

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
JANUARY 25, 2017
MINUTES**

Chairperson Thompson called the meeting to order at 7:34 p.m.

ROLL CALL:

Present: Franzoi, Boynton, Atchinson, Budd and Thompson.

Excused: Jackson and Kelley.

Staff: Director Akers, Deputy Director Best and Secretary Harman.

Planning Representatives: None.

Audience: Eighty-Four (84).

APPROVAL OF AGENDA:

Motion Boynton, Budd second to approve the agenda of January 25, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Atchinson, Boynton second to approve the regular meeting minutes of January 11, 2017 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 BELLEVILLE LAKE SHORELINE DISTRICTS ORDINANCE

TITLE: CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE NO. 6-2-92 BY ADDING A NEW ARTICLE XVIC, BELLEVILLE LAKE SHORELINE DISTRICTS, SECTIONS 16.01C. – 16.06C.

Motion Boynton, Franzoi second to open the public hearing. Motion Carried.

Director Akers gave a brief overview presenting the timeline of the work conducted by staff and the Shoreline Workgroup for the amendments to the Lake Shoreline Districts Ordinance.

Will Hawley, chair of the Shoreline Workgroup gave a presentation of the changes made to the Belleville Lake Shoreline Districts Ordinance. Mr. Hawley discussed the protection of existing conforming and non-conforming structures (grandfathering), property owners' exclusive right to use shoreline property, setbacks and lot lines for handling property disputes, 60% frontage coverage, repairs to existing structures and shoreline blight. Mr. Hawley recommended approval of the Lake Shoreline Districts Ordinance.

Fifteen (15) residents addressed questions and concerns at the podium. The following items were discussed: the township's right to remove structures, variances and exceptions for existing and new structures due to lot size, lowering of the lake level for cleanup, concerns with FERC requirements, structures approved prior to ordinance acceptance and their work timeframe, new structure permit and approval process, how the ordinance effects and applies to City of Belleville residents, trees hanging over or into the lake, fencing on lakefront property, how to address property disputes, how

the township will determine what is blight, maintenance of existing structures, instances that require a lake letter, the number of watercraft in the BLA and BLB districts and the process for approval of the ordinance. Director Akers, Deputy Director Best and Shoreline Workgroup Chair Will Hawley confirmed there is a grandfathering clause in the ordinance for existing conforming and non-conforming structures and the Ordinance allows lakefront owners exclusive use of the property. Director Akers presented a correspondence letter from a resident dated 1-24-17 (letter attached). The Belleville Lake Shoreline Districts Ordinance is available on the township website for review. The Commission thanked residents, stakeholders and the Shoreline Workgroup for their hard work.

Motion Budd, Franzoi second to close the public hearing. Motion Carried.

GENERAL DISCUSSION:

Director Akers gave a brief update on the status of Mr. Kishmish's attempt to purchase the property to the north of his on Belleville Road for the proposed multi-tenant building with drive-thru.

Motion Boynton, Atchinson second to adjourn at 9:16 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

Akers, Ron

From: Jeff Jahr <malakai@jeffrika.com>
Sent: Tuesday, January 24, 2017 9:00 AM
To: Akers, Ron
Subject: Fwd: Written comments for Public Hearing of 25 Jan 2017

Follow Up Flag: Follow up
Flag Status: Flagged

ATTN:

Ron Akers <rakers@vanburen-mi.org>, Director
Matt Best <mbest@vanburen-mi.org>, Deputy Director
Van Buren Township Planning Commission

Subject: Written comments for Public Hearing of 25 Jan 2017

My name is Jeff Jahr. My wife Rika and I have recently moved back into VBT, and we are proud to live on Belleville Lake. I am pleased to see that the Township recognizes and appreciates the need to preserve and protect the quality and safety of the Lake and shorelines, along with its physical, ecological, cultural and aesthetic characteristics. The lake is a wonderful resource, and is one of the reasons that we chose to make VBT our home again.

I have read the complete text of the proposed lake ordinance. On the whole, I feel that it is a well written document that serves its stated purpose.

I have

concerns about three specific sections of the document that I would like to bring to your attention.

1) Section 16.04c-f5: The restriction on structures that "accommodate more than 10 watercraft" is vague. A pwc is a watercraft. A typical pwc measures 9ft by 4ft. They can dock stern-in with about five feet of space. That would mean a simple 4ft wide finger dock, like pictured in A, could only be 25 ft long.

If the intent is to limit the size of the structure, then saying "No structure shall be built with a total dockable perimeter greater than X feet" would be more clear.

If the intent is to limit the number of boats that can be moored at one property, then a separate ordinance should be written to state that regardless of additional structure or available shoreline, no property owner shall regularly dock more than 10 watercraft.

2) Section 16.06c-a1: This requirement seems to impose a yearly fee and approval process on anyone who makes use of seasonal lifts/hoists/docks/ramps/launches that need to be uninstalled at the end of the boating season to protect them from freezing, and re-installed at the start of the next season. There needs to be a provision to allow seasonal re-installation of the same permitted structure in the same location

without
the need for additional approval. Otherwise, this amounts to a yearly
tax on
property owners making use of temporary structures.

Not allowing a provision for re-installation of temporary structures may
lead
to increased use of 'bubblers' or 'agitators' used to keep the lake from
freezing in the winter. These devices raise environmental, safety, and
wintertime lake use concerns that are not addressed by the lake
ordinance.

3) Section 16.06c-b11: There is no mention of the fee structure for the
approval process, only that there will be an approval fee. What is that
fee,
and how will it be calculated? What is the expected yearly cost to the
township for maintaining the approval process? Is it expected to be
offset by
the fees paid by the lakefront property owners?

Thank you for your time, and for your work on the lake ordinances. If
you have
any questions, feel free to contact me by phone or by email.

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