

Clearwater Township
Planning Commission
Regular Meeting of January 4, 2016
As approved February 1, 2016

Call to Order, Pledge of Allegiance:

Chair Parzych called the meeting to order at 7:08 p.m., and opened with the Pledge of Allegiance.

Roll Call of Members and Recognition of Visitors:

Commissioners present: Backers, Eldridge, Fields, Parzych, Von See

Commissioners absent:

Township officials: Zoning Administrator Molby

Public: Bruce Belanger, Carol Backers, Supervisor Larry Niederstadt

Approval of Agenda:

MOTION by Backers, second by Parzych, to accept the agenda as presented. 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.

Approval of Minutes:

MOTION by Parzych, second by Eldridge, to accept the minutes of December 7, 2015 as presented. Motion carried.

Public Comment for Matters Not on the Agenda:

None.

Comments from Commissioners for Matters Not on the Agenda:

None.

Ongoing Permanent Business:

Review language of Article XII – Signs: June 18, 2015 decision of the United States Supreme Court in the case of Reed vs Town of Gilbert, holds that regulation of signs based on content of the message is unconstitutional. Clearwater Township does have different rules for different types of signs. Regulations are to be based on size and form, not content. Our signs that are permitted in all districts are distinguished largely by their purpose. Temporary signs, such as for real estate, garage sales, construction, elections, etc. currently have different rules for when they must be removed; we have to rewrite them so that our rules are even-handed for everyone. Chair Parzych assigned the commissioners to individually review the language of Article XII and be prepared to discuss changes and definitions at our February meeting.

Old Business:

Medical Marijuana: There is no real news about medical marijuana. However, the state board of canvassers has approved language for a petition for a ballot initiative to legalize marijuana as a recreational drug. The specific language of the petition can be found on the Michigan Secretary of State website, under “ballot initiatives.”

Report of Township Representative:

Clerk Eldridge reported on the Township Board meetings. Minutes from those meetings were included in the commissioners’ documents. The Sandbar Committee asked to have a representative from the Planning Commission. Commissioner Tom Backers agreed to take on that responsibility. Once the committee has completed its work, depending on the responses of the other official bodies – such as the County Sheriff, the County Road Commission, the State Police, the Township Board, and the County Prosecutor – the Planning Commission may be charged with crafting a new holiday parking ordinance.

The format of the special meeting with the Planning Commission and the Zoning Board of Appeals was discussed. It was agreed to return to the format of having all three boards at the table as the deliberative body. The participating boards will contribute to the agenda and the subordinate boards will provide an annual report to the Township Board.

Addressing the matter of the ZBA request to be removed from the final appeals process of a special use permit application, Clerk Eldridge commented that she has had no written communication from the ZBA.

Report of Zoning Administrator:

Zoning Administrator Molby distributed his report for December 2015, which report is hereby incorporated into the record by reference, and a copy of which is attached to the permanent copy of these minutes as [Att A].

New Business

Supervisor Niederstadt presented information from the Sandbar Committee; each member of the Planning Commission received a folder containing the work done thus far. After the committee has developed its strategy, the Township Board will put the Planning Commission to work to craft the ordinance. One recommendation so far, for public safety, is to limit parking to only one side of the road on several roadways. Sheriff Abe Devol, before his death, had also suggested raising the fine from \$100 to \$160.

Closing Public Comment:

Commissioner Backers commented that there is a bill pending at the state level (HB5016), regarding the costs of relocating facilities underground, that appears to propose giving the utilities “another free ride.” This information comes from the MTA, which organization will be definitely fighting this bill.

Adjournment:

MOTION by Backers, second by Eldridge, to adjourn. Adjournment at 8:06 p.m.

Assignments:

- Put Article XII on the agenda for next month; commissioners to analyze the language and devise a strategy for bringing it into compliance with SCOTUS decision re constitutionality.

Next Meeting: February 1, 2016

Respectfully submitted,



Tina Norris Fields
Secretary

Zoning Administration Monthly Report DECEMBER 2015 Clearwater Township

1 Land Use Permits

Garages, Sheds

1 Residences 5136 ZIMMERMAN Rd.

Residences with Attached Garage

Pole Barns

Resident Additions

Decks, Porches, etc.

Miscellaneous, Other Buildings

6 Field Checks

— Attorney Contacts

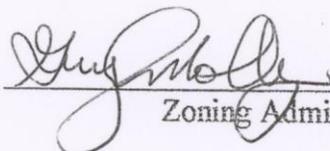
1 Planning Commission Meetings

9 Contacts with Public, Home and Land Owners

1 ZBA Meetings and/or Township Board Meetings

— Training Sessions

1 Zoning Violations 6162 CONS BEN Rd & Birch St. FENCE



Zoning Administrator