these changes. Motion carried.

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

A. Township Board Report

1. Gary Koch reported that the Board discussed the Zoning Ordinance and Bruce and Bill are making corrections. Bruce said a new disc is available. Gary passed around a letter from Jack Campbell regarding his concerns as a builder.

2. The Township Board voted to move forward with the Fire Department talking to join with Scio Township Fire Department.

B. Approval of Agenda – Paul asked to change item 7 to New Business. He asked to add as item 7 B Accessory Structure Section of the proposed Zoning Ordinance, and move the Blueprint Reading Training down to item 7 C. Erica Perry moved, 2<sup>nd</sup> by Gary Koch, to approve the agenda as modified. Motion carried.

III. Comments from Citizens: The students said they need to make a report.

IV. Zoning Officer Update by Bruce Pindzia: (see attached Zoning Report dated 3/7/11).

OLD BUSINESS:

V. Nuisance Ordinance – Paul reviewed the changes from last meeting

A. The Commissioners discussed Section 3 - 1 D as they thought the wording “No person shall maintain or permit to remain on premises owned or occupied by another,” was confusing. Rob Mitzel suggested changing it to “No person shall maintain or permit to remain on premises so owned, occupied, or possessed,” to be consistent with Section 3-12 A. The Commissioners agreed.

B. The Commissioners discussed item 12 B ii. They decided to remove “between the hours of Midnight and 7:00 am.,or” because it also says “at any time or place”.

C. The Commissioners discussed Section 3 12 A. Paul said this wording is from Lima Township and it defines what is unreasonable. Erica Perry thought the information in 12A was also stated in Item 12B.

D. The Commissioners discussed Section 4 and if it is similar to the proposed Zoning Ordinance. Bruce said Paragraph 4 is a major difference as it allows for Abatement by Township Officials. He likes this and doesn’t see anything that needs changing in Section 4.

E. The Commissioners discussed item 12 B viii. Dave Lovell asked to replace the word “erection” with “construction”. He thought the paragraph was confusing as these activities will make noise. The Commissioners agreed to Dave’s word change and they liked allowing this construction work between the hours of 7 am and sundown.

F. The Commissioners again agreed to add to Section 3 -9 “unless such vehicle body or chassis is enclosed in a building, or is not visible from surrounding property.” This was agreed in prior minutes.

G. The Commissioners agreed to move Section 3 – 1 E back to item 10 as it is not a location.

H. Paul Zalucha asked John Kingsley if the Nuisance Ordinance needs a Public Hearing. John said yes but to send it to the Township Board for their comments first.

I. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, that the amended Nuisance Ordinance be sent to the Board for their review. Motion carried. Paul Zalucha will correct it and send it to the Board.

#### NEW BUSINESS:

##### VI Woodhaven Road Lots Rezoning Application

- A. Bruce Pindzia explained the history of the land dispute going back to 2 surveyors in the 1900's. As this land split development is in foreclosure the bank has asked to rezone from Ag to R-1 to allow the 2 smaller lots to be built on.
- B. Paul Zalucha asked if the Application is complete and Bruce said yes.
- C. Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to set the Woodhaven Public Hearing for the Regular April Meeting. Motion carried.

##### VII Accessory Building Discussion

- A. Paul Zalucha gave the Commissions a copy of Article 13 "General Use Regulations" (see attached) and explained the problem with Section 13.15 A 1. A farm building can be put on a vacant lot and we need wording to prevent commercial use under the guise of a roadside stand, but still allow legitimate farm business.
- B. Dave Lovell suggested Paul look at other Township Zoning Ordinances for possible wording.

VIII Blueprint Reading Training – Bruce Pindzia presented Reading of Plot Plans & Site Plans (attached) on St Joseph Catholic Church from 8:30 -9:55 p.m. He will continue the training on Arlington Woods at a later date.

IX. Citizens Wishing to Address the Commission: None

X. General Discussion: Paul Zalucha said he has not received any mail.

XI. Gary Koch moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Motion Carried. The meeting adjourned at 10:00 pm.

#### NEXT MEETING DATE:

Public Hearing, Wednesday, April 20, 2011 at 7:00 p.m.  
Regular Meeting, Wednesday, April 20, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley  
M. Heller  
Bruce Pindzia

MINUTES OF THE 398TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, APRIL 20, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

WTPC Members Absent: None

Also Present : Martha Zeeb, John Kingsley, Mary Dee Heller, Damion Wetzel

I. Approval of Minutes of the March 16, 2011 regular meeting. Gary Koch moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve the March 16, 2011 Planning Commission Meeting minutes. Motion carried.

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

A. Gary Koch said the Board will discuss the Zoning Ordinance and Nuisance Ordinance again at their May meeting.

1. The Dexter Area Historical Society will have a Civil War reenactment June 10-12, 2011.

2. The National Wildlife Federation gave a presentation that the Township can improve the Township Hall property for wildlife. The Board will consider it at the May meeting.

B. Rob Mitzel said the ZBA met to hear an appeal from Jenny Farm Market to override Bruce's denial of 2006 renewal to build a barn and to enclose an open space building. This has been tabled for 6 months so they may submit a site plan following section 13.10. Mr. Hoey is not sure if he will do this. After 6 months the ZBA will take final action if they don't submit.

C. Meeting Agenda - Paul Zalucha said the Public Hearing on Woodhaven Lots Rezoning is tabled to the May meeting as the notice did not get posted in time. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve the agenda as written. The motion carried unanimously.

III. Citizens Wishing to Address the Commission: None

IV. Zoning Officer Report: None

OLD BUSINESS: None

NEW BUSINESS:

V. Damien Wetzel, Ann Arbor Township Zoning Engineer, gave a training presentation on Ann Arbor Township's Stormwater Management Ordinance to help the Commissioners understand Impervious Surface calculations. (attached) The session started at 7:15 p.m and ended at 8:15 pm. Training hours are considered Planning Commissioner's CEU.

VI. Accessory Building Language for Ordinance. Paul Zalucha presented 3 pages of Language for Review by Planning Commission (attached). It is based on other Ordinances, Webster's Current Ordinance Language and Webster's Proposed New Ordinance Language.

A. Paul explained the concern in the Zoning Ordinance with the potential problem for vacant lots that have a farm market to become commercial use. He explained that he researched other

townships to craft language so buildings are allowed on vacant lots in the Ag District if they are used for Agriculture. Ag use is desirable on vacant parcels but is not allowed in the current zoning ordinance.

B. The Commissioners reviewed the “Accessory Structure and Uses” and made some minor changes – especially to item 3)b iii to make it “There shall be no commercial storage of property”.

C. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to accept the edited document Accessory Structure and Uses and send to Bruce for including in the broader zoning ordinance document to give to the Township Board. Motion carried unanimously.

VII. Rob Mitzel asked that Bruce provide the Commissioners with a plot of Woodhaven subdivision and what are the buildable areas. Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to move the Public Hearing of Woodhaven Lot Rezoning to the Regular Meeting in May. Motion carried unanimously.

VIII. Citizens Wishing to Address the Commission: None

IX. GENERAL DISCUSSION: Rob Mitzel asked if there is a way to prevent a meeting notice from not getting published. Gary Koch said you must tell the Township office on Thursday as the office is closed on Friday.

X. Erica Perry moved, 2<sup>nd</sup> by Gary Koch, to adjourn. Motion carried. The meeting adjourned at 9:20 p.m.

NEXT MEETING DATE:

Public Hearing: Wednesday, May 18, 2011 at 7:00 p.m.

Regular Meeting: Wednesday, May 18, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley

M. Heller

B. Pindzia

MINUTES OF THE 399TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, MAY 18, 2011

The Meeting was called to order at 7:02p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: None

Also Present: John Kingsley, Martha Zeeb, Bruce Pindzia, and 7 citizens.

I. Approval of April 20, 2011 Regular Meeting: Erica Perry asked to add "Training hours are considered Planning Commissioner's CEU." at the end of item V. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to accept the minutes as amended. Motion carried.

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

A. Township Board Report

1. Gary Koch reported that the AATA presented a 30 year plan for the County.
2. The Board will hold a Special Meeting Tuesday, May 24, 2011 at 6:30 pm. to discuss the proposed Zoning Ordinance and draft Nuisance Ordinance. Gary said the Board did not pass the draft Nuisance Ordinance. He said the stand alone ordinance would put neighbor against neighbor and be a problem for Bruce. It could be put back in the proposed Zoning Ordinance.
3. Loch Alpine requested the Township Board pass a resolution to let the Washtenaw County Sheriff Department enforce the moving vehicle code in Webster Township's portion of Loch Alpine's private roads.
4. Erica Perry asked about the Civil War Reenactment agreement for parking. John Kingsley said our attorney will draft an agreement and the PDR Committee will review the agreement prior to the event.

B. Approval of Agenda – Paul asked to remove item B) Zoning training by Bruce from New Business. Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to approve the agenda as amended. Motion carried.

III. Comments from Citizens: None.

IV. Zoning Officer Update by Bruce Pindzia: (see attached Zoning Report dated 5/10/11).

V. Public Hearing : Rezoning Request from Ag to R-1 from Chelsea State Bank

A. Bob Wanty, of Washtenaw Engineering, spoke as representative of Chelsea State Bank. He explained that Chelsea State Bank foreclosed on Woodhaven Development and discovered an overlap of boundaries on two lots. Mr. Wanty said the historic fence line prevails as the property line. After the overlap is eliminated one lot has only 1.72 net acres and the other 1.77 net acres. If the bank cannot rezone these two lots to R-1 they would need to combine the 2 lots into one to meet the 2 acre minimum of the Ag District. If rezoned to R-1 the bank has no plans to make the lots smaller than they are now.

B. Paul Zalucha asked for questions from the Commissioners.

1. Erica Perry asked if this came up before. Bruce Pindzia said no, but the Township Assessor has been aware of the overlap of legal descriptions for many years (see letter from Charlene Grendze dated 9-3-2003 asking the owners to correct the error).

2. Paul Zalucha said the current development has 9 lots but in 1999 the original survey had only 8 lots and these two lots would have been one.

3. Rob Mitzel asked if there is a deed restriction to prevent them becoming 3 lots in R-1. Bob Wanty was not aware of a deed restriction and it might be possible to squeeze in 3 lots.

4. Erica Perry asked if the lots will perk. Bob Wanty said he assumed so but he would have to check with the Health Department.

C. Paul Zalucha asked for Public Comments

1. Christopher Jawezan of 7396 Woodhaven said he paid 2 ½ times what they now want for the lots and the houses would be smaller. When he bought the lot he expected large lots and big houses so rezoning is not in the best interest of the neighborhood. He is against the split and prefers to combine the 2 lots. Paul Zalucha asked if they have an Association. Christopher said they have a loose one to plow snow and cut grass.

2. Monica Law asked about the net and gross acres - how 3.21 acres becomes 1.72 acres? Paul said we will answer this later. Paul Zalucha asked Mr. Wanty to answer Ms. Law's question. Bob Wanty said the 3.21 acres includes the overlap. The real acreage is 2.77 acres and the net excludes the road easement.

3. Paul Zalucha closed the public comment portion at 7:37 pm.

OLD BUSINESS: None

NEW BUSINESS:

VI Rezoning Application for Woodhaven Lots

A. Paul Zalucha read section 14.05 of the Zoning Ordinance – Findings Required

B. Cindy Zuccaro said spot zoning was a big mistake and she doesn't see a hardship by making this into one lot and there is no backing anywhere else for spot zoning.

C. Paul Zalucha asked Bruce Pindzia if we have ever made a development both AG and R-1. Bruce said no but this development is just a series of splits.

D. Rob Mitzel said the assessor would be the one to determine if approval of the request would affect property values in the township.

E. Paul Zalucha said in the Master Plan Woodhaven is a Rural Residential area.

F. Erica Perry thought it was interesting the original had only 8 parcels. Paul said in December 1999 there were 8 lots and it was redone in 2001. The lot shapes have changed.

G. Erica Perry asked if the overlap of legal descriptions extends beyond these two parcels. Bruce said yes, it extends east for 3 parcels. Erica said rezoning these could set a precedent for other lots.

H. Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, that the Planning Commission recommend to the Township Board to deny rezoning parcel C 03 18 300 059 and parcel C 03 18 300 062 from Ag to R-1.

1. Rob said rezoning would set a precedent that would be detrimental to the Township to compensate for survey error. The Master Plan shows R-1 zoning but Section 14.05 said we should consider but not be limited by that. Woodhaven development has some large lots so combining these 2 lots would match others in the development instead of making them less than 2 acres so he recommends denial.

2. The Commissioners voted and the motion for denial carried unanimously.

I. Paul Zalucha told the audience the Township Board would consider the Planning Commission's recommendation at their June 21, 2011 Regular Meeting.

VII. Citizens Wishing to Address the Commission: None

VIII. General Discussion:

A. Paul Zalucha said he has a Disc of Hamburg Township's approved Master Plan the Commissioners can view.

B. The Commissioners asked about the 30 year Master Plan on Transit for Washtenaw County.

1. John Kingsley explained they want to set up a 15 member governing body that could receive a county wide tax for mass transit. The Scio, Webster and Dexter Village group could choose one person to be a member. The Board will discuss joining Scio and Dexter Village at their June Regular Meeting.

2. John Kingsley said Webster currently contracts with WAVE to provide transportation services but if AATA takes control we cannot contract with WAVE.

IX Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to adjourn. Carried. The meeting adjourned at 8:15 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, June 15, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley  
M. Heller  
Bruce Pindzia

MINUTES OF THE 400TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, JUNE 15, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

WTPC Members Absent: None

Also Present : Martha Zeeb, Bruce Pindzia, Norbert Vance, Charles Nielsen, John Kingsley, Mary Dee Heller, Carol Whitney, John Westman

I. Approval of Minutes of the May 18, 2011 regular meeting. Rob Mitzel asked to remove the word “president” from item VI G and VI H-1 and replace it with “precedent”. Rob moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve the May18, 2011 Planning Commission Meeting minutes with the two word changes on page 2. Motion carried.

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

- A. Gary Koch said the Board passed the Nuisance Ordinance at their Special May 24, 2011 meeting. They also passed a resolution to put the Planning Commission back intact. The Board will discuss the proposed Zoning Ordinance at their Board meeting next week.
- B. Meeting Agenda - Gary Koch moved, 2<sup>nd</sup> by Rob Mitzel, to approve the agenda as printed. The motion carried unanimously.

III. Citizens Wishing to Address the Commission: None

IV. Zoning Officer Report: Bruce reviewed his Zoning Report dated June 13, 2011 (attached)

OLD BUSINESS:

V. Training presentation by Norbert L. Vance, Director, Sherzer Observatory – EMU regarding Night Skies. This session started at 7:10 pm and continued until 7:50 p.m. Training hours are considered Planning Commissioner’s CEU.

A. Mr. Vance strongly encouraged the use of LED cut off shield fixtures as they reduce glare, save energy, protect the life of birds, and enable people to see the stars. He also liked motion detectors to help keep people safe.

B. He handed out two articles (attached). “An Introduction to the Issues of Light Pollution” from EMU Sherzer Observatory and “The Dark Side” from The New Yorker.

C. Charles Nielsen, President of the UofM Lowbrow Astronomers, explained the success of keeping the light directed down at Meijer’s and Lowes with Scio Township’s Light Ordinance. He recommended Webster Township have a stand-alone light ordinance before potential opposition comes. It is cheaper to install the correct type of lights first. LED lights can have a dimmer switch which also saves electricity and is still safe for the public.

VI. The Planning Commission recessed for 5 minutes.

VII. Bruce Pindzia continued his training session on Blue Print Reading at 7:55p.m. (See attached packet on Arlington Woods). He stressed the Commissioners should take their time when reading the drawings. Approved site plan drawings are a binding document that Bruce

must enforce and will be used to demonstrate compliance. This session ended at 9:10 pm. Training hours are considered Planning Commissioner's CEU.

NEW BUSINESS: None

VIII. Citizens Wishing to Address the Commission: None

IX. GENERAL DISCUSSION:

- A. Paul Zalucha asked Gary Koch to ask the Township Board if they are interested in the Commissioners working on a Light Ordinance. Erica asked Gary Koch to show the Township Board the two light pollution articles at the next Board Meeting. Cindy Zuccaro will get sample ordinances.
- B. Bruce Pindzia passed out the County Park & Rec Department drawing for a new Spray Play Zone and 300 car parking lot at Independence Lake which he just received. The Commissioners thought this might need a site plan. Paul Zalucha asked Bruce to check with the Township attorney on if the Park Dept is exempt from the Zoning Ordinance.
- C. Paul Zalucha will be unable to attend the July Planning Commission meeting so the meeting can be cancelled if the Park Dept is not ready and the Board does not want a Light Ordinance.

X. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Motion carried. The meeting adjourned at 9:25 p.m.

NEXT MEETING DATE:

Regular Meeting: Wednesday, July 20, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley  
M. Heller  
B. Pindzia

MINUTES OF THE 401ST REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, AUGUST 17, 2011

The Meeting was called to order at 7:02 p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: Erica Perry

Also Present: John Kingsley, Martha Zeeb

I. Approval of June 15, 2011 Regular Meeting Minutes: Rob Mitzel moved, 2<sup>nd</sup> by Dave Lovell, to approve the minutes of the June 16, 2011 Regular Meeting. Motion carried.

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

A. Township Board Report

1. Gary Koch reported that Zoning Ordinance was approved at the June Board Meeting.
2. Gary Koch reported that the Board passed a resolution to oppose becoming a charter Township at the July Board Meeting.
3. Gary Koch reported that the Board held a public hearing at the August Board Meeting on the proposed county wide transit system. John Kingsley will represent Webster to help determine who will be the representative of the Scio, Dexter Village, Webster group to this system. Eventually the Township will decide if we want to be part of the county wide system and hold an election to vote for a tax to support it. Currently WAVE supplies transportation to Township residents.
4. The Township will have the recycle dumpster for another year.

B. Approval of Agenda – Rob Mitzel moved, 2<sup>nd</sup> by Gary Koch, to approve the agenda. Motion carried.

III. Comments from Citizens: None.

IV. Zoning Officer Report dated August 9, 2011 (see attached)

- A. Gary Koch reported that the A&B Hauling yard was cleaned up again today.
- B. Paul said he and Bruce met with people who want a kennel to breed AKC Yorkies and explained what is needed to get a Special Use Permit. They may come to the September meeting.

OLD BUSINESS: None

NEW BUSINESS:

V. Dark Skies

- A. Cindy Zuccaro presented an example of Scio Township Zoning Ordinance: Chapter 36, Article 10. (see attached)
  1. She wants the lights to be non-glaring and to give the Township some leverage.
  2. Rob said glare that leaves the property line was not allowed in the old zoning ordinance.
- B. Gary has not asked the Township Board yet if they want the Planning Commission to work on a Dark Sky Ordinance. He suggested the Commissioners revise Scio's and give to the Board for their comments. Dave Lovell said we could make it more detailed later.
- C. Rob suggested the ordinance be used if a site plan is needed. Paul Zalucha said it would not apply if lighting is already in place.
- D. Rob Mitzel suggested deleting (a) as (c) covers it, and (b) (c) and (d) would apply to non residential site plans.
- E. Dave Lovell suggested (1) and (2) become the beginning of the Ordinance as it gives the purpose

and when it is required.

- F. Rob Mitzel suggested the first sentence of (4) a. be changed to include “or ag property” and the 2<sup>nd</sup> sentence be changed to “nonresidential properties or non Ag zoned properties”.
- G. Paul Zalucha suggested item (6) be changed to “regulations set forth in this Zoning Ordinance”. The Sign Regulations portion of our Zoning Ordinance already has light requirements.
- H. Gary Koch wanted lights for security and asked if some of the Zoning Ordinance already might duplicate this.
- I. Cindy and Rob will draft a Dark Sky ordinance and send it to the Commissioners for their review. Gary can then give it to the Board so they can consider it at their September meeting to see if they are interested and to find out what they want us to stay away from.

VI. Transfer of Development Rights (TDR)

- A. Rob Mitzel wanted the Commissioners and Bruce and Bill to analyze parcel size and create full build out maps as allowed under current zoning, and suggest potential alternate densities if TDR is used, and rank the preferences based on the Master Plan ‘s vision for the Township and then make regulations. He asked for permission from the Commissioners to move forward.
- B. John Kingsley said before they were disbanded the County Planning Department had software. The Commissioners can use Bill for this project, but TDR is not as important now as the Township PDR program has purchased a lot of development land.
- C. Rob suggested TDR could preserve natural features in the north part of the township.
- D. Rob will give Paul Zalucha a write up so he can give Bruce and Bill an idea of what to do.

VII. Impervious Surface Limitations – Wilber said Erica Perry has someone who can talk to us. Paul will send Erica a note to find out who and when.

VIII Citizens Wishing to Address the Commission: None

VIII. General Discussion:

- A. Cindy asked that proposed minutes be emailed to the Commissioners.
- B. Paul will request hard copies of the Zoning Ordinance for the Commissioners (except Dave Lovell as he already has one).

IX Gary Koch moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Carried. The meeting adjourned at 8:24 pm

NEXT MEETING DATE:

Regular Meeting, Wednesday, September 21, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley  
M. Heller  
Bruce Pindzia

MINUTES OF THE 402ND REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 21, 2011

The Meeting was called to order at 7:02 p.m. by Chairperson Zalucha at the Township Hall.

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

WTPC Members Absent: Dave Lovell

Also Present : Martha Zeeb, John Kingsley, Mary Dee Heller, Charles Estleman

I. Approval of Minutes of the August 17, 2011 regular meeting. Rob moved, 2<sup>nd</sup> by Gary Koch, to approve the minutes of the August 17, 2011 Planning Commission Meeting. Carried.

II. Township Board Report and Approval of Agenda.

- A. Gary Koch said the Board reviewed the Dark Sky proposal and said the Commissioners can continue to work on it. The Board approved the Liquor License and Dance permit for the country club in Loch Alpine.
- B. Meeting Agenda - Erica Perry moved, 2<sup>nd</sup> by Gary Koch, to approve the agenda as written. The motion carried unanimously.

III. Citizens Wishing to Address the Commission: Charles Estleman said the new owner of the country club in Loch Alpine was not issued a permit for Dance Entertainment.

IV. Zoning Officer Report: See the Zoning Report dated September 6, 2011 (attached). Paul Zalucha said Diane Lapham's application for a dog kennel was incomplete and we also need the topography of her property.

OLD BUSINESS:

V. Dark Sky Ordinance (see attached Draft – Webster Township Lighting Section)

A. Gary Koch said John Kingsley should reword the section about street lighting where none is allowed in subdivisions unless the Board wishes to allow it, or change it to allow lights if they are pointed down.

B. Paul asked about foot candles mentioned in C 3 a. Rob said foot candles are defined in our zoning ordinance. He said we need to use terms that are in our Zoning Ordinance.

1. Paul said we will let the developer measure the foot candles and validate they are per the site plan.

2. Gary thought Scio Township's measurements may be too much for rural Webster Township and he was not sure how much light a foot candle is. Cindy will bring information to our next meeting on foot candles.

C. In C 2 Rob will find out what color-corrected lighting is. Paul thought it could be a problem if off site people see glare because the topography is lower where they are. He thought this should be reworded.

D. In C 4 we will get Bruce's recommendation on height of parking lot lights.

E. In the first sentence of C5 we will reference Sign Section 13.140 of our zoning ordinance.

1. As Section 13.140 is inconsistent with the proposed Dark Sky ordinance the Commissioners suggested moving "Signs within residential developments shall not be illuminated" to section 13.140. They also want to change 13.14B 1a to Residential and Ag

District. Rob wanted the Commissioners to be aware this covers more than was discussed with the Township Board last night.

2 Paul asked about lighting subdivision signs and Cindy said she was okay with low lights, but Erica, Rob, and Gary didn't want them lit. The Commissioners will add a sentence to 13.140 B1a that in residential developments only non-illuminated signs are permitted.

F. In C 6 the 2<sup>nd</sup> sentence allowing the Township Board to permit street lighting if the applicant demonstrates a need was eliminated as most subdivisions do not have street lights and developers can go to the ZBA.

G. In D1 the first sentence will be a separate item called Vehicle Headlights. D 2, 3 and 4 will become item E. Non-residential buildings within a site plan.

1. The Commissioners removed "heat" and the last sentence of D2 which discusses heat.

2. Paul was concerned with the ability of churches to light up the cross. Gary felt hospitals and schools could also be lit. Rob will search for language to allow façade lighting which still meets the intent of the ordinance.

VI. Transfer of Development Rights. - Rob wanted to not be too burdensome but still get the idea of the potential for TDR in our Township. He explained his decision to eliminate already developed areas in a test Township section to determine future splits before doing the entire Township. Erica said the PDR lands (1100 acres) should be excluded also. Gary Koch said soil types would also eliminate some future splits. Paul asked Rob to work with Bill and Bruce on a test section.

VII. Impervious Surface Limitations - Erica said she wants to adopt standards and link to the TDR program to preserve open space to increase the buffer of our sensitive streams. She said she needs engineering help to decipher other Township ordinances on impervious surface capacity and how to limit it. Our Zoning Ordinance is missing some definitions needed to do the calculations of impervious rules. She also wants to talk to an engineer about #8 on page 7 of Ann Arbor Township's Stormwater Management Ordinance (attached) as it should be added to our zoning ordinance.

A. Gary Koch said our zoning ordinance says the County will review the site plan so we don't get involved with the calculations. Paul said Bruce will review the site plan to ensure it complies with the intent and the Planning Commission would then approve.

B. Rob said we should take Ann Arbor Township's ordinance and see what we already have in ours. Our Zoning Ordinance sets standards on how to manage storm water to slowly release it.

C. John Kingsley said we already do the same calculations and look at these things so is this important? We must consider run off throughout the whole township.

D. Cindy said the impervious asphalt was removed from the Botanical Gardens and it is all gravel now. John Kingsley said a lot depends on the soils underneath. Impervious concrete needs lots of maintenance.

E. Paul will talk to Bruce about our Zoning Ordinance.

NEW BUSINESS: None

VIII. Citizens Wishing to Address the Commission: John Kingsley said façade lighting needs to be down light. The ZBA is not allowed to decide for the applicant if it is a self made problem, so when we write the Dark Sky ordinance write it so they don't go to the ZBA.

IX. GENERAL DISCUSSION:

- A. Paul Zalucha said Ann Arbor Township is working on their Master Plan and will send us a draft when it is ready.
- B. Paul will ask again for the draft minutes to be emailed to the Commissioners.

X. Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Motion carried. The meeting adjourned at 9:30 p.m.

NEXT MEETING DATE:

Regular Meeting: Wednesday, October 19, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley

M. Heller

B. Pindzia

MINUTES OF THE 403RD REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, OCTOBER 19, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: None

Also Present: John Kingsley, Bruce Pindzia; Mary Dee Heller; Martha Zeeb

I. Approval of September 21, 2011 Regular Meeting Minutes: Cindy Zuccaro asked to remove item V E #2 as it is not what she meant. Rob Mitzel moved, 2<sup>nd</sup> by Cindy Zuccaro, to approve as corrected the minutes of the September 21, 2011 Regular Meeting. Motion carried.

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

1. Township Board Report - Gary Koch reported that the Dexter Area Historical Society has asked to allow parking on their 3 acre PDR land for the Civil War Reenactment next June. Erica Perry said the Historical Society wants to waive the parking restriction for 7 years which is a violation of the PDR agreement and sets a precedent. John Kingsley will check with the Township Lawyer on what the Township can do.
2. Approval of Agenda – Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to accept the agenda as written. Motion carried.

III. Comments from Citizens: Mary Dee Heller said we could go outside to see how Storm Water Management works. (rain was down pouring)

IV. Zoning Officer Report

- A. Bruce Pindzia reported that the Township has been reimbursed for the A&B Hauling yard clean up.
- B. Bruce Pindzia said he has issued 13 new house permits this year and only 2 in 2010.
- C. Bruce Pindzia said that the State, County and Township are doing enforcement action on Jenny's Farm Market, but it is a slow process to bring it into compliance. Rob Mitzel said the ZBA met October 17, 2011 and denied the Farm Market's appeal as no site plan was submitted in the last 6 months.
- D. Bruce Pindzia said he has received an inquiry from FEMA of fraud in Webster Township.
- E. Bruce Pindzia said he has had a pre application conference for a Dog Kennel on Jennings Road.

OLD BUSINESS:

V. Dark Skies

- A. Rob Mitzel submitted Façade Lighting Examples for 10-19-11 PC Meeting (see attached).
  1. The Commissioners decided to use Example 2 from the State of Maine except for item #3 as they wanted only downward pointing lights on the façade of a building.
  2. In addition they wanted to incorporate from Example 1 item D into #2 of Example 2.
  3. The Commissioners discussed the amount of light to be allowed on the façade. The Commissioners will decide at the November meeting the number of lumens to allow in Example 2 #4.
- B. Paul Zalucha said Scio Township's regulations said lighting for uses adjacent to residential and ag zoning should not exceed .1 foot candle along the property lines, and lighting for uses adjacent to non residential and non ag zoning should not exceed .3 foot candles along the property line. Bruce said a foot candle is roughly the light of a full moon on a clear night. The Commissioners decided to keep these property line limits. However where lighting is required, the light amounts directly under a light fixture was changed from Scio's regulation of 25 foot candles to not exceed 20 foot candles.

C. Height of Parking lot Light Poles – Bruce wanted the height to be the same everywhere and lower poles have less glare. The commissioners agreed to 16 feet tall measured from the ground.

D. Color-corrected lighting was discussed and the words were removed as the Commissioners didn't care what color the lights were.

E. Rob Mitzel will bring a Dark Skies Ordinance to the November Meeting with all the changes. A Public Hearing may be at the December Meeting.

VI. Transfer of Development Rights – Rob Mitzel said the office staff is still working on it and we can discuss this at the next meeting.

VII. Impervious Surface Limitations

A. Bruce Pindzia presented “Storm Water Management Article 14” (attached) which is for new developments. The Regulations are based on the Water Resources Commission of Washtenaw County. He stressed that stormwater management is storing the extra water resulting from development after a rain storm until it can be slowly released to mimic prior release rate of runoff. We use incentives to encourage infiltration.

B. He will comment on Ann Arbor Township's calculations and impervious surface at our November meeting.

NEW BUSINESS:

VIII. Farm Land and Open Space Status

A. Erica Perry presented the map “Webster Township Protected Lands dated 9-12-2011 (attached) and a yellow handout detailing Webster Township lands that have been protected (attached). She explained that 36% of the applications the PDR Committee has received have been preserved. Almost all of them also used funds from other sources. She hopes to save 3 or 4 more properties with the last of the Township's PDR funds.

B. Rob Mitzel thought the map should be more clear on definitions of the red and green. Erica will get more definitions for next month.

IX Citizens Wishing to Address the Commission: None

X. General Discussion – Paul has Dexter Township's Master Plan and Erica will review it for next month.

XI Rob Mitzel moved, 2<sup>nd</sup> by Gary Koch, to adjourn. Carried. The meeting adjourned at 9:55 pm

NEXT MEETING DATE:

Regular Meeting, Wednesday, November 16, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley  
M. Heller  
Bruce Pindzia

MINUTES OF THE 404TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 16, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

WTPC Members Absent: Cynthia Zuccaro

Also Present : Martha Zeeb, John Kingsley

I. Approval of Minutes. Gary moved, 2<sup>nd</sup> by Erica Perry, to approve the minutes of the October 19, 2011 Planning Commission Meeting. Motion carried. As an electronic version of the minutes were not sent to the Commissioners prior to tonight's meeting Paul will request it again.

II. Township Board Report and Approval of Agenda.

- A. Gary Koch said the Board discussed Jenny's Farm Market and the Township attorney will review the violations for possible future litigation. The PDR Committee is against allowing parking on protected land at Gordon Hall.
- B. Meeting Agenda - Paul Zalucha asked to add item 5 A – Determine Date for December Meeting. Rob Mitzel moved, 2<sup>nd</sup> by Gary Koch, to approve the agenda as amended. The motion carried unanimously.

III. Citizens Wishing to Address the Commission: None

IV. Zoning Officer Report: See the Zoning Report dated November 1, 2011 (attached).

V. Determine Date for December Meeting. The Commissioners considered the possible public hearings and time deadlines for public posting. As all Commissioners can attend the normal meeting date of December 21, 2011 it was decided to leave the meeting date as normal.

OLD BUSINESS:

VI. Dark Sky Ordinance (see attached Draft - Section 13.200 Lighting Standards and Proposed Amendment to Section 13.140.B.1.a)

A. Rob Mitzel reviewed his draft of Section 13.200.

1. The Commissioners added "when required" after "photometric studies" in 13.200 C 1 to be consistent with Site Plan Review. Rob Mitzel said he talked to Bruce Pindzia and Bruce thinks the photometric study should be part of the final site plan as mentioned in Section 8.05 E 4 d xiii

2. The Commissioners changed "shades are" to "shielding is" in item 13.200 C 2.

3. The Commissioners removed "and/or use" and the comma after "purposes" from item 13.200 D 3 so that Building Façade Lighting is allowed.

4. The Commissioners replaced "ensure that" with "minimize" and replaced "shall not be" with "from being" in item 13.200 E. Then it is up to the Planning Commission to decide if the headlight glare is minimal, as opposed to allowing none - which they did not feel was possible.

B. Rob Mitzel discussed Proposed Amendment to Section 13.140.B.1.a (General Sign Regulations – Illuminated Signs)

1. The Commissioners removed the sentence “Direct light rays shall not be visible from a public right of way or any adjacent residential or agricultural property.”

2. The Commissioners replaced “Development” with “and Agricultural Districts”.

C. The Commissioners decided to add the language of Section 13.140 I 1 to a new section H 4 in the Ag District. However they will strike the language from “subdivision” to the end of the sentence and replace it with “residential development”.

D. Rob Mitzel moved to set a public hearing at the regular December 21, 2011 meeting for proposed section 13.200 – Lighting Standards, amendment to 13.140 B 1 a, and amend 13.140 H to add Section 4 with language as agreed upon tonight. Motion was 2<sup>nd</sup> by Erica Perry. Motion carried.

VII. Transfer of Development Rights. - Rob Mitzel said he got the data late last week and he will review it to discuss at the December meeting.

VIII. Impervious Surface Limitations - Erica said we will wait for Bruce’s evaluation.

NEW BUSINESS:

IX. Paul Zalucha explained that he and Bruce have met with Diane Lapham of Jennings Road. She has completed an Application for a Special Use Permit for Laphams Yorkies LLC for breeding/showing Yorkshire Terriers. (See Memo from Bruce Pindzia dated November 16, 2011- attached). Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to set a Special Use Public Hearing for Laphams Yorkies LLC at the regular December 21, 2011 meeting based on the recommendation from Bruce Pindzia that the application is complete. Motion Carried.

X. Citizens Wishing to Address the Commission: John Kingsley said he works on the Township Budget the end of December and first of January so the Board gets it the first of February.

XI. GENERAL DISCUSSION: No mail.

XII. Gary Koch moved, 2<sup>nd</sup> by Erica Perry, to adjourn. Motion carried. The meeting adjourned at 8:23 p.m.

NEXT MEETING DATE:

Regular Meeting: Wednesday, December 21, 2011 at 7:00 p.m.

Public Hearing: Wednesday, December 21, 2011 at 7:00 p.m.

Public Hearing: Wednesday, December 21, 2011 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley

M. Heller

B. Pindzia

MINUTES OF THE 405TH REGULAR MEETING OF THE  
WEBSTER TOWNSHIP PLANNING COMMISSION  
WEDNESDAY, DECEMBER 21, 2011

The Meeting was called to order at 7:00 p.m. by Chairperson Zalucha at the Township Hall.

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

Members Absent: None

Also Present: Bruce Pindzia; Mary Dee Heller; Martha Zeeb, Pat & Diane Lapham, 2 citizens

I. Approval of Meeting Minutes: Rob Mitzel moved, 2<sup>nd</sup> by Erica Perry, to approve the minutes of the Planning Commission's November 16, 2011 Regular Meeting. Motion carried.

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

1. Township Board Report - Gary Koch reported that Dave Lovell has been reappointed to the Planning Commission, and Jennifer Simonds and Laurie Hunter have been appointed to the ZBA. Rob Mitzel said that Randy Krull has resigned from the ZBA. The Inter-local agreement (for a combined Fire Dept) will have a meeting January 16, 2012.
2. Approval of Agenda – Erica Perry moved, 2<sup>nd</sup> by Gary Koch, to accept the agenda as written. Motion carried.

III. Comments from Citizens: None

IV. Zoning Officer Report - Bruce Pindzia reported that he has received many complaints from Township residents about the red tape, excessive fees, and over- zealous inspectors of the County Water Resource Commission for soil erosion control. He thinks the Township can do this easier and cheaper so he has drafted an ordinance for the Township Board to review and hopefully they will pass it on to the Planning Commission.

V. Public Hearings

- A. Public Hearing for Special Use Application for Lapham's Yorkies (see attached)
- B. Public Hearing for Township Lighting Standards (Proposed Resolution No.01-12 –attached)
  1. Paul Zalucha asked for questions from the Commissioners – None
  2. Paul opened the Public Hearing to comments from Citizens – None
  3. Bruce Pindzia gave a lighting demonstration with a new light meter to show everyone what is a .1 foot candle and 60 foot candles, etc. He said it is .2 foot candles on the ground between the lights in the Township Parking lot.

OLD BUSINESS:

VI. Special Use Application for Lapham's Yorkies

- A. Bruce Pindzia said he has not walked the property but the application is complete for submittal.
- B. Rob Mitzel questioned if their request meets the Zoning Ordinance Commercial Kennel conditions as they are not boarding dogs and a kennel is not housing dogs in a residential home. He wants the owners to be able to use their property without impacting the neighbors. However they are doing this for a profit so a Special Use Permit is necessary and the number of dogs allowed is silent in the Ag District.
- C. Paul Zalucha thought the Township attorney should be asked if the Special Use Permit is necessary, if it can be limited to be in effect with just this owner, if the Special Use Permit can expire if not used, or if it does run with the property can we put a limit on it regarding only allowing toy breeds.
- D. Erica asked if noise is an issue and if we have received letters from neighbors. Paul said he received a letter from 3360 Meadow Lane and an email from 7464 Jennings Road.
- E. Erica asked if their property is in a watershed. Bruce said 2 acres of their 10 acres is wetland and he has been told property east of theirs drains through this 10 acres. There is a creek on the south east

property line. Mrs. Lapham said it is dry half of the year. Bruce said he will visit the property.

F. Bruce Pindzia said he has talked with Washtenaw County Environmental Health and they want to review the application as there is an issue of mingling human and animal waste.

G. Paul Zalucha asked about County licenses for the number of dogs, and if we restrict the number of dogs in the Special Use Permit can they request an increase later.

H. Paul Zalucha explained to the Lapham's that we will gather information and they should look at the Township Website to see if it is on our meeting agenda. We will make a recommendation to the Township Board as soon as we have all the information to make a decision. The Township Board will act on it after they have reviewed our recommendation.

I. Paul Zalucha asked Bruce Pindzia to make a recommendation and to walk the property. He suggested the Commissioners call the Lapham's to walk the property also. He asked Bruce to declare if a breeding kennel falls under Section 12.7, if we can put conditions on a Special Use permit that it not run with the property or that it will lapse if it is not used by the next property owner. We also need to know how to handle waste, noise, wetlands, and if we allow a small number of dogs can they ask for an increase later. If this does not fit the Kennel part of the Zoning Ordinance is there a special license instead, and is there dog license range of numbers. Paul will look at other Townships for clarity.

J. Rob Mitzel moved, 2<sup>nd</sup> by Gary Koch, to table Lapham Yorkies in order to get answers to questions that Paul outlined. Motion carried.

K. Sarah Ercolaini asked what if the Lapham's decide to raise a different breed in the future, and that she did not get a definitive answer on her question during the Public Hearing on health testing. Mrs. Lapham explained the testing she has done so far. She is still learning but she won't breed dogs without tests.

VII Lighting Standards Ordinance – Rob Mitzel moved, 2<sup>nd</sup> by Cindy Zuccaro, that the Township Board adopt the Proposed Resolution NO. 01-12. (attached) Motion carried.

VIII Transfer of Development Rights Discussion – Rob Mitzel did not have the information tonight.

IX. Impervious Surface Limitations Discussion – Erica said this is a way to encourage development on where development should go. She wants to discuss this with the Township Board to get their feelings.

#### NEW BUSINESS:

X. Planning Commission Budget for the next fiscal year

A. Paul Zalucha presented the 2011 budget and Bruce said we are under budget for this year. Paul asked Bruce to bring to the January meeting the current and projected expenditures for the next quarter.

B. Paul will ask for a joint meeting with the Township Board. He asked the Commissioners to bring ideas for what to discuss with them to our Regular January meeting.

XI Citizens Wishing to Address the Commission: None

XII. General Discussion

A. Paul has Ann Arbor Township's Master Plan and Bill will PDF it to the Commissioners.

B. Erica said there is an article in an Ann Arbor paper of the Greenbelts response to the Gordon Hall problem. They are afraid a change would set a precedent that other would follow.

C. Gary Koch said next year we can work on streamlining the application process and put in the Zoning Ordinance that Special Uses do not run with the land.

XIII Erica Perry moved, 2<sup>nd</sup> by Cindy Zuccaro, to adjourn. Carried. The meeting adjourned at 9:25 pm

NEXT MEETING DATE:

Regular Meeting, Wednesday, January 18, 2012 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz  
copy to: J. Kingsley  
M. Heller  
Bruce Pindzia