

Charter Township of Van Buren
Environmental Commission
December 19, 2012

Chairperson Brownlee called the meeting to order at 7:04 p.m.

Roll call showed the following present: Chairperson Brownlee, Commissioners DeBuck, Ahamiojie, Wilson, Gibson, Merritt and Board Rep. Jahr. Director Terry Carroll and Secretary Kurtz.

Audience: 23

Merritt moved; Gibson seconded to approve the agenda as clarified Item # 1 discussion on dock removal at Bay Shore Condominiums.

CARRIED

Wilson moved, DeBuck seconded to approve the October 17, 2012 minutes at the next Environmental meeting

CARRIED

Correspondence:

Chairperson Brownlee asked for information to the disposal of live Christmas trees placed on the Van Buren Township cable and web.

Announcements:

Beginning December 1, 2012, the usage of 32 gallon trash cans including small wheel dollies is acceptable for recyclables. Stickers are available at the Community Services Department.

Agenda:

Old Business/Updates:

Item #1: Request for Docks from Bay Shore North Condominiums

Director Carroll spoke on the history of the topic. In May of 2012, a contractor was hired by Bay Shore to work on 2000 plus shore line erosion including the catwalk. A MDEQ permit and a Van Buren Township permission letter were required to complete the work. In September 2012 the Bay Shore associations requested 55 boat docks and 110 lifts. Van Buren Township reviewed the ability for installation in the proximity of the Township park regulations. The Township Attorney precluded the regulations as a marina at the park. Location does not prohibit both; Van Buren Township regulations verses residential maximum 10 docks at Bay Shore Condominium. Bay Shore and the Township contacted the state inquiring information from the Federal Energy Regulatory Commission. The Township's ability to approve would be based on the FERC approval Environmental Studies. Research indicated the current cap of 10 docks for residential property, up to 55 SDS and Hydro Power.

Residents expressed concern against the Bay Shore Condominium Association Board. They do not agree the directors had the authority per the By-Laws to remove the 55 docks that are paid and owned by the residents. Construction repairs were to be for the staircases and boardwalk.

Director Carroll stated no building permits or MDEQ permits have been issued for the docks.

Residents continued asking questions, debated among themselves and with their Board of Directors.

Director Carroll explained in May 2012 a Van Buren Township approval letter and an MDEQ permit was issued for shoreline erosion control repair. The docks were removed prior to the issuance of the letter and permit. After discussion with the state, all work was ordered to cease until further notice from the state. The Township has not received this notification in writing, however he will provide to the residents the name and phone number of the person from the state. FIRC regards all condominium sites and single family as residential property the same. When a dock is removed FIRC recognizes a replacement as new; a 10 cap in cases of multiple amounts. The 20 plus docks for Belleville Yacht Club was issued as a seasonal permit, not requiring an authorization letter.

Residents continued talking and asking questions over each other, debating among themselves and their Boards.

Chairperson Brownlee addressed the audience stating he would take one more question and stop the meeting as the audience and Commission are not making any progress. There is work to be done inside the Association itself and does not see how the residents and the Board can move forward successfully given the current environment.

Commissioner Gibson defined the Environmental Commission roles; involvement with this concern is soil erosion control. The Township will continue to work with the state to help the residents resolve their issues within the Association.

Commissioner Jahr stated if the audience has completed their questions and comments for the benefit of the Commissioners, relatively new to the Commission, in past the Commission had put together a Lake Shore Ordinance however was never approved by the Township Board. This ordinance review needs to come before the Commissioners. Belleville Lake is governed by several jurisdictions with different regulations. The Township does not have an ordinance, FERC requires the Township to provide an authorization letter before a resident can apply for an MDEQ permit. We as an Environmental Commission needs to have standards and cannot dismiss tonight's issue. We are not here to mediate the condominium Association and were not here to give permission for anything; the Commission is a recommending body. Before the Township can draft an ordinance, review and understanding FERC regulations, including why a limit of 10 docks, receive input from residents, condominium sites, Ski Club and the BYC needs to be completed within sound environmental protection. FERC is concerned about the shore line protection of the lake.

Chairperson Brownlee stated the Township continuing to investigate the requirements to move forward. The Commission does need to review the proposed Lake Shore Ordinance for adoption.

No further business Debuck moved, Wilson seconded to adjourn at 7:57 p.m.

Carried

Respectfully submitted,

Brenda Kurtz
Recording Secretary