

PORTER TOWNSHIP PLANNING COMMISSION
P.O. BOX 517, UNION, MI 49130
OPEN MEETING MINUTES

Chairman: Dave Nagy
Vice Chairman: Ron Grotovsky
Secretary: Christine Northrup
Members: Rick Russwurm
Patrick Williams
ZBA Representative: Tom Robbins
Township Trustee: Leard Wylie

June 15, 2016 7:00 PM EST

The meeting was called to order by Chairman Nagy at 7:00 PM. Role was called following the Pledge of Allegiance with member Grotovsky absent.

Motion made by Wylie, with support by Russwurm, to approve the meeting agenda as presented. Motion carried.

After review of the May 5, 2015 meeting minutes, a motion to approve the minutes as presented was made by Robbins with support by Wylie. Motion carried.

Correspondence dated June 12, 2016 from Roxanne Seeber, Porter Township Attorney, in the form of a Memorandum regarding the application to rezone the island in Shavehead Lake which is the subject of the Public Hearing to be conducted during the June 15, 2016 meeting of the Porter Township Planning Commission. Copies of this memorandum were received by all planning commission members, along with Attorney Marquardt, who represents the applicant David Hoffman in this issue.

No Public Comments on Non-Agenda Items were introduced.

PUBLIC HEARING

Application of David C. Hoffman, owner of Tax Parcel #14-120-019-014-000, aka Shavehead Lake Island located in Porter Township, state of Michigan, to rezone from existing Agriculture (A) to Lake Residential (LR). See Exhibit "Hoffman Rezone Application" available for review at the Porter Township Office.

Note: The Public Hearing portion of the June 15, 2016 minutes were recorded and submitted by Porter Township Attorney Roxanne C. Seeber, at the request of the Planning Commission and are recorded here in their entirety for the record:

“The next item on the agenda was the request of James Marquardt on behalf of David C. Hoffman to rezone the island in Shavehead Lake from the existing “A” Agricultural District Zoning Classification to the “LR” Lake Residential District Zoning Classification.

The chairman invited the Township Attorney to explain the request and outline her June 12, 2016 memorandum, which had been provided to Attorney Marquardt at the hearing. Seeber indicated that the Circuit Court had directed the Township Board to make a legislative determination of what

zoning district the island was located in. On October 13, 2015 the Township Board made the determination that the island was in the "A" Agricultural District Zoning Classification. The property owner had not appealed that decision, nor had he made an application to the Zoning Board of Appeals for a variance or interpretation request.

She indicated that the Planning Commission's project for the evening was to compare the existing zoning district with the requested zoning district. She explained that on a rezoning request, the Planning Commission was required to hold a public hearing. If the Planning Commission recommended approval of the application, the matter would be forwarded to the County Planning Commission, which was statutorily allotted 30 days in which to make a recommendation. The rezoning would then be forwarded to the Township Board with both of the recommendations. The Board could hold another public hearing, but it was not required to do so. If the Township Board adopted the ordinance effecting the rezoning, the ordinance and rezoning would be effective on the 8th day following publication, following adoption.

Seeber stated that the Planning Commission members should review the permitted and special uses in each district, adding that a single family residence which she believed was planned by the applicant, was permitted in both (all three) zoning districts. Section 111.602(d) applies in the case of the island, she stated, because the parcel was less than 5 acres in size. Therefore, the setbacks applicable in the R-1 District Zoning Classification would be applied to a single family residence. She referred the members of the Planning Commission to the bottom of page one and top of page two of her memorandum and compared the setback, height and minimum lot area, floor area and lot width.

Seeber continued by stating that the Porter Township Zoning Ordinance does not contain particular considerations for rezoning; nor did the Zoning Enabling Act. Therefore, the Planning Commission should be guided by the general considerations for rezoning contained in the case law. She briefly explained those considerations and reminded the Planning Commission to remember that their job was to compare the existing zoning district to the proposed zoning district and determine whether one was preferable over another.

Seeber explained the role of the Township Master Plan in zoning. The master plan designation for projected future use of the island was to be considered. Nagy indicated that he had a copy of the entire master plan on the table. Additionally, he referred the group to the future land use map, which was posted on the east wall of the meeting room next to the Township Zoning map. Additional considerations for rezoning included consistency of zoning classifications in the general area; consistency and compatibility of the proposed zoning with the general land use patterns in the area.

Seeber indicated that the next consideration was the suitability of the proposed use in the proposed Zoning District. She explained that an applicant for rezoning is not required to identify the proposed use of the property. The Planning Commission was to consider all of the permitted and special uses in the proposed district as a possible use.

Next, Seeber explained that one of the considerations for the Planning Commission was to compare the timeliness/availability of services. Seeber indicated that one of the initial plans was to implement water and sewer under the lake and to utilize a barge for some of the construction. The construction of a single family residence could take place in either zoning district, she stated, so the timeliness of services was not an issue. Additionally, the Planning Commission should consider whether the traffic pattern would be any different under one zoning district or the other. In the long run, she reasoned, the addition of another residential unit, accessed via boat, would not be different regardless of what the zoning district was.

Seeber next asked the Planning Commission to consider whether the property can be put to reasonable use under the existing zoning classification. She indicated that single family residences were permitted in both zoning districts. Under Ag, the applicant had stated that traditional agricultural uses were not practical; however, other agricultural uses such as beekeeping could be considered. The LR

zoning classification addressed decks, boat houses and the use of watercraft as living quarters, Seeber said. The chairman opened a public hearing on the request.

Attorney Marquardt representing Mr. Hoffman highlighted his application packet, indicating that by understanding the considerations for rezoning and the factors involved, the Planning Commission should be steered toward the proposed LR zoning. He wished to ensure that the application packet was contained as an exhibit to the minutes. Nagy and Seeber assured him that it would. Marquardt indicated that Hoffman was awarded the island pursuant to a 1997 divorce. The Hoffman family owned the island for decades. The Hoffmans, he said, know the island very well. There has been no farming whatsoever on the Shavehead Island as long as they have owned it.

From Hoffman's perspective, Marquardt explained, the property was omitted from the zoning map because it was not colored. The first actual zoning that the property had, he said, was in November 2015 when the Township Board made the determination because the circuit court required it. In response to an inquiry from Nagy, Seeber and Marquardt explained the history of the case, indicating that there had been an appeal to the Court of Appeals. Marquardt indicated the court of appeals had noted that the color of the island changed several times online. Therefore, it had requested that the Township Board make a legislative determination. Nagy explained that the Planning Commission had originally asked the Zoning Board of Appeals to make a map determination, which was based on the statement contained in the zoning ordinance that all of the property in the Township was zoned. The ZBA had interpreted the map, he said, finding that the color of the island was white. That related to the "A" Agricultural District Zoning Classification, which is how the ZBA interpreted the map.

Marquardt indicated that they had done a good deal of legal research for the Planning Commission. Several cases were provided, he said. They are not just "shooting from the hip". The standards for rezoning as contained in the case law were outlined in the application packet. Marquardt referred the Planning Commission to page 2, number three of the application packet. This was the determination of the master plan designation for the island. Marquardt stated that his research established that the master plan designation was the most important consideration for rezoning. He was happy to see that the Planning Commission had the future land use map on the wall and that a copy of the master plan was readily available. Marquardt pointed out that the LR district surrounds the lake except for the Northeast corner. The western arm of Shavehead is entirely Lake Residential, he said. "When a municipality adopts a master plan, that becomes a significant factor in determining its intent", he said. All around the lake, the properties are zoned LR. "Why the island is not is a mystery to us", he said. In the Inverness Mobile Home Park case, Marquardt stated, the court determined that the master plan designation is the most important factor in the rezoning considerations. The island in Shavehead is an "oddball" agricultural district in the middle of LR zoning, he said.

Marquardt explained paragraph 4 of the application packet wherein the cases he cited talked about the zoning classifications in the general area. He asked the Planning Commission to put the master plan element to the side for a moment and to focus on the zoning map, which is almost identical to the Master Plan. Almost all of Shavehead Lake is zoned LR, he said. There is a small portion on the northeast side of the lake which is zoned for a public campground. The Planning Commission should consider that the entire western arm of the lake is the surrounding area. That is all zoned LR he indicated. The Rogers v. Allen Park case which he cited required the Planning Commission to consider the purposes to which the immediate properties in the area are to be considered. The area around the western arm of the lake is all developed with single family residences, he said. The applicant was requesting to zone the property to the LR district to be consistent with the other zoning and land uses in the area, he said.

Marquardt next referred the group to issue number 5 on page 3 of the report. Separate from the master plan and zoning, he said, what are the general uses of the properties in the area? The western arm is all lakefront residential. Up until the Township Board made the decision, his client

considered that the island was zoned LR because that is what all of the surrounding properties are zoned. He continued that they had cited lot of cases in which “stand alone” parcels were not permitted as “spot zoning”. The agricultural zoning district in the middle of all of the LR was a spot zone, he said. This issue could not be glossed over. He felt that they had provided the Planning Commission with a “lot of authority to support your decision to agree with us and rezone it to the same zoning classification that the rest of the western arm of Shavehead Lake is”.

On the bottom of page three, Marquardt explained that they are complying with the existing ordinances. The map supports the rezoning to LR, he stated. The uses in LR will be in compliance with Section 111.305 of the Zoning Ordinance. He considered the setbacks provided in the AR district. There is a question as to what is the front yard, he said. He then took the opportunity to cite a very old case called Lorman v. Benson in which it was determined that when there are no roads navigable water way is a public highway. The entire island, he said, touches a public right of way because it is surrounded by navigable water. The preliminary plans showed how his client intended to accomplish the implementation of water and sewer. It was common to have construction traffic when a single family residence was being built, he said. There was not a big difference between the construction traffic on a roadway and a barge on the lake, he reasoned.

Marquardt then referred the group to the middle of page 4, Item 7 on his packet. This was the issue of spot zoning. “I would not gloss past this,” he said. “I think it is important.” He continued that Michigan courts have come down on situations exactly like this where a single parcel objects, indicating that it is exactly like the others. In this case, he said, David Hoffman has a very reasonable objection to being zoned Agricultural in the middle of all of the LR zoning. Again, he reminded the group that Mr. Hoffman thinks that the Agricultural zoning is a brand new zoning decision. “I think it’s a classic spot zoning case”, Marquardt stated. “We don’t think a court will allow that parcel to remain with AG zoning”.

Continuing, Marquardt referred the Planning Commission to the next consideration, which was the anticipated impact on community infrastructure in the requested zoning classification. There may be a barge which would be akin to typical construction traffic, he reasoned. The fact that there may be a barge utilized for construction was not a particular reason to hold up the rezoning request. Marquardt next referred the group to Exhibits 10, 11 and 12 which were the MDEQ, Cass County Water Resources Commissioner, and approvals. In response to an inquiry from Nagy, Marquardt indicated that there were no specific construction plans at this time, only concepts. Marquardt asked the Planning Commission to take note that the MDEQ had confirmed that the plan has no impact to threatened or endangered species. Nagy inquired as to the specific plans that had been included and what the approvals were for. Seeber read the MDEQ permit purposes from Exhibit 10 in the application packet. It provides:

“Construct a house on pilings measuring a maximum of 3500 square feet, including all porch areas. House shall be elevated a minimum of three feet above the wetland surface. Construct two permanent 6-foot wide elevated, open pile boardwalks, one measuring 14 feet in length, one measuring 18 feet in length. Install approximately 2500 linear feet of a 2-inch diameter sanitary sewer line and a 4-inch diameter conduit for electric cable. Both utilities shall be directionally drilled 60 inches below the lakebed. All work shall be completed in accordance with the attached plans and conditions of this permit. “

Northrup felt that the plans for construction were not really part of the rezoning request. When rezoning, she reasoned, the Planning Commission must look to whether all of the uses in the proposed district have merit. They don’t look to the actual specific use that is proposed. The Planning Commission is to determine whether all of the uses in the proposed district are a viable use of the land. While she may personally think that the application is over the top, the issue is really to look at the bundle of uses in the proposed district, Northrup stated. Nagy indicated that the extraneous items

confused the issues and could tend to overburden the reader with unnecessary details. Perhaps all of the construction details were not necessary to the application, Nagy stated. Marquardt indicated that he does not normally provide this level of detail in a rezoning application, but the application form required it.

Marquardt then called the Planning Commission's attention to number 12 contained in application narrative which was a "*per se taking*". He indicated that this was still an issue if the zoning deprived Hoffman of the highest and best use of the land. If the island is rezoned, he suggested, the issue of a *per se taking* goes away. Nagy inquired as to what support Marquardt could provide indicating that the failure to rezone would constitute a taking. Marquardt was not prepared to address takings law, he said. He would leave that to Craig Noland (Township's insurance defense counsel) and Ron Ryan (litigation counsel for David Hoffman). Marquardt thought it sufficient at this point to indicate that if the rezoning occurs, from Hoffman's point of view, the issue of a *per se taking* is resolved.

Marquardt indicated that the highest and best use of the island would be for a single family lakefront house. The LR zoning classifications would allow this. Nagy indicated that a single family residence was permitted in all three of the zoning classifications. Marquardt indicated that the districts were different. The setbacks and some of the other requirements were different, he noted. If the rezoning were recommended, he stated, the spot of agricultural would go away. The island is not unique or special, he said. It should not be treated differently from the surrounding properties. Nagy inquired as to why the applicant requested the zoning to be changed to a more restrictive classification. Marquardt indicated that his recollection was that the setbacks were very different. Nagy commented that the setbacks were more restrictive in the Agricultural District Zoning. Nagy inquired as to whether the goal was to provide the client with greater restrictions. Marquardt considered this inquiry and stated that the engineers that provided the conceptual plans indicated that the house would work better in the LR district. It would be easier, he thought, to comply with the LR district standards. The chairman wanted to make sure that the applicant understood the differences. The Township Attorney read the setbacks for the R-1 and the LR district zoning classifications into the record. The side yard setback in the LR district was smaller by 5 feet, she said. Northrup noted that there were height differences in the districts as well. The chairman indicated a willingness to follow through with the application. He just did not want the applicant to change his mind and come back in a year.

Wylie inquired about the court's ruling and whether the applicant was required by Judge Dodge to go to the ZBA. Marquardt explained the Court of Appeals' remand to the Circuit Court. Seeber indicated that she did not have the ruling with her; however, her recollection was that Judge Dodge had ordered the Township Board to make a legislative determination as to what the zoning district was. That had been done. She did not believe that the applicant was mandated to go to the ZBA, so much as that there was mutual knowledge that the ZBA was an option if he could not comply with the parameters in the district that was ultimately designated for the island.

Williams inquired about the spot zoning cases that Marquardt had referenced in his application packet. Marquardt stated that despite a great deal of research, he had been unable to come up with an island spot zoning case. Williams indicated wondered whether the spot zoning cases were applicable when each of those cases were physically connected to another piece of land. There were no islands. It was hard to understand how the island was akin to adjoining properties.

Northrup wondered aloud whether Hoffman possibly thought that his only use option was for agricultural purposes. Did he have the idea that because the island was less than 5 acres in size, that residential use was not a possibility. There is a minimum 5-acre lot size for a farm. She was concerned that the owner may not have considered that residential uses were permitted under the existing zoning classification.

A person from the audience stated that the applicant had been paying agricultural taxes on the land for years, reasoning that he must have known long before October that the Township considered the island to be agricultural. Nagy explained the rules for speaking at the public hearing. He opened a public hearing on the request:

Julie Paksi, 65516 Lakeview Drive said that it sounds like Mr. Hoffman is following what the engineers and architects have told him. She inquired as to the underlying reason for the rezoning imperative if he can build a house under any of the zoning classifications. She voiced suspicion as to the real motive for the rezoning request.

Brandon Rouch 65781 Center Street spoke on behalf of Ray and Sheryl Kendall who own property on the lake. He voiced concern that the island is actually a wetland. The properties zoned LR on the lake shore were not wetlands. Further, there were no other islands in Shavehead, so it would be very difficult to zone the islands consistently. The island, he said, was not eligible to be built upon. There was significant negative impact to the proposed rezoning. He wondered if the 5-foot setback increase was the only reason for the request. He was concerned about the wildlife.

Chris Geyer 65893 South Drive stated that he is a scientist. When considering the township as a whole, the majority of it is zoned Ag, he said. He indicated that the applicant was cherry picking the data. The LR district is considerably smaller than the AG district in the township as a whole. He inquired about the wetlands ordinance, indicating that any application for construction in a wetland required review and a permit. Nagy indicated that most townships do not have separate wetlands ordinances. Geyer indicated that it is impossible to walk on most of the island. It is under water. Wylie indicated that the wetlands ordinance had been suspended. The current version of the Ordinance was not on the website. Williams indicated that the state had a wetlands map. The state would likely have something to say about the construction in a wetland. The DEQ recommendation, he said, was approval of the concept. [Seeber stated that the state's approval was personal to Hoffman. Based on the length of his family's ownership of the island, the permit was approved based on grandfathering. She had confirmed this with Kameron Jordan of the DEQ last August when the permit was renewed.]

Ray Kiendl, 65781 Center Street was concerned about wetlands issues. He thought that the island was a designated wetland. Williams encouraged the members of the audience to address their concerns to the DEQ and to consider further applications. The Chairman indicated that the Planning Commission does not have the authority to pass judgment on the viability of any permit applications for any project at this time. The focus of the Planning Commission was to be only the determination of whether the A or LR zoning classification was the best for the island. The rezoning of the parcel doesn't change anything that the audience was voicing concerns about. The question at the most basic level, he said, was whether to color the island purple or leave it white. Everything else remains the same until there is an application for something more.

John Kerr of Joseph Road inquired of the green area on the north side of the lake as shown on the zoning map. Nagy indicated that it was Camp Friedenswald with PCR—Park, Campground and Recreational Zoning. Kerr suggested that would be a more appropriate zone for the island. Nagy stated that the PCR zoning district was not under consideration. The Planning Commission had no ability to make up its own zoning district. It had to go with what the applicant requested. Kerr indicated that the designation was probably white because the township considered the island unbuildable. It is a swampland with no earth on which to build. He could not believe that there was not zoning for wetlands. Nagy stated that the zoning map did not have designated wetlands on it. The State of Michigan has a wetlands inventory, he said. Kerr said it was just a matter of time before all of the wetlands in the township were built on.

Stephanie McHue, 15300 Joseph Road has an environmental background from her many years living on Cape Cod. She is now a permanent resident of Porter Township. You cannot do anything in Cape Cod without getting multiple approvals because of the need to preserve the natural environment.

There are a lot of special species on the island that are not found anywhere else in Michigan, she said. The swans are now mating on the island, she said. She inquired as to what which space is the front yard when the house was on an island. Did it depend on which way the front of the house faced? She inquired. Nagy did not have an awareness of the approval process with the state on the environmental issues. The township does have a wetlands committee, he said.

Denise Vagis 66055 Joseph Street is a new resident to the area. She grew up on Juno, Christiana, and Painter Lakes. She was concerned about the wildlife and the beautiful scenery on Shavehead Lake. She appreciated the campground zoning. She inquired as to why a wetland could be built on. She indicated that there are too many animals being killed everywhere. Species on the island are not anywhere else in Michigan. She inquired as to why the state would allow preliminary development plans. Did the residents every get a say as to what happened on the island? she inquired. Seeber indicated that the applicant had received preliminary approval from the MDEQ 6 years ago. When that expired, the applicant was permitted to renew. When they had inquired, Kameron Jordan of the MDEQ indicated that the island in private ownership was "grandfathered".

Ellis Calder lives on the west side of the lake behind the island. He has been there since 1965. He inquired as to why there was no wetlands zoning district. He commented that the island was listed for sale several years ago. It has not been listed within the last 12 months. He thought that the application for a house on the island had already been shot down. The wetlands committee did not allow it, Calder said. If all lakes are "navigable highways", then he had an issue with the barge for construction. Barges do not belong on highways, he said. The case has cost the taxpayers a lot of money, he said. Seeber indicated that the MDEQ permit is personal to Hoffman only. If the island is sold, it would likely lose its grandfathered status.

Stephanie McHugh stated her understanding that the job of the planning commission was only to determine whether to change the zoning. She asked the planning commission to consider why Hoffman had spent so much money and time. "I am saying 'do your homework'", she said. Hoffman had found this for a long time. Was there room to split the parcel? Could he put two houses out there? Nagy indicated that he cannot put more than one house on a zoning parcel.

There being no further comments, the chairman closed the public hearing and indicated that the planning commission would now discuss the question. Nagy inquired as to whether the planning commission thought it had enough information with which to decide the matter. Was tabling an option at this point? He inquired. Northrup indicated that the matter had been going on for so long. There was an initial hearing that the applicant's counsel was unable to attend. She was not in favor of tabling the matter.

The Planning Commission went through the points on the Township Attorney's report. First, Nagy indicated that the future land use map showed the island as white. That meant Agricultural zoning, he said. The chairman then noted that the shoreline of most of Shavehead Lake was in the LR zoning district. There was some R-1 zoning behind the shoreline properties and after that on the zoning map, nearly everything was Ag. Most of the Township is Ag zoned, the planning commission noted. Nagy noted that in order to find another agricultural zoning district from the island, one would have to leap over the LR and R-1 zones surrounding most of the lake. He didn't think that was necessarily the intent when the map was put together. For his part, Nagy was comfortable making the determination. Either way, the applicant was authorized under both zoning districts to put a single family residence on the property. Seeber invited the members of the Planning Commission to consider the issues set forth in her memorandum. Nagy inquired of the members as to their positions on the question of consistency.

Williams inquired as to whether the island, as an island required consistency with the surrounding properties. There were no other islands. He considered that when zoning was originally implemented there may not have been consideration for construction of anything on the island. It's possible, he reasoned, that the original makers of the ordinance didn't zone it residential because they

did not plan for residential on it. Nagy felt that there was a general feeling among the members of the Planning Commission that the zoning of the island is not consistent with the surrounding properties in accordance with the existing zoning map parcels adjoining the lake.

Russwurm indicated that Hoffman can build a single family residence on the island regardless of whether the zoning is changed. Nagy indicated that the area around the lake is all colored purple. Why wasn't the island purple, he wondered aloud. The job of the Planning Commission, he explained, was to look at the island and determine, basically, whether it should remain white on the map or become light purple.

Northrup stated that the A zoning district may be actually more restrictive. There was a time when AG property, chemical application and the like was highly regulated by the state. The property in question, she said, was not the same as any of the other properties surrounding it because it was an island. Nagy indicated that there may be agricultural uses that the property could be used for, such as beekeeping. It is fine the way that it is, he said. It could be used as an orchard, he said.

Robbins stated that his family owns an island in Robbins Lake. That island is also zoned agricultural because it is white in color on the map, he said. He wasn't sure why they were in the middle of the discussion when a house was permitted in both zoning districts. Robbins indicated that he had considered the zoning map for the whole township. All islands were treated the same. They were all agriculturally-zoned. Thus, he indicated, all of the islands in the township were consistently zoned. Robbins continued to reason that the island is only good for farming--cattails, bees, birds, etc. It is not really good for anything else. He thought that the most appropriate use of the island was for agricultural uses.

Wylie observed the map. He indicated that looking back in history we would probably find all agricultural zoning. It probably stayed that way until people started building around the lakes, he thought. The zoning, Wylie said, is in control of what you can build. The zoning districts were made to accommodate the growth in the township. Until recently, he said, no one thought about building on the island. As a result, it didn't get rezoned when the properties around the lake were zoned for residential uses. The island, he reasoned, probably got left out of that zoning because no one had thought about the possibility of living on it. Wylie continued, indicating that the property is treated as R-1 because it is less than 5 acres. He didn't really see an advantage in going through the meeting and passing a rezoning along to the county and then to the township board and time and effort involved. He was not sure that all of that effort is worth changing the zoning.

Northrup read from the zoning ordinance, indicating that uses permitted in the LR district included gazebos, docks and the like. These were not necessary permitted in the A district. Nagy indicated that the R-1 district zoning classification parameters applied to the island because it was less than 5 acres in size. If accessory uses such as docks and gazebos were allowed in the R-1 district, it would be allowed on the island. Northrup indicated that the properties were all residential in the general area.

Nagy indicated that a tie vote would result in a denial of the motion. That may have an effect on how the motion should be phrased, he said. There were no motions forthcoming and Williams then invited Nagy to make a motion.

Nagy moved, supported by Williams, to recommend rezoning of the island in Shavehead Lake from the existing AG to LR. The chairman called for discussion on the motion. Russwurm did not feel that the existing zoning restricted the applicant from doing what he wanted to do. Northrup wished to have the motion repeated. Nagy indicated that that a "yes" vote would be to recommend the rezoning and that a "no" vote would be to not allow the rezoning. The motion failed by a vote of 0-6.

There being no additional comments on the rezoning, the chairman declared the matter closed at 9:05 p.m. The Planning Commission moved on to the regular meeting agenda at that time."

Motion by Wylie with support by Robbins to reopen the general business meeting.

OLD BUSINESS

Members discussed concerns regarding the use of 'Bladder' boats on Porter Township lakes. The state agencies are investigating the environmental impact of these boats on our public waterways, along with the safety problems reported by residents of our public lakes. Members Williams and Nagy will undertake a thorough study of the issue with plausible remedies and enforcement guidelines. They will report their findings at next scheduled meeting on Wednesday, Aug. 17, 2016.

Member Russwurm has researched the issue of Permanent Piers regulations which may be needed for our public lakes. He will provide members with an updated copy of a proposed ordinance at the Aug. 17, 2016 meeting for further review.

In response to the request to review the Accessory Building Ordinance (111.508) received from the members of the Zoning Board of Appeals, their representative Robbins will assist member Grotovsky to inspect the existing requirements for each zone and present their results with any recommendations to the commission at the Aug. 17, 2016 meeting.

The state requires the Township Planning Commission to hold at least 4 public meetings a year. In an effort to create a timely review of issues and allow citizens a timeline for input to said issues, the members agreed to schedule regular meetings to be held at 6:00 PM on the third Wednesday of every other month, beginning with August 17, 2016.

NEW BUSINESS

None.

ADJOURNMENT

Motion to adjourn by Wylie, with support by Russwurm. Motion carried.
Meeting adjourned at 10:05 pm.

Respectfully submitted,

Christine Northrup, Secretary
Porter Township Planning Commission

And

Roxanne C. Seeber,
Porter Township Attorney at Law
Bauckham, Sparks, Thall, Seeber & Kaufman, P.C.