

**Clearwater Township**  
Planning Commission  
Regular Meeting of July 9, 2018  
As approved August 6, 2018

**Call to Order, Pledge of Allegiance:**

Chair Backers called the meeting to order at 7:03 p.m., and opened with the Pledge of Allegiance.

**Roll Call of Members and Recognition of Visitors:**

Commissioners present: Backers, Cassasa, Clerk Eldridge, Fields, Von See.  
Township officials: Zoning Administrator Parzych  
Public: Jan Mangus, Deputy Clerk Jule Moore

**Approval of Agenda:**

Under New Business, add discussion on anticipated request to split a five-acre parcel in the Recreational district. Under Ongoing Permanent Business, add preliminary discussion on the definition of "property." Zoning Administrator Parzych requested his report be moved from its usual position in the agenda to follow Old Business.

**MOTION** by Von See, second by Casassa, to accept the agenda as amended. Motion carried.

**Call for Disclosure of Conflicts of Interests:**

Chair calls for commissioners to disclose any real or potential conflicts of interests. All commissioners declared no conflicts of interests with any item on the agenda.

**Approval of Minutes:**

The chair for special meeting was Backers, not Parzych.

**MOTION** by Von See, second by Casassa, to approve the minutes of the special meeting of June 4, 2018, as corrected. Motion carried.

**MOTION** by Von See, second by Casassa, to approve the minutes of the regular meeting of June 4, 2018, as presented. Motion carried.

**Public Comment for Matters Not on the Agenda:**

*Jan Mangus* – asked whether the township controls the property on Lake Skegemog at the end of Round Lake Road. He reported that people have been camping there.

Parzych responded that all that land is state-owned. Moore did a Google search and found the plan document for Skegemog:

[https://www.michigan.gov/documents/dnr/Cmpt171\\_SkegemogPlan\\_215856\\_7.pdf](https://www.michigan.gov/documents/dnr/Cmpt171_SkegemogPlan_215856_7.pdf).

Under the heading MANAGEMENT ISSUES, the division of duties is listed as follows:

Stewardship activities will be conducted jointly by the MDNR and the GTRLC

The MDNR will be responsible for activities associated with forestry, fisheries, and wildlife management.

The GTRLC will be responsible for activities related to developing and maintaining existing and new recreational infrastructure to include: bridges, kiosks, trails and other recreational infrastructure.

Funding for stewardship activities will be secured by GTRLC with the cooperation of the MDNR.

On the GTRLC website (<https://www.gtrlc.org/recreation-events/preserve/skegemog-lake-wildlife-area/>), with regard to the Skegemog Wildlife Area, we read: “Protected & Managed by The Grand Traverse Regional Land Conservancy; owned by The State of Michigan.” Zoning Administrator Parzych – commented that he has found people, who are possibly homeless, camping out on our township properties, too.

**Commissioner Comment for Matters Not on the Agenda:**

There was none.

**Ongoing Permanent Business:**

Chair Backers – raised the question of whether there is a need for the Master Plan and/or the Zoning Ordinance to include a definition of “property” and “property right.”

Clerk Eldridge – indicated that she thought the language in the introduction to our existing Master Plan made the position of the township very clear:

Clearwater Township recognizes that when people live in community with one another, they mutually agree to accept certain limits on their individual natural rights, so as to be able to live in harmony. Nonetheless, Clearwater Township holds ardently to the principles declared in the Declaration of Independence, and strives to protect the rights of its citizens as guaranteed by the Constitution of the United States and its Amendments, as well as by the Constitution of the State of Michigan and its Amendments.

Fields – commented that the balancing act between individual freedoms and community wellbeing has been with us since the inception of the republic (e.g. John Adams’ view versus that of Benjamin Franklin). She also raised the concept of seeing property ownership as an act of stewardship rather than as an act of possession. The Planning Commission has long gone on record as holding the philosophy that we would make no law that abrogates any individual’s natural right, short of a **compelling** public good.

Chair Backers – pointed to the property rights references in Amendments 4 and 5 to the Federal Constitution.

The Commission has not finished thinking about this matter.

**Old Business:**

None at this time

**Report of Zoning Administrator:**

Zoning Administrator Parzych – because of a death in the family, the Zoning Administrator report is not ready. It will be distributed in the next day or two.

**Report of Planning Commission Chair:**

Chair Backers – reports that he is working with the township assessor to secure the names and addresses of the property owners whose properties border the un-vacated township alleyways. The intention is to invite these owners to join the committee investigating all the factors involved in vacating those alleyways, getting the plats redrawn, and attaching the relinquished bits of property to their property, and securing grant monies to assist in the project.

Deputy Clerk Moore – asked what response we had to the advertisement we published. Backers replied that only one Real Estate person responded.

Discussion revisited the earlier efforts, which were very disappointing. The need to correct the problem with our village center commercial parcels, we are not ever going to be able to grow the tax base.

**Report of Township Representative:**

Clerk Eldridge – reported that the Township Board approved having the Planning Commission investigate whether to add noise limitations to the existing Nuisance Ordinance, or to craft a new Noise Ordinance, and to develop whichever one is appropriate, and bring it back to the Township Board for approval.

The July 4 holiday worked well for us this year. We have received good comments on how the long holiday week was handled.

The Birch Street access has been cleaned up.

Parzych – mentioned a problem with a private dock encroaching on a public access. Discussion centered on what entity has the authority to address the issue. Eldridge will confer with Road Commissioner Rogers for assistance in the matter.

**New Business**

Fields – presented the proposed language for adding identification information to signs. After some discussion, and adding the word “permanent” to the proposed language, the following motion was made:

**MOTION** by Fields, second by Casassa, to hold public hearing on Aug 6, to amend Article 12, to include the requirement that all permanent signs have sufficient identification information for the township officials to contact the sign owner in case of need. Motion failed.

After discussion on the motion, the vote was defeated 3-2.

**Closing Public Comment:**

Jan Mangus – voiced an interest in the road endings issue. He pointed out that it is not just a summer issue. In the winter, cross-country skiers, ice fishermen, snowmobilers, etc., use the road endings to access the frozen lakes.

**Adjournment:**

**MOTION** by Fields, second by Von See, to adjourn. Adjournment at 8:09 p.m.

**Assignments:**

- Fields: Agenda items for August: 1) consideration of ways to develop the noise ordinance – 2) alleyways committee for the Master Plan review
- Eldridge: Confer with Road Commissioner regarding the status of road endings

**Next Meeting:** August 6, 2018

Respectfully submitted,



Tina Norris Fields  
Secretary