

MINUTES OF THE 454TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, JANUARY 20, 2016

The Meeting was called to order at 7:00 p.m. by Chairperson Mitzel in the Township Hall.

WTPC Members Present: Wilber Woods, Rob Mitzel, Cynthia Zuccaro, John Westman, George Goodman, Paul Zalucha

WTPC Members Absent : Erica Perry

Also Present: Martha Zeeb, John Kingsley, Mary Heller, Gary Koch, Randy Raiford, Laura Kreps, John Scharf

I. Approval of Agenda: Paul Zalucha moved, 2nd by Cindi Zuccaro, to approve the Agenda as written. Motion carried.

II. Approval of Minutes: John Westman moved, 2nd by George Goodman, to approve the minutes of the Public Hearing of 12-16-2015 of the Wireless Telecommunication Tower and table approval of the Regular Meeting Minutes until February as they are incomplete in the packet. Motion carried.

III. Citizens Wishing to Address the Commission: None

IV. Township Board Report: John Westman said the Board approved the Special Land Use Application Permit for the Wireless Telecommunication Tower. The County Parks & Recreation attorney has decided that potential open space conservation easements should have uncontrolled public access. It is being negotiated as potential PDR landowners don't like it.

V. Zoning Report – Randy Raiford reviewed his “Zoning, Property Inspection & Code Enforcement Activity Report” dated January 19, 2016 (attached). He thanked the Township for training courses he will receive to obtain a Zoning Administrator Certificate.

VI. Public Hearing for Revised Master Plan Land Use

A. Rob Mitzel said he has not received any written comments except from the Huron Clinton Metropolitan Authority who want their full name used.

B. Rob Mitzel opened the Public Hearing at 7:20 pm

1. John Scharf said he knows the Commissioners have worked on this a long time and he would have liked to have put more time in it. It was the reason he moved to Webster Township and it is a real important document. He asked for an overview of changes.

2. John Kingsley said part of Joy and Merrill roads were omitted from Section 8.03. In the Zoning Ordinance these are Major roads so they should be in that section of the Master Plan. If they are Major Roads in the Master Plan and Zoning Ordinance we can enforce the 110 foot setback. Then building on the two lots on the curve of Joy Road would still allow fixing the curve in the future. Merrill Road is the only north south road to Hamburg Township so it needs the 110 foot setback.

3. As there were no further comments Mr. Mitzel closed the Public Hearing at 7:23pm.

VII. Rob Mitzel said the Planning Commission recommends and the Township Board adopts the Master Plan. He reviewed changes that were made to the proposed Master Plan. He asked for comments from the Commissioners.

A. George Goodman said he felt we are ready to proceed and he knows it is not perfect but there is a mechanism to tweak it. Rob Mitzel said the Board of Trustees can amend it.

B. Cindi Zuccaro said she was happy with it to send to the Township Board.

C. Paul Zalucha and Wilber Woods were happy with the current version as well.

D. John Westman said he understood John Kingsley's comment and we can deal with it at the Township Board so it is okay to forward it.

- E. Cindi Zuccaro moved, 2nd by George Goodman, to recommend for adoption the draft 2015 Webster Township Master Plan to the Board of Trustees.
1. John Westman said he would take the road discussion to the Board.
 2. The Commissioners voted and it passed unanimously.

VIII. Huron River Clean Up Day - Cindi Zuccaro said the Huron River Watershed Council has a grant from the DEQ to help clean up the river. No date has been set yet, but Erica Perry would like the Township blessing to put it on the website to get interested volunteers. It was decided this should go to the Board of Trustees.

IX. Citizens comments:

- A. John Scharf said the Cottonwood Barn appeal will be on February 4th at 11 am.
- B. John Kingsley said he is working on the Budget.

X. Correspondence/General Discussion:

A. Rob Mitzel had copies of Township Focus and Township Planning News. He also had a notice from Lima Township Planning Commission that they are updating their Master Plan.

B. Rob Mitzel asked Randy Raiford to update the Zoning Ordinance on the Township webpage for the amendments done recently. Rob said one of the amendments was changing the size of a building from 120 sq ft to 200 sq ft in the Ag District. John Kingsley said we need to clarify the language as it is confusing for the rest of the Districts.

XI. Paul Zalucha moved, 2nd by George Goodman, to adjourn the meeting. Motion carried. The meeting adjourned at 7.45 p.m.

NEXT MEETING DATE:

Regular Meeting: Wednesday, February 17, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley
M. Heller
R. Raiford

MINUTES OF THE 455TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, FEBRUARY 17, 2016

The Meeting was called to order at 7:00 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: Wilber Woods, John Westman, Erica Perry, Paul Zalucha, Robert Mitzel, Cynthia Zuccaro, George Goodman

Members Absent: None

Also Present: Martha Zeeb, John Kingsley, Charles Estleman, Randy Raiford, John Scharf, Brian Herron, Paul Montagno

I. Approval of Agenda: John Westman moved, 2nd by Erica Perry, to approve this evening's agenda as presented. Motion carried unanimously.

II. Approval of Minutes: Erica Perry moved, 2nd by Paul Zalucha, to approve the Regular Meeting minutes of December 16, 2015. Motion carried unanimously. The January minutes is missing a page.

III. Comments from Citizens: None

IV. Township Board Report: John Westman said the Board approved the permit for the St Joseph Festival. John Kingsley said the Township met in Lansing appeals court on February 4th regarding Cottonwood Barn and we will find out the verdict in a couple of months.

V. Zoning Administrator Report: Randy Raiford reviewed his "Zoning, Property Inspection & Code Enforcement Activity Report" dated February 16, 2016 (attached). Webster Broadband has given the Township escrow money and paid their fees. They are waiting for the weather to break before starting construction of the tower.

VI. Election of Planning Commission Officers.

A. Erica Perry moved, 2nd by Paul Zalucha, to nominate Rob Mitzel as Chairperson. Motion carried.

B. Erica Perry moved, 2nd by Erica Perry, to elect Paul Zalucha as Vice Chairperson. Motion carried.

C. George Goodman moved, 2nd by Cindi Zuccaro, that Wilber Woods continue on as Secretary. Motion carried.

VII. Discussion of Section 8.05 Waiver of Site Plan Requirements for Herron Airport Private Landing Strip Special Land use. (see attached request from Arms Creek LLC)

A. Rob Mitzel said they held a pre application meeting two weeks ago. They wish to combine preliminary and final site plan review. The Commissioners can go back and request waived items later if we find we need them. The field is fairly level and they wish to waive subdivision grading plans that don't apply. Randy Raiford said he could get topography maps from the County.

B. George Goodman asked if the FAA has given approval. Rob Mitzel said yes, contingent on Township approval, and it will be part of the application packet.

C. Erica Perry moved, 2nd by George Goodman, to waive what is requested and grant waiver to Section 8.05 E3 as requested by the applicant for preliminary site plan application along with equivalent information for final site plan. Motion carried unanimously.

D. Cindi Zuccaro made a motion, 2nd by George Goodman, to allow preliminary and final site plan combined for Arms Creek LLC Airport Landing Strip. Motion carried unanimously.

E. Rob Mitzel said we don't have a final application yet to set a public hearing date. Paul Zalucha moved, 2nd by Cindi Zuccaro, to table LLC until we hear from Zoning Administrator that we can do it. Erica Perry asked about expanding the public hearing notice farther than 300 feet. The Commissioners voted and the motion carried unanimously.

VIII. Proposed Budget for 2016/2017 - Rob Mitzel said it could be the same budget as last year and it doesn't need a motion.

IX. Randy Raiford presented draft wording for Section 13.15C – Detached Accessory Buildings (attached). Its purpose is to clarify wording for other districts, as only the Ag District was changed to be 200 sq feet if the building is less than 15 feet tall and at least 10 feet from the property line. Randy was still unsure the wording was clear and suggested the 200 sq ft be everywhere to be in line with the County. Paul Montagno said smaller size (less than 15 feet tall, etc) can be in side and rear yard setbacks

as long as they are 10 feet from the property line. Commercial and Industrial districts cannot be in the set back. Paul said MultiFamily homes seem more Commercial.

X. Rob Mitzel asked the Commissioners for their thoughts on adjusting the Zoning Ordinance as many people are coming to a Planning Commission meeting to request site plan review waivers.

A. Paul Montagno said normal site plan reviews are detailed and he hasn't seen small scale requests at other Planners. We could make criteria of what the Zoning Administrator could waive.

B. The Commissioners were comfortable leaving the Zoning Ordinance as it is.

C. Rob Mitzel asked at what point does the Site Plan need Zoning Administrator and Planning Consultant Engineer review as the Zoning Ordinance is silent. He wants to treat people equitably.

1. George Goodman said he trusted Rob and it is not the best practice to always come to the Planning Commission.

2. Randy Raiford said he could make a recommendation in his Plan review on if we need outside help.

3. The Commissioners were comfortable with Randy and Rob deciding.

XI. Citizen Comments: John Kingsley said Arlington Woods Development may be in the works, Randy has received a proposed site plan for 101 homes in Loch Alpine, and the Fire Department has received a memo from Verizon on a cell phone tower in Webster Township.

XII General Discussion/ Correspondence: Rob Mitzel had copies of the Michigan Planner Magazine.

XIII. Erica Perry moved, 2nd by Cindi Zuccaro, to adjourn. Motion carried. The meeting adjourned at 8:22 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, March 16, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley

M. Heller

R. Raiford

MINUTES OF THE 456TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, MARCH 16, 2016

The Meeting was called to order at 7:04 p.m. by Chairperson Mitzel in the Township Hall.

WTPC Members Present: Rob Mitzel, Cynthia Zuccaro, John Westman,, Paul Zalucha, Erica Perry

WTPC Members Absent : Wilber Woods, George Goodman

Also Present: Martha Zeeb, John Kingsley, Randy Raiford, Brian Herron

I. Approval of Agenda: Rob Mitzel asked to add to item #4 Approve January 2016 Minutes. Erica Perry moved, 2nd by Cindi Zuccaro, to approve the Agenda with the addition of January 2016 minutes to item #4. Motion carried.

II. Approval of Minutes: Paul Zalucha moved, 2nd by Cindi Zuccaro, to approve the minutes of the January 20, 2016 minutes with a change to 2016 in the Header. Motion carried. Erica Perry moved, 2nd by Paul Zalucha, to approve the February 17, 2016 minutes as written. Carried.

III. Citizens Wishing to Address the Commission: None

IV. Township Board Report:

- A. John Westman reported that the Board approved the Township Budget including the Planning Commission's budget as requested. The PDR budget was approved with an increase of \$5000 for contracted services and also a mileage increase.
- B. John Westman reported that the Board approved the proposed Master Plan but did not approve the section on Primary Roads. The nomenclature can change but they kept the existing Primary roads (ie. Joy, Valentine, etc.)
- C. John Westman reported that the PDR Committee met Monday night with Dan Smith, Tom Freeman, etc. to discuss conservation easement access requirements on land parcels which would use Park & Recreation preservation funds.
 1. A task force will be set up to decide public access requirements as the Park's attorney has requested unlimited access and a parking lot installed on a parcel in Scio Township using these funds.
 2. John Westman encouraged the Commissioners to contact Kris Olsson as there are 4 parcels in process in Webster Township and the landowners may participate if this is a natural preservation program and not a park program.
 3. Rob Mitzel asked if there are no retroactive access changes to existing parcels, and also no Township representatives on the task force. John Westman said both are true.

V. Zoning Report – Randy Raiford reviewed his “Zoning, Property Inspection & Code Enforcement Activity Report” dated March 16, 2016 (attached). He asked the Commissioners direction as the County needs a letter from us before A.R. Brower Company, as a third party, can do soil testing on the property at 4144 Mast Road. They don't want to make a site plan if the soils don't work. Rob Mitzel said we must follow the zoning ordinance. Currently the parcel is zoned Ag, but it is Master Planned for a mixed use area. John Westman said to respond that we are willing to review their project proposal if they bring it to us, but we cannot give a letter to the County.

VI. Set Herron Airport Private Landing Strip public hearing

- A. Rob Mitzel asked Randy Raiford if the Application is complete and was told yes.
- B. Erica Perry moved, 2nd by Cindi Zuccaro, to set a Public Hearing date of April 20, 2016 at 7pm. for private landing strip site plan and special land use located at 6570 Gregory Rd.

Motion carried. Erica Perry asked about extended notification. The Commissioners asked Mr. Herron about noise levels, etc. and decided normal notification would be fine.

VII. 2016 Work Plan - The Commissioners discussed the Implementation Matrix and chose:

- A. Amending the Zoning Ordinance to provide for a Natural River District Overlay as Kris Ollson has a grant and would be able to help with this project.
- B. Amending the Zoning Ordinance road categories to be similar to the revised Master Plan (reference Part 9.02 A and 8.03).
- C. Amending the Zoning Ordinance to include gravel road capacity in criteria for rezoning and site plan approval (reference Part 8.04 and 10.03).

VIII. Zoning Ordinance Updates and Set Public Hearing

- A. The Commissioners reviewed Paul Montagno's letter of 12/8/15 (attached). Definition of Building was changed to "A structure covered by a roof, built, erected, and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals or property of any kind."
- B. The Commissioners reviewed Randy Raiford's proposals for 13.15C Detached Accessory Buildings (see attached Current Language) and chose Proposed Language (Option 2) as it is for all Districts.
- C. Erica Perry moved, 2nd by Cindi Zuccaro, to set a Public Hearing for April 20, 2016 at 7 p.m. for proposed Zoning Ordinance updates. Motion Carried.

IX. Citizen comments: John Kingsley said, in addition to tonight, Wilber Woods has missed only one meeting in the past 43 years.

X. Correspondence/General Discussion:

A. Rob Mitzel said he wrote a letter offering his personal support as Planning Commission Chairperson, in response to Kris Ollson's request to support her grant application for green infrastructure, as the letter was due this past Monday.

B. Randy Raiford presented his list of Special Uses without definitions in the Zoning Ordinance. He will look at other Township Zoning Ordinance language. Rob Mitzel said common words are not needed to define as it falls back to general term use. He encouraged him to streamline them if possible as there is a feeling our Zoning Ordinance is already heavy.

C. Rob Mitzel said many Zoning Ordinances put special and permitted uses in a table. Randy said he would like to work on it.

XI. Erica Perry moved, 2nd by Paul Zalucha, to adjourn the meeting. Motion carried. The meeting adjourned at 9:10 p.m.

NEXT MEETING DATE:

Public Hearing: Wednesday, April 20, 2016 at 7:00 p.m.

Regular Meeting: Wednesday, April 20, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley

M. Heller

R. Raiford

WEBSTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING SPECIAL LAND USE AND SITE PLAN OF PRIVATE LANDING STRIP
AT 6570 GREGORY RD IN DEXTER
APRIL 20, 2016

The Public Hearing was called to order in the Township Hall at 7:16 p.m. by Rob Mitzel.

WTPC Members Present: Erica Perry, John Westman, Rob Mitzel, Cynthia Zuccaro

WTPC Members Absent: George Goodman, Wilber Woods, Paul Zalucha

Also Present: Martha Zeeb, Randy Raiford, Chris Atkin, and a roomful of citizens

I. Mr. Mitzel said this public hearing was to consider a Site Plan and Special Land Use Permit. He explained the duty of the Planning Commission and the procedures to be followed during the public hearing. He read the names of a long list of people who sent in correspondence regarding this landing strip (see "Correspondence Received from Citizens" attached). He said only one was in support and 10-12 were not Township residents. Items of concern included noise, spooking the horses, no time limit of operation, property values, plane crashes, effect on wildlife, and the potential for future expansion.

II. Mr. Mitzel asked Brian Herron to make his presentation to explain his application request (see attached "Special use application for a private airstrip . Supporting information packet Arms Creek LLC 6570 Gregory Road" which he gave to the Commissioners)

- A. Mr. Herron explained that his power point presentation is on the Web at Herron.us. He said he has lived in the Dexter community for 8 years. He has two children that go to Dexter Schools. His day job is automotive diagnostic tools. He has been flying for a long time – mostly for his job out of the Ann Arbor Airport.
 - 1. He owns 131 acres on Gregory Road. It is on Arms Creek which is a protected wetland. It has been farmed a long time. He is converting it to organic farming and crop shares with a local restaurant. It is not his intention to have other homes on the property. His farm is not for sale as he plans to continue farming it.
 - 2. He searched five years to find this flat site, suitable for a 2000 foot grass landing strip, as he would like a 2 seater small plane near his home. It will not have concrete, terminals, flight schools, fuel tank, lighting, or public access, but he may build a barn eventually to primarily store farm equipment. He intends to use the airstrip 12 times per year, during daylight, but not in the winter or when the ground is wet. Webster Township has criteria in their Zoning Ordinance for airstrip already and has 2 in the Township in the Ag District but public airports are not allowed.
- B. Mr. Herron said he lined up the runway with Vaughn Road so it is not directly over any houses and there is not a need for earthmoving. He sent letters to 100 neighbors to notify them of his plans and communicated with those who responded. He said he will work with the neighbors, as long as it is an ethical and respectful relationship – call him and he won't fly that day or he can send an email to let people know the day before he will fly, for the first month at least.
- C. Mr. Herron discussed concerns:
 - 1. Noise – he showed a video of using a noise meter with airplanes, cars and motorcycles showing that airplanes are not louder. Helicopters are very loud, but they don't like flying near private landing strips so there is a good chance they will fly around it.
 - 2. Horses – he showed many equestrian facilities, including Palm Beach International Equestrian, near airports and found that horses get use to near-by planes. Cobblestone Farm has a disclaimer saying horses are unpredictable and potentially dangerous.
 - 3. Safety hazard – he said Cackleberry Airport has 100 flights per year and there have been no accidents in Webster Township since it opened in 1978. There are no houses over Vaughn Road and statistically crashes are not likely to happen.
 - 4. Property values – he contacted an appraiser who sent him a letter stating homes sold near an air landing strip showed no measurable difference in property values from other property.
- D. Mr. Herron said there will be no twin engines, turbo props or jets. He does not, and does not intend, to co-own a plane with anyone. In 5 years he may have 3 planes, but he is fine with only one plane. MDOT and FFA regulate airports but they won't approve this landing strip unless the Township issues a Special Use Permit. He may bury the power lines.

- E. Benefits include High Towers are less likely to be approved and he keeps it as a farm.
- III. Mr. Mitzel asked for questions from the Commissioners.
- A. Erica Perry asked why he wants 3 planes in 5 years. Brian Herron said he was fine with a restriction of only one plane.
 - B. Cindi Zuccaro asked who lives on the property and was told it is rented to the previous property owner. He has a crop sharing agreement with a local restaurant and they do the work.
 - C. Rob Mitzel said Paul Zalucha wanted to know where Mr. Herron will store the plane and was told it will be tied down behind the barn on the property.
 - D. Rob Mitzel asked if FFA needs notification if there are more than 12 flights per year and Mr. Herron said no. Rob Mitzel asked if he will allow other pilots to land and Mr. Herron said it was not his intention to share an airplane.
 - E. John Westman asked if the plane will be used for commercial use. Mr. Herron said the farm and aircraft are owned by a LLC but there will be no commercial operation going on.
 - 1. John Westman asked who the members of the LLC are and Mr. Herron said only him.
 - 2. John Westman asked how Mr. Herron will prevent others from using his private landing strip, and if FFA and MDOT are involved the airport will be on their navigation chart so it is likely many others will use it for training and touch and go so Mr. Herron really can't control its' use. Mr. Herron said Cackleberry is grandfathered as a public airport but private airports don't give out information and pilots don't fly where they don't know.
 - 3. John Westman asked what Mr. Herron's certification is and learned he has multi engine certification but not a jet pilot. A 2000 foot landing strip is not long enough for a twin engine.
- IV. Rob Mitzel opened the Public Hearing to the Public at 8:15 pm.
- A. Andrea Zamansky said she moved to Vaughn Road in 2012 and loves the rural character and the peace and quiet which the Master Plan seeks to preserve. This airport will be noise pollution and threat to safety, while working with her horses, due to low flying airplanes. She has a signed affidavit by professional trainers and veterinarians at the back of the room. One incident could put someone in a wheel chair or a casket.
 - B. Linda Dicks said her late husband was a pilot and flight instructor. Planes are not that loud and there are very few pilots who use a grass runway. Balloons are louder and more dangerous.
 - C. Paul Bishop said the zoning ordinance calls for notification of 300 feet but that is not compatible with a rural township so we should notify more. He is 250 feet below the airplane on Vaughn Road so he doesn't want him to make a mistake.
 - D. Brittany Weber, from Northville, said she is President of Eventing Association of Michigan and works with Cobblestone Farm to run events which support economic activities in the area. During shows horses come from other places so they are not use to the planes and these airplanes will be low and loud so she and the Eventing Association of Michigan are in opposition of the airport.
 - E. Kathy Hammerschmidt, of Superior Township, has been riding horses over 25 years. She lives under the flight pattern of the UofM helicopter and her horses are used to it. Horses come to Cobblestone that are not exposed to overhead flights and are ridden by children. Horses are prey animals and run from things that scare them. Professional equestrian facilities, such as Palm Beach, are ridden by adult professionals.
 - F. Connie Savander of Vaughn Road read a letter from President Truman in 1952 to set up a temporary Airport Commission to look into location and use. It set up Clear Zones at the end of runways. She was concerned about plane wrecks as the end of the runway is 675 feet from her house. She is terrified as, due to wind conditions from south southwest, the planes will mostly take off over her house. The Township needs to protect residents and deny the Herron Airport.
 - G. Brian McGuire said he lives between Cackleberry and the proposed Herron airports. In the summer when he is outside the noise is really annoying. He asked is farming his real intention or an excuse to put in an airport, and how easy is it to up the limits of the number of airplanes.
 - H. Robert Redman lives one mile east of Cackleberry and has noticed a variety of aircraft using it. He asked about noisy gliders and drones. He asked if the land use is deed restricted in perpetuity. He asked the identity of the two other aircraft.
 - I. Gary Hunter said he lives 1200 feet southwest of the end of the runway. He worked for Harley Davidson Motorcycle and the airplane noise levels are louder. He is outside a lot and it will be too loud even once per month.
 - J. Greg Bergin said the flight path is along Vaughn Road and trees are there so planes coming down

will hit the trees.

- K. Jim Daratony owns Cobblestone Farm and said it is not true that planes don't scare horses. He lost a hay barn due to fire this past week so airplanes flew overhead and spooked the horses.
- L. Andrea Scharf read her husband's letter which said air transportation is not part of the Master Plan. Township residents paid almost two million dollars for PDR to preserve natural features like Ag and wildlife. The Huron River Watershed Council Green Infrastructure Planning document of 2014 shows the north end of the proposed landing strip is hydric soil. If this moves forward it needs a formal site plan that includes future buildings. How would this airstrip further the applicant's operations?
- M. Neil Ehnis, Deer Run Homeowners Association, wanted 10 minutes to talk. Rob Mitzel was concerned that others in this Association not speak. Randy Raiden said we need document from the Homeowners Association. Mr. Ehnis said he gave it to Mr. Kingsley. Mr. Ehnis said he represents 32 homes and 29 homes have signed a petition against the airport as they are concerned with noise, safety and hassle. He was told Mr. Herron bought the land for an investment so where is the investment return on 131 acres. He heard that Mr. Herron said he eventually would like an airport community. Outside storage of the plane will mean 10 times more maintenance and he will need fuel tanks for it. How safe are fuel tanks from stealing, with the potential for delivery to the property of airplane fuel. Mr. Herron requested instrument landing capability so he is not telling everything. FFA wants 3200 feet so Webster Township is being played – in 2-3 years? Anyone can land there and he can't stop them. Mr. Herron lives in Scio Township and jeopardizes homeowners in this community. He said Christyn Scott is their attorney and would like to say a couple of things for the last 5 minutes of his time.
- N. Christyn Scott, Attorney from Bloomfield Hills, represents Zamansyk and Savender who like quiet land use of Webster. Cackleberry is a public airport 3.6 miles away and he could use it. There are many reasons to deny. She has petition with 150 signatures of opposed. Mr. Herron has the burden to comply with all requirements of the Zoning Ordinance. It is not in the Master Plan and airplanes are loud. He hasn't specified what plane he will use and he is free to use any plane he wants after the application is granted. The township has to consider health, safety and welfare of residents. In packet it shows runway needs to be 3720 feet. Her clients live at the end of the runway protection zone. Mr. Mitzel broke her off as she was supposed to be representing the Association.
- O. Jennifer Brooks, of Grass Lake, who represents the Huron Valley Pony club, instructor and horse trials at Cobblestone, said she was concerned as horses are flight animals and use peripheral vision. There are children 5 to 25 years old on competition horses that are highly trained and conditioned Thoroughbreds. She tries to keep a safe environment for kids so this is a big concern.
- P. Emma Zamansky said she likes to ride her pony and help with their chores. The airport means horses spook and she would be scared to ride her pony.
- Q. Ciaran Thompson said he is a trainer at Cobblestone. Horses were very spooked April 18th by airplanes that flew over and student adults are a big part of the business. They had to bring the horses inside. Palm Beach horse facility has top riders and they are allowed ear bonnets for the horses to reduce noise.
- R. Grant Greenberg lives behind Cobblestone and said greenspace was funded by the taxpayers and airports do not seem to fit and are not stated in the Master Plan. The property values Mr. Herron stated had no evaluation before and after the airport. If property values go down then Township tax revenue will go down. Noise meter microphone and environmental impact to the community and wildlife is not the same. We need a certified scientific study paid by the DNR qualified to assess the impact.
- S. Cindy Hunter said she likes the organic farm and is an organic master gardener. Her house is by the runway. She had hot air balloons crash in her front yard about 5 years ago about 10 feet off of her front porch. She walks dogs on Vaughn Road and the children who ride on Vaughn Road are not ready to handle spooked horses. They bought the house because of the value of the community, respectful, polite, and quiet. Life flight saves a life, but never flies over twice a day and is not just pleasure flying. A Bi Plane flew over low during the fire and was not a conscientious flyer.
- T. Mark Krecic asked if the special use goes with the land if he sells. He asked if Mr. Herron is a member of the Experimental Aircraft Association and who certifies the liability of the aircraft.

- U. Rosa Hammond said she lives on North Territorial and is in line with the airport. She was concerned with airplanes directly over their home, drones in the area, and impact on property value. She wanted it to not be approved.
- V. David and Pakiza Emrick live on North Territorial Road directly north of the airport. They moved from the city and are concerned with it over their house as they have 4 small children. They have had hot air balloons crash in their back yard.
- W. Bob Douglas said he knows farmers don't produce airstrips. This might be commercial as it is related to his business.
- X. Michelle Krebs said she has horses and loves their privacy. They searched a long time for their house and put in gates. 100 feet over her house is a safety issue as she has horses and small children. Mr. Herron can go to other airports.
- Y. Jamie Mistry loves horses. This would benefit one person to fly but he can do that 3 miles away. Most people don't want to live under an airport and it would be 150 feet from his house.
- Z. Colin Kahn said he has been a real estate broker for 20 years and a house in the runway path will devalue the property. Horses are athletes and they ride horses on Gregory Road and horses will spook. Horses are mentioned in the master plan as a mode of transportation. This airstrip could be a danger to landowners. He quoted the Webster Public Nuisance Ordinance and said without question this air strip will render public insecure in life or property. He understands property rights but near equine center just doesn't fit.
- AA. Jean Ligon said she is on the Putnam Township Planning Commission and is Vice President of the Michigan Horse Council. We need to protect the horse community and they are an economic benefit. If this permit is granted it is forever and he could sell to someone with a different view. If approved by the FFA as a private airstrip it is a more lenient use than personal airstrip. We must use the right language for a personal airstrip. Our Township zoning ordinance doesn't regulate private airstrips. She suggested a moratorium on private landing strip for 6 months to look at it.
- BB. Joslyn Shehab said she is outside all day and noticed the increase in air traffic around Cobblestone Farm this week. It was loud. They have no motorized vehicles on the 2 miles of horse trails around her property and she likes the quiet.
- CC. Lauren Roberts said she is an audiologist. Many things in the environment affect how sound travels so the noise meter doesn't work. Planes need to be maintained and will be idling and not just flying. Vibrations from aircraft affect wetland life and nature.
- DD. Holly Bilinski moved here 2 years ago. Her dad is a private pilot and planes are loud. She would like to keep her windows open. She is concerned with expansion and the future if it is sold.
- EE. Darlyn Daratony said she has 5 kids and they set up the equestrian community so that it is safe. They have walking trails to jog and bike. Planes are low and loud and spook the animals. Deer are in the field next to the landing strip and are hazard to planes. They host 4-H and pony clubs events with children. She asked to deny the request.
- FF. Megan Mullaney said there are no lawsuits reported as horses spook at everything, but the rider is dealing with the horse so you can't see the license plate and know we can't pursue it.
- GG. Steve Zemansky said he lives under the flight path and will never feel safe. The FFA explicitly leaves it to the locality to ensure that any airport that the Township approves is safe. All safety guidelines must be met and we must ere on the side of caution. The use of this airport could be greatly expanded as a private airport in scope, scale, time of operation, uses and he sees no justification.
- HH. Jean Wallace has 26 acres of the Jack Arbor farm on Gregory Road and rides at Cobblestone. A spook means panic and it is a life threatening situation. We need to take that into consideration.
- II. Brant Savander lives close to the end of that runway. He showed aerial photos from the top of his house and the Hickory trees along Vaughn Road that are 50-90 feet tall. He will need hearing aids when the plane is going over. There are 1000 accidents a year over the last 20 years. The National Transportation Civic Board identifies every accident and 80% crash near take off and extend over the area. After speaking with the FFA he knows this is not a federally funded airport so it is up to us for safety.
- JJ. Isabella Shehab is President of Washtenaw County 4H horse board and rides at Cobblestone Farm. She enjoys taking her horse down Vaughn Road with young kids who are still learning. Horses will do something stupid with airplanes going over head and will hurt kids or her.
- KK. Steve Mckee moved here 20 years ago for the quiet and is adamantly opposed to the airport.

Airplanes are louder than cars, and safety for his family, appraisal of property value is affected as he will have to disclose there is an airport there if he decides to list his property for sale.

LL. Jason Wiley rents the house next to Mr. Herron's property. He is not sure of his true intentions as it will take many years to start an organic farm to get his money back. Mr. Wiley's stepdad has no problem using Cackleberry even though they have property they could put a landing strip.

MM. Mike Kanny is near the kill zone. He has 5 kids and it is a matter of when the plane will crash. If it does come in his house he hopes it kills him and everyone in his family, because if it doesn't "I will let you people know for the rest of your life what you did."

NN. Chris Trinkle lives at Gregory and Mast Roads. This is a farming community and this is a safety issue so she begged us to reconsider.

OO. Laurie Jeffries said she lives in Dexter and boards at Cobblestone Farm and it is a great, safe, facility. Low flying airplanes will affect the Daratony's business as other boarders may leave also. It could really jeopardize something great in our community.

PP. Neil Heller said his family's property parallels the proposed runway and he is a 4th generation part of an active farm. He enjoys the surrounding land for nature and wildlife. He mentioned a co-worker in Stockbridge who has a small plane landing runway like the proposed one. They have 3 planes on their farm but the air traffic over them is heightened to such a level that they can't enjoy their property. It concerns him that there will be far more traffic than what is proposed and you can't stop it.

QQ. Chris Gordon of Brass Creek said he is a pilot and grew up around planes. To him it is a safe environment. Everything we do has risk. Per the Zoning Ordinance Mr. Herron has a right, as a private property owner, to put in a private strip on his property in the community. We live in a small community and should be respectful, and not accuse Mr. Herron of being deceptive in what he is doing. He doesn't feel it will be disruptive to the community at the level Mr. Herron anticipates.

RR. As there were no further comments Mr. Mitzel closed the public comment portion of the Public Hearing at 9:50 pm.

1. He tried to answer some of the specific questions he heard.

a. The Special Land Use goes with the land in perpetuity.

b. Special Land Use can be approved with conditions.

c. Violations mean the Township would need to take enforcement action.

2. Mr. Mitzel asked Mr. Herron about specifics of the planes, top air speed, fuel, farming activity, etc. Mr. Herron said he has not purchased a plane yet but expects it to be a single engine 2 seater. He has no intention to put fuel at this airport and would be fine with the restriction that he can't have fuel here. Maintenance will be done at other airports. The top airspeed will be 100- 120 mph at full power cruise. IFR would take additional review, but there is no lighting so it would not qualify for IFR, and it is not his intention. He bought the property for both farming and a landing strip. The business owns it but how it is structured is a tax thing. The airplane is separate as it is for his own use.

V. Rob Mitzel closed the Public Hearing about 10:00 pm.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: M. Heller

J. Kingsley

R. Raiford

MINUTES OF THE 457TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, APRIL 20, 2016

The Meeting was called to order at 7:05 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: John Westman, Erica Perry, Robert Mitzel, Cynthia Zuccaro

Members Absent: Wilber Woods, Paul Zalucha, George Goodman

Also Present: Martha Zeeb, Randy Raiford, Brian Herron, Chris Atkin, and a room full of citizens

I. Approval of Agenda: Erica Perry moved, 2nd by Cindi Zuccaro, to approve the agenda as written. Motion carried unanimously.

II. Approval of Minutes: John Westman moved, 2nd by Erica Perry, to approve the March 16, 2016 Regular Meeting minutes as presented. Motion carried unanimously.

III. Comments from Citizens: None

IV. Township Board Report: John Westman said Mary Heller submitted her resignation effective May 15, 2016 and Barb Calleja, Deputy Clerk, was appointed as Township Clerk.

V. Zoning Administrator Report: Randy Raiford said he met with our attorney regarding code enforcement, he will send a letter with the July tax bill explaining the Zoning Ordinance and how to stay within compliance, and the Special Use Application is now on-line.

VI. Public Hearing for Special Land Use and Site Plan of Private Landing strip at 6570 Gregory Rd, Dexter, MI- aka: Herron Airport (see attached)

VII. Action Item: Site Plan Approval and recommendation to Township Board for Special Use Permit for Private landing Strip at 6570 Gregory Road, Dexter, MI aka "Herron Airport".

A. Rob Mitzel explained the criteria for consideration for recommending approval of a Special Use. He read 4 criteria to add conditions to a Special Use. If we recommend approval we will also need to approve the Site Plan subject to adoption of the Special Use permit.

B. Rob Mitzel asked Randy Raiford for his report.

1. Randy asked the public to take down the signs now that the public hearing is over and not have them in the road right of way per the sign ordinance.
2. Randy reviewed his "Administrative Report to the Webster Township Planning Commission" dated April 13, 2016. He said the property is open farm land and the future land use in the Master Plan is Agriculture. The Michigan Dept. of Transportation of Aeronautics has reviewed the application and has no objections, but no Commercial use is allowed on it. FAA is reviewing it.

C. Rob Mitzel asked the Commissioners for their thoughts

1. Cindi Zuccaro asked Mr. Herron about the option to use the Cackleberry Airport. Mr. Herron said it is privately owned but public right to use it does not mean free, and he is not sure he could park a plane there. He could park at the Ann Arbor Airport but he wants his own land to park the plane.
2. Erica Perry asked if there should be an environmental impact study as Arms Creek is in the Natural River District and could be affected.
 - a. Rob Mitzel said the Township could request a study, as part of the Site Plan review, if we are leaning toward approval.
 - b. Cindi Zuccaro said a subdivision is way worse for the environment so she doesn't see the point of an environmental impact study.
3. Erica Perry said factors she is thinking about are: Mr. Herron tried to inform the neighbors and did a lot of research; many horse trainers say safety is adversely affected; realtors say property values will be affected; Audiologist say noise has more factors than just decimals, and the concern that children are learning to ride horses.
4. John Westman said business and aviation activities were not adequately addressed. The State of Michigan letter said commercial use is not allowed. The comments from professional horse people about the danger created by the airplane are a concern. There were many questions on

noise and flight levels over resident's homes.

5. Rob Mitzel said the Zoning Ordinance evaluation criteria are objective – what is subjective is how it could adversely affect neighbor lands. Mr. Herron originally came to the Township for infrequent use. If there was a way to shift the landing strip so existing houses are not in areas where accidents are more likely to occur or plane aren't as low, but it would affect the wetlands if it is moved north. We could put on restrictions but would it still be useable for Mr. Herron?
- D. John Westman read the Zoning Ordinance Standards of Review. He said he is an extreme proponent of property rights, but the petitioner has the burden of proof to prove his position is the correct one. The Equestrian operation is an existing use, and the comments tonight say the proposed activity would have a negative impact, so we must take it into consideration. It would be common sense that a use on a neighboring property could decrease property value.
 1. John Westman moved, 2nd by Erica Perry, to recommend the Township Board deny the petitioner's special land use application for Herron Airport.
 - a. John Westman said he is uncomfortable with 4 people making the decision but we do have a quorum. The Zoning Ordinance has the burden to supply all pertinent information on the applicant. Mr. Herron made the statement that airplanes have no negative effect on horses, but most likely the horses are conditioned to airplanes. This airport would affect other people's property rights.
 - b. Erica Perry said the Township Master Plan and survey said people want the area to remain rural. Her horse spooked with loud sounds and she doesn't want children to worry about that.
 - c. Cindi Zuccaro said planes go over horses now. Grass landing strips and horses have been a part of our community history. She wants respect for everyone, and this is proposed to be 1 or 2 flights a month so it is a struggle for me to decide.
 - d. Rob Mitzel said we are tasked to balance everyone's rights as long as there is no negative impact on others which is why we have Zoning. A grass landing strip is a rural environment but not with houses at the end of the runway. He encouraged Mr. Herron, even though he searched already, to find other land or to shift it north because of the number of houses at the south end of the runway.
 - e. Rob Mitzel commended Brian Herron's presentation and the public for sticking to the facts. We don't have a full planning commission but do have a quorum. This is a recommendation to the Township Board and they have the final decision.
 2. A roll call vote was taken and the motion passed 4 to 0.

VIII Public Hearing for Proposed Text Amendments to the Webster Township Zoning Ordinance: (see attached Resolution No. 01-16)

- A. Rob Mitzel opened the public hearing at 10:30pm and asked for comments from the public. Robert Douglas said he has a 4-H lama club on his farm and asked if the new language will adversely affect this.
- B. As there were no further comments Mr. Mitzel closed the Public comment portion of the Public Hearing at 10:34pm.
- C. Mr. Mitzel read the proposed Ag Teaching Center definition as it is not currently defined in the Zoning Ordinance. It is in the Ag Business District and not normal farming so would not affect Mr. Douglas 4-H Club.
 1. Mr. Mitzel said we need to change the spelling to "experience agricultural activities" from "experiences agricultural activates" in the Ag Teaching Center definition.
 2. Erica Perry said we need to make it "space" instead be "spaces" in Section 9.10(D)(xi)
 3. Mr. Mitzel said the Resolution is Resolution No. 01-16-16.
- D. Cindi Zuccaro moved, 2nd by John Westman, to recommend to the Township Board of Trustees to approve the adoption of Draft Resolution No.10-16-16 for Zoning Ordinance text changes with words "experience" and "activities" corrected in Ag Teaching Center and the last word "spaces" corrected in 9.10(D)(xi). Motion carried unanimously.

IX. Rob Mitzel suggested postponing discussion on Gravel Road Capacity implementation until the next meeting. Motion by John Westman, 2nd by Cindi Zuccaro, to table discussion of item #9 until the next meeting. Motion carried.

X. Citizen Comments:

A. Gary Koch said the Commissioners did a good job tonight. He suggested adding asphalt roads to the gravel road capacity study as you can't improve asphalt. In the past six months there has been a big increase in traffic on his road.

B. Erica Perry said the dust on her road is a hazard as she almost hit a bike.

1. John Kingsley said the Road Commission got pothole complaints so they graded, as their job is safe passage, but did not expect dry roads this early.

2. John Kingsley said the township put \$300,000 in the budget for dust control, bridge on Strawberry Lake Road, and an estimate to raise the south end of Jennings Road near North Territorial and limestone it.

XII General Discussion/ Correspondence: Rob Mitzel said none except for lots of letters for the Public Hearing.

XIII. Erica Perry moved, 2nd by Cindi Zuccaro, to adjourn. Motion carried. The meeting adjourned at 10:45 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, May 18, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley

M. Heller

R. Raiford

MINUTES OF THE 458TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, MAY 18, 2016

The Meeting was called to order at 7:05 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: John Westman, Erica Perry, Robert Mitzel, Cynthia Zuccaro, George Goodman

Members Absent: Wilber Woods, Paul Zalucha

Also Present: Martha Zeeb, John Kingsley, Gary Koch, Randy Raiford, Drew Saunders, Chris Akin, and 9 citizens

I. Approval of Agenda: Erica Perry moved, 2nd by Cindi Zuccaro, to approve the agenda as written. Motion carried unanimously.

II. Approval of Minutes:

A. The Commissioners reviewed the Regular Meeting draft minutes of April 20, 2016. Cindi Zuccaro asked to add "Mr. Heron about" to VII C 1 after "Cindi Zuccaro asked". She also asked to add to VII D 1 c "history" after "part of our community" and also in this section to add "for me to decide." after "it is a struggle". Erica Perry moved, 2nd by George Goodman, that we approve the Wednesday, April 20, 2016 minutes of the Planning Commission Regular Meeting with the additions Cindi mentioned. Motion carried unanimously.

B. The Commissioners reviewed the draft public hearing minutes of April 20, 2016. Erica Perry asked to change in IV RR 2 "owes" to "owns" and "cruse." to "cruise." Erica Perry moved, 2nd by Cindi Zuccaro, to approve the minutes of the April 20, 2016 Public Hearing Special Land Use and Site Plan of Private Landing Strip with those two corrections in IV RR 2. Motion carried unanimously.

III. Comments from Citizens: None

IV. Township Board Report:

A. John Westman said the Board affirmed the appointment of Donna Whitney as Deputy Clerk.

B. The airport landing strip has been postponed indefinitely.

C. The Board approved the Zoning Ordinance amendments to the definitions. Section 13.15c amendment for accessory building change was deleted from the approval as there was disagreement about setback requirements for these small buildings. Randy Raiden will work with everyone to come to an agreement on setbacks.

D. The PDR Committee closed on 100 acres on Joy Road west of Webster Church Road this past week. There are still issues with the County Parks and Recreation program about public access.

V. Zoning Officer Report: Randy Raiford reviewed his "Zoning, Property Inspection & Code Enforcement Activity Report" dated May 18, 2016 (attached).

VI. Public Hearing for Special Use Permit and Preliminary and Final Site Plan approval of Wireless Telecommunications Tower at 2833 W. Northfield Church Road, Ann Arbor, Mi,- applicant TeleSite Wireless for Verizon Wireless.

A. Rob Mitzel opened the Public Hearing at 7:33 pm and mentioned he has not received any written comments from the public. He asked Verizon to explain their request.

B. David Antoun said they plan a 190 foot self-supporting monopole tower, galvanized steel grey in color, and will not be lighted. It will be enclosed in a 60x50foot compound behind trees and bolted to 20 to 40 foot deep concrete. The access drive will be off Northfield Church Road. It is expensive to put up so they only put it in the area they need it most.

1. Robert LaBelle, attorney for Verizon, explained the site is needed to assist the other existing towers to deal with capacity issues due to great increase in the use of cell phones, email, data and 911 calls. Verizon is obligated to provide service in areas where they purchased a license. Their competitors also have problems, but the tower would be this tall so as to allow co-location every 10 feet to reduce the number of needed towers in the area.

2. Mike Avery, Radio Frequency Engineer, explained that the proposed site also helps the low service in the area. They monitor the use of each site and performance is going down. The

new tower would provide service and help with capacity issues. They don't get additional income from the tower – it just preserves good service and in 2020 there will be more licenses to help.

C. Rob Mitzel asked for questions from the Commissioners:

1. Rob Mitzel said the description said the tower is 197 feet tall and Robert LaBelle explained the tower has a lightning rod on it. Rob asked if it will be over capacity in a few years and they said no.
2. Erica Perry asked if this location is 2 miles from other towers and was told yes.

D. Rob Mitzel opened the Public Hearing to the Public

1. Lori Nonnenmacher asked the location of the tower and why a tower isn't in the white area that is not serviced instead. She has good service and the greenbelt area doesn't need a tower. It is 197 feet tall and other service providers can buy 10 feet below so what will the pole look like with other providers every 10 feet.
2. Marilee Laeder, property owner, said her indoor arena is visible from the road and the proposed tower is 225 feet behind it in the woods. She likes the trees and wants to protect as many trees as possible.
3. Eric Nonnenmacher is on the neighboring property and 190 feet tall will be an eyesore. He has Verizon and has no problem with service. It is a pretty quiet area so why is this necessary as it will lower his property value.
4. As there were no further comments Rob Mitzel closed the public comment portion at 7:58pm.

E. Randy Raiford, Zoning Administrator, reviewed his report, dated May 1, 2016 (attached).

1. He explained it will have a 50x60x8 foot high chain link fence area with a 1000 gallon propane tank and generator. It will be 1200 feet south of Northfield Church Road with no new driveway.

2. For a Zoning Compliant Permit the applicant will still need to provide 1) Lease Agreement with the Property Owners 2) Approved boundary adjustment of the subject property 3) a Construction schedule 4) Evidence of approvals or waivers of all County and State Entities as described in Section 8.05 E (4) (d) xxvii of the Webster Township Zoning Ordinance 5) Drawings showing construction details of the tower, the equipment cabinet platform, fence and all other improvements - including drawings that show the overall height of the tower, plus all attachments, does not exceed 195 feet 6) A written statement from a radio frequency professional that justifies the need for the proposed new site 7) a certificate of Liability Insurance naming Webster Township as an additional insured 8) an accurate estimate of construction costs and the associated performance guarantee.

3. Robert LaBelle asked the Commissioners to not require 3rd party radio frequency engineer as it would show the exact same data that they have. It would be public data that their competitors could use and this is a unique requirement of only them.

4. Robert LaBelle said they can supply the removal bond but asked to remove without the bond.

Rob Mitzel explained the bond can be done after approval, but before they build, or if they wish to not have the bond they can go to the ZBA.

F. Christopher Atkin, Planner, reviewed his report "Special Use Review for Webster Township, Michigan" dated May 10, 2016 (attached)

G. Questions from the Public Comment portion

1. Rob Mitzel asked why would a pole be put there as residents don't have problems with their service? Robert LaBelle explained they want to put this tower in the middle of their other towers that have capacity issues so they only need to put up this tower. They place it for residential need but not in a residential area. They like it 1200 feet from the road and the trees to be there so it is less obtrusive. They talked to many farmers but some said no and others couldn't because of conservation easements.
2. Rob Mitzel asked how the tower would get power and learned it will be underground fiber.
3. Cindi Zuccaro asked them to explain the other providers attached to the pole. Mike Avery said there are only 2 or 3 other service providers, at most 5, as other providers are combining. 911 can use lower on the pole and they let them be free of charge.

H. Discussion by Planning Commission:

1. Rob Mitzel explained there is no provision to waive the 3rd party independent engineer study. The Township attorney explained to him the Planning Commissioners can suggest the applicant go to the

ZBA, which would waive the 90 day clock, or recommend approval subject to provide the study before the Township Board takes action.

2. Erica Perry asked if we can waive the performance guarantee. Rob Mitzel said the ZBA can waive it or the applicant can provide it before it is granted.

3. Erica Perry asked about impact on property value. Robert LaBelle said people want connectivity in their homes so it improves the value of property. He provided a study (attached) showing no effect on the value of existing property. In addition, he said Public Service requires these types of structures.

4. Erica Perry asked how big the attachments will be that are on the tower every 10 feet. Robert LaBelle explained they will be 12-15 feet wide on the tower and will look like shutters.

5. Erica Perry asked how the need for capacity has increased when the greenbelt can't develop around it. Robert LaBelle said the towers reach well outside the greenbelt. This tower would help other towers and also reach indoor coverage. In addition the proposed property is near the expressways and people use their cell phones there. There are 23 regulatory agencies that must approve. They can't disturb woods as there might be Indiana Bats.

6. George Goodman asked how tall the trees are in the woods and learned they are 50-75 feet tall. George asked if he will get better service to download at his home and was told they will have better in building coverage.

7. John Westman was concerned if the FAA would require the tower to be illuminated later. Robert LaBelle said the FAA has already said no lights are needed. John Westman asked if Verizon can improve the existing towers. Robert LaBelle said they have already done what they can on those towers. There are many limiting factors including the curvature of the earth and power regulations.

8. Rob Mitzel said the Landscape Plan is provided and he feels, since the tower would be 1200 feet back and with the woods, you won't see the fence or building. Randy Raiden agreed as he visited the site.

I. George Goodman made a motion, 2nd by Erica Perry, to recommend to the Township Board approval of the Special Land Use for Wireless Telecommunication Tower at 2833 W. Northfield Church Road subject to the conditions of the Zoning Officer May 1, 2016 review letter and with regard to Independent Radio review they can pursue ZBA variance or provide the independent radio review before the Township Board action.

1. John Westman asked if the applicant selects the Independent Review person. Rob Mitzel said the Zoning Ordinance states the applicant shall supply.
2. The members voted and it carried unanimously.
3. George Goodman moved 2nd by Erica Perry, to grant approval of the preliminary and final site plan for the Wireless Telecommunication Tower at 2833 West Northfield Church Road subject to getting Special Land Use approval by the Township Board of Trustees. Motion carried unanimously.

VII. Natural River District presentation by Kris Olsson

A. Erica Perry explained our Master Plan implementation matrix to improve awareness of what is required and to protect the Natural River system. Kris Olsson of the Huron River Watershed council has a grant and Webster Township is designated to benefit from it. Erica Perry attends their meetings.

B. Kris Olsson said in 1979 the State authorized the Natural River Program. The Huron River and part of Arms Creek is in it. She passed out an explanation sheet of the Huron Natural River District and two maps, (attached) of structures within the 125 foot setback and intact vegetative buffers along these waterways. They are making a brochure to educate residents and businesses which we can keep in the Township hall, on our website, and send with the taxes. The program provides an extra layer of zoning requirements. Webster residents need to go to the State DNR for permits.

1. Rob Mitzel asked if our Township changed our Zoning Ordinance to be the same setback as the State then our residents don't need to go the State. Kris Olsson said she will give us sample zoning ordinances for a Natural River District. The Site Plan review needs a Natural

River District.

2. Kris Olsson said there will be an Annual River clean up at Hudson Mills on August 20, 2016 that residents can participate in. She also has an interested party list – email for people.
3. John Westman mentioned to Kris Ollson about the public access dilemma for Webster's PDR.

VIII Gravel Road Capacity

- A. Rob Mitzel said this is to line up the Master Plan and Zoning Ordinance terminology. Chris Atkin will bring where they align to the next meeting.
- B. The Commissions discussed what performance level and measuring criteria could be used.

IX. Citizen Comments:

- A. Gary Koch asked if the Zoning Ordinance requires the Cell Tower to prove the need and meet the distance between towers. Randy said they meet the distance between towers. Chris Atkin said the Board can approve if the need is proven prior to the Board Meeting or contingent on the ZBA.
- B. Gary Koch said small detached accessory buildings, in the Ag district, has a 10 foot setback and the rest is confusing. Rob Mitzel said R-1 is 10 foot from the lot line and the rest have to meet the setbacks. Chris Atkin said distance is for fire safety.

X. General Discussion/ Correspondence:

- A. Rob Mitzel had copies of Township Focus and Planning and Zoning Magazines.
- B. Rob Mitzel had correspondence from Carlisle Wortman about the City of Dexter Master Plan.
- C. The Commissioners discussed the need for, and frustration with, Township email accounts.

XI. Erica Perry moved, 2nd by George Goodman, to adjourn. Motion carried. The meeting adjourned at 10:08 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, June 15, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley

B. Calleja

R. Raiford

MINUTES OF THE 459TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, JUNE 15, 2016

The Meeting was called to order at 7:03 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: Robert Mitzel, Cynthia Zuccaro, Paul Zalucha, George Goodman

Members Absent: Wilber Woods, John Westman, Erica Perry

Also Present: Martha Zeeb, Randy Raiford, Brian Herron, Chris Atkin, Charles Estleman, Steve Brouwer Allison Bishop

I. Approval of Agenda: Cindi Zuccaro moved, 2nd by Paul Zalucha, to accept the agenda of the June 15, 2016 Webster Township Planning Commission as written. Motion carried unanimously.

II. Approval of Minutes: Rob Mitzel asked to change "Raiden" to "Raiford" in item IV C. George Goodman moved, 2nd by Cindi Zuccaro, to approve the May 18, 2016 Regular Meeting and Public Hearing minutes with the correction as noted. Motion carried unanimously.

III. Comments from Citizens: John Scharf said the State Court of Appeals issued a unanimous ruling affirming the lower court ruling of the Cottonwood barn.

IV. Township Board Report: None as they will meet next week.

V. Zoning Administrator Report: Randy Raiford reviewed his Zoning, Property Inspection and Code Enforcement Activity Report dated June 15, 2016 (attached).

A. He asked the Commissioners to review the letter he will send with the Tax Bills "Our Community and Zoning Ordinance Compliance" (attached) before he takes it to the Township Board next week.

B. He asked the Commissioners to review Article 8-Site Plans (attached) to discuss at the July meeting.

C. Randy Raiford said the Township does not have anything in the Zoning Ordinance to make people mow their yard. Rob Mitzel suggested the Nuisance Ordinance covers noxious weeds and the Township Board should decide if they want the Planning Commission to work on it.

D. Rob Mitzel said the airport signs are down but the St Joseph church sign and Flee Market signs are too big.

VI. 4144 Mast Road Development Concept – A.R. Brouwer Company

A. Steve Brouwer said, because of the 429 agreement, Dexter Village is unwilling to provide water and sewer to the site unless it is Industrial. He needs acknowledgement from the Township that the Township is willing to proceed on Residential, as the County inspector will not witness the test or look at the site unless the Township is willing to consider a Community Septic System.

B. Rob Mitzel said our Master Plan says no Community Septic System but the Zoning Ordinance allows them as a Special Use if approved by the Township Board. It would be a policy decision of the Township Board.

1. Rob Mitzel said our new Master Plan says Mixed Use for this area as it is the gateway to Webster Township, but the proposed is only residential.

2. Steve Brouwer said Dexter City wants the property annexed to get sewer for residential. Mixed Use may need Community Septic System.

C. Paul Zalucha said Mixed Use would meet the Zoning Ordinance and it would need Special Use for PUD and septic system.

D. Rob Mitzel said the Township Board meets next week and he would like to discuss Mixed Use in the Master Plan. Steve Brouwer said they would go to the Township Board to find out if they want Community Septic System and Residential or Mixed Use.

VII. Zoning Ordinance Text Amendments for Road Terminology to align with Master Plan

A. Rob Mitzel said changing the Definitions and areas in the Zoning Ordinance to Primary, Local, and Neighborhood Roads would align with the Master Plan terminology. (see Attached)

B. Chris Akin said this change would match with County Road Commission terminology.

C. Rob Mitzel said this could be part of the next Public Hearing in September.

VIII Natural River District

- A. Rob Mitzel explained that our Township does not have the correct setbacks along the Huron River to meet the Natural River Program. Our residents would need to go to the DNR Zoning Review Board to appeal set back issues on their property.
- B. Rob Mitzel showed the Hamburg Township Zoning Ordinance Natural River District which is very detailed. He said our Zoning Ordinance has surface water overlay district and he will find out if we could amend it to comply with the Natural River requirements and then work with Chris Atkin.

IX. Gravel Road Capacity implementation

A. Chris Atkin said he reviewed Independence Township, Oakland County, Vision 2020 Update map (see attached) which identifies traffic use.

1. He said Webster Township has only added 77 people in the last 10 years. In 2008 Webster had 45% single family homes; 41% Agriculture; and minimal Commercial and Industrial.

2. He felt a Land Use Study was the best way to go, also increasing the minimum lot size and traffic study, as you can't just say no more development. The Planning Commission can look at the Master Plan and Zoning Ordinance. A traffic study gives the Planning Commission more teeth to deny development.

B. Rob Mitzel said, if trying to keep the community as it is which is why people live here, a Traffic Study is a mechanism to say this road is at capacity so more traffic would be unsafe. Capacity would also take in traffic patterns.

1. Chris Atkin said noise, dust, smell and road capacity are different criteria that could be used to deny more development. Set a ceiling based on an engineering study— road trips per day and type of road.

2. Paul Zalucha said we can leave the Zoning ordinance as it is, or change density of development, or deny if the road use is at a tipping point.

3. George Goodman asked if we can change density requirements midstream.

4. Cindi Zuccaro said it would take rights away.

C. Rob Mitzel said Webster Township has PDR. In the Build-Out Study there was a Sliding Scale. We have Transfer Development Rights to give incentive to develop where infrastructure can handle it. We can get a Traffic Impact Study and maybe some roads are more susceptible to degradation.

D. Chris Atkin said he will do research as Traffic Study is not widely used as a tactic. Rob Mitzel said we will get more options and deal with it in the future.

X. Citizen Comments:

A. John Scharf asked how much a Traffic Impact Study would cost. Chris Atkin did not know.

B. Brian Herron said he has submitted a new application for a landing strip, as he has oriented it NE to SW, along with a written request for some waivers of site plan requirements. Rob Mitzel said it now covers two parcels so it will need a new site plan and public hearing. The previous application is dormant as Mr. Herron asked the Township Board to stop.

XI. General Discussion/ Correspondence: Rob Mitzel had a copy of Township Focus Magazine.

XII. Cindi Zuccaro moved, 2nd by George Goodman, to adjourn. Motion carried. The meeting adjourned at 8:33 pm.

NEXT MEETING DATE:

Regular Meeting, Wednesday, July 20, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley

M. Heller

R. Raiford

MINUTES OF THE 460TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, JULY 20, 2016

The Meeting was called to order at 7:04 p.m. by Chairperson Mitzel in the Township Hall.

WTPC Members Present: Rob Mitzel, Cynthia Zuccaro, John Westman,, Paul Zalucha

WTPC Members Absent : Wilber Woods, George Goodman, Erica Perry

Also Present: Martha Zeeb, John Kingsley, Randy Raiford, Carol Whitney, Charles Estleman, Christopher Patterson – Twp attorney, and about 25 residents

I. Approval of Agenda: Rob Mitzel asked to add item #7b Township Attorney Discussion and insert new item 8c Site Plan Waiver for Webster Twp Fire Station. Cindi Zuccaro made a motion, 2nd by Paul Zalucha, to approve the 7/20/2016 agenda with the addition of items 7b and 8c. Motion carried.

II. Approval of Minutes: Paul Zalucha moved, 2nd by Cindi Zuccaro, to approve the minutes of the June 15, 2016 Webster Twp. Planning Commission as presented. Motion carried.

III. Citizens Wishing to Address the Commission:

- A. Phillip Fox opposed the amended air strip due to safety of horses, riders, homes; inconsistent with peaceful, rural community; negatively impacts property value; and control going to the FFA.
- B. Connie Savander said the FFA doesn't enforce their guidelines. Webster authority is drainage and grading, and we need the site plan to consider these points. She asked to remove airports from the Zoning Ordinance without delay.
- C. Joslyn Shehab said everyone is in opposition so please represent them.
- D. Jean Wallace said there are more low flying airplanes recently. Landings and takeoffs are dangerous for horses. She asked to deny the airport and change the Zoning Ordinance so airports are not allowed.
- E. Mark Krecic said approval of the site plan is not for the citizens. Pilots can do as they please if the FFA doesn't oversee them. He asked to remove the Special Use from the Zoning Ordinance as long as the FFA doesn't provide oversight.
- F. John Scharf is opposed to the landing strip and waiver of the site plan items. People may not be here as they thought the final action was last time.
- G. Neil Ehnis said the airport angle doesn't matter so why consider a waiver of the site plan. It doesn't make sense to buy 130 acres just to cut the grass.
- H. A man said he wants open space and opposes the air strip.
- I. Jason Wiley said he is opposed to the airstrip and asked where is the list that shows what has changed about their concerns.
- J. A man said his house on Gregory Road is in the safety zone but he has concern for his family so deny the runway.
- K. Cindy Hunter said she is against the airstrip as it is not in keeping with the peaceful township. There are safety issues as we can't police the landing strip and Mr. Herron doesn't live here so he can't control its use. It is a dangerous hobby that will affect lots of people. His new proposal says it is for business and it could change more in the future. She asked we decline the airstrip.
- L. Bob Douglas said an airport is not beneficial in our area as horses react violently when frightened. He is concerned with the use after it is given permission and we have nothing to say.
- M. Colin Kahn said he is a real estate broker. This will lower property values and is a big deal.

- N. Chris Trinkley said if the airstrip is approved we have no control over its use and if he sells the airport goes with the property. He could piece it off and there could be lots of planes. People want land preservation and wildlife. Cackleberry airport is public so we don't want more airports.
- O. Kathy Scholtz (?) didn't trust Brian Herron and thinks he has ulterior motives. Cackleberry airport can be used instead so we should not even consider the landing strip.
- P. Rob Mitzel explained that the Planning Commission has to consider applications that are submitted. This airport application is new. Tonight we decide if we waive certain site plan requirements and if it is ready for a public hearing.
- IV. Township Board Report: John Westman reported that the Board approved the Verizon Tower with conditions. The Board sent out the Fire Hall plans for bids. The PDR may close on several hundred acres by year end.
- V. Zoning Report – Randy Raiford reviewed his “Zoning, Property Inspection & Code Enforcement Activity Report” dated July 20, 2016 (attached). Randy said he sent a letter to the County Health Dept. so the Brouwers can proceed. The Board encouraged mixed use on this lot.
- VI. Christopher Patterson, Township attorney, reviewed Federal vs. local control of airports.
 - A. The Township can decide which Zoning District an airport can be located in, and oversee the site plan, construction and ground space. We can make recommendations on a buffer zone and conservation easements but can't regulate flight operations like hours, noise level and number of flights. The FFA governs safety issues but there is no federal funding for private airports so there is limited federal and state oversight.
 - B. Rob Mitzel asked if the township can remove a zoning regulation when there is an existing application. Mr. Patterson said this could be looked on as a bad faith intent of the government. Also there is a limitation on what you can completely remove from an area.
 - C. Randy Raiford asked if the applicant could self-impose limits, but Mr. Patterson said this was not sufficient.
- VII. Request of waiver of site plan application requirements for Arms Creek Airport.
 - A. Rob Mitzel said this was the same list (see attached) as on the first application. This application is for 2 parcels of land, the orientation of the landing strip is different, and we have new knowledge of the FFA. Randy Raiford said this application is reduced to one airplane and the slope of the land is about 2% instead of 1 ½%.
 - B. After discussion Cindi Zuccaro moved, 2nd by Paul Zalucha, to grant the requested waiver of site plan requirements but excluding Section 8.05(E)(3)(d)(xiv) (xv) (xviii) and (xxxiii). Motion carried.
- VIII. Set Public Hearing Date for Arms Creek Airstrip
 - A. Rob Mitzel said the application was not complete right now.
 - B. Paul Zalucha moved, 2nd by Cindi Zuccaro, to table the Public Hearing date for Arms Creek Airstrip until the Zoning Administrator notifies us the application is complete. Motion carried.
- IX. Site Plan Waiver request for Webster Township Fire Station (see attached)
 - A. Randy Raiford reviewed the requested waiver items (see attached).
 - B. Paul Zalucha moved, 2nd by Cindi Zuccaro, to grant the requested waivers except for 8.05 E(3) (b) xvi – Impact assessment. Motion carried.
- X. Set Public Hearing Date for Dexter Area Fire Dept Webster Twp Fire Station
 - A. Randy Raiford preferred a September date to allow time to have the application complete.
 - B. Paul Zalucha moved, 2nd by Cindi Zuccaro, to table the public hearing date for DAFD Webster Township Fire Station until notified by the Zoning Administrator that the application is complete and ready for review. Motion carried.

XI. Natural River District Regulations – Rob Mitzel said he needed more verbiage from the Huron River Watershed Council, our Zoning Administrator, and Planner before we review this.

XII. Citizen comments:

- A. Jean Wallace said she couldn't hear the Commissioners. She asked if there is a limit on the number of times Mr. Herron can make his proposal. Rob Mitzel said there is no limit but, if it is denied, Mr. Herron must wait a number of months to reapply.
- B. Greg Bergin said he was not informed of the Airport and wondered if a law prevents informing a wider audience. People are affected by the landings and takeoff.
- C. Chris Trinkley asked if Mr. Herron could buy more land to extend the runway for bigger planes.
- D. Andrea Zamansky said 120 goes out twice as far.
- E. Jason Wiley asked if the Planning Commission denies this, but not the Township Board, can Mr. Herron redraw again.
- F. Connie Savander said the applications are different and asked the Commissioners to read this application and the technical briefs and circulars.
- G. Bob Douglas said the only control we have is approval as the operations are governed by State and Federal regulators. Stop it at the beginning or we won't stop it.
- H. Rob Mitzel said notices are put in the newspaper and at the Township and mailed per State law to property within 300 feet of the parcel. We can mail further but it would set a precedent. If Mr. Herron bought additional land the Special use permit is for the parcel so it would trigger a new process. The Applicant can modify his proposal, based on concerns, but this change was for an additional parcel so it had to start from square one.
- I. Randy Raiford said there is a new fee for a brand new application.

XIII. Rob Mitzel asked if there was a need for a closed session with the Township Attorney. John Westman asked Mr. Peterson if he had more to tell us and was told not at this stage of the process.

XIV. Correspondence/General Discussion:

- A. Rob Mitzel said he received many letters about the landing strip.
- B. Rob Mitzel is working on a check list form for Randy Raiford when there is a request to schedule a public hearing (see attached).

XV. Cindi Zuccaro moved, 2nd by Paul Zalucha, to adjourn the meeting. Motion carried. The meeting adjourned at 9:25 p.m.

NEXT MEETING DATE:

Regular Meeting: Wednesday, August 17, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

Copy to: J. Kingsley
B. Calleja
R. Raiford

MINUTES OF THE 461ST REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, AUGUST 17, 2016

The Meeting was called to order at 7:03 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: Robert Mitzel, Cynthia Zuccaro, Paul Zalucha, George Goodman, John Westman, Erica Perry

Members Absent: Wilber Woods

Also Present: Martha Zeeb, Randy Raiford, John Kingsley, Charles Estleman, Brian Herron, Chris Atkin, and 10 citizens

I. Approval of Agenda: John Westman asked to add to the agenda a discussion on escrow deposits in special use permit process. Cindi Zuccaro moved, 2nd by Erica Perry, to accept the agenda of the August 17, 2016 Webster Township Planning Commission as written except to add item 9a Escrow deposit for special use permit. Motion carried unanimously.

II. Approval of Minutes: Erica Perry said the spelling in item VI A should be “oversight” and not “oversite”. Paul Zalucha moved, 2nd by George Goodman, to approve the minutes of the July 20, 2016 Regular Meeting with the change in VI A spelling of oversight. Motion carried unanimously.

III. Comments from Citizens: None

IV. Township Board Report: John Westman said the Board approved permits for Art Guild at Ryan Nixon’s farm and for the Webster Fall Festival. The PDR Committee closed on the 88 acre Sullivan Farm. The County Board of Commissioners will decide on public access to County Park and Recreation conservation easement property after the task force holds public meetings this fall.

V. Zoning Administrator Report: Randy Raiford reviewed his Zoning, Property Inspection and Code Enforcement Activity Report dated August 17, 2016 (attached). He asked the Planning Commissioners to review his Application for Preliminary/Final Site Plan Review (attached) and Pre-Application Conference and Application Review (attached) for suggestions as he wants to standardize the process and make a checklist. Erica Perry thanked Randy and suggested not just site plan requirements but also Planning Commissioner wishes.

VI. Set date for Public Hearing for new Fire Station in Webster Township

- A. Rob Mitzel said Randy Raiford now has a complete application and it is now ready for a public hearing.
- B. Erica Perry moved, 2nd by Cindi Zuccaro, to set a public hearing date of September 21, 2016 for Dexter Area Fire Department site plan. John Westman said Webster Township will build the fire station and lease it to the Dexter Area Fire Department. Motion carried unanimously.

VII. Discussion on escrow deposits for Special Use Permits

- A. John Westman said escrow deposits are for non-fixed costs pertaining to site plan special use permits. The Township has incurred legal fees for the airport special use application. The Zoning Ordinance says the Township shall not consider the site plan application until all fees are paid.
- B. Rob Mitzel said the Zoning Administrator is authorized, but not required, to establish escrow fees. The Planning Commission does not decide if there are escrow fees. If the Township Board wants to change the “shall”s and “may”s in the Zoning Ordinance they should let us know.
 - 1. Randy Raiford said the attorney fees for the airport were for general information and not specific to Mr. Herron’s application. Cindi Zuccaro said the Zoning Administrator can decide \$0.00 escrow fees.
 - 2. John Westman said he will look more into the Zoning Ordinance. It would be a way for the Township to recover attorney and planner costs.

VIII. Natural River District Regulations

- A. Rob Mitzel explained that the Huron River Watershed Council has said that if Natural River District Regulations are included in the Township Zoning Ordinance appeals can be handled locally, otherwise the appeals would go to the State DNR Zoning Review Board. Kris Olsson has

suggested changes to Webster Township's Section 16.20 Surface Water Protection Overlay District (attached). She is getting feedback from the State to see if these changes would be sufficient so as to use our existing ordinance.

- B. John Westman was concerned with consistency as it says setbacks are from the water's edge and from the High Water mark. Rob Mitzel said the State uses the ordinary High Water Mark for setbacks. He will see if the State has a better definition of ordinary high water mark.

IX Citizens Wishing to Address the Commission - Andrea Zamansky said escrow fees are not just for Site Plans. Section 10.05 says all special use applications shall establish an escrow deposit. (see attached letter dated August 17, 2016)

X. General Discussion/Correspondence

- A. Rob Mitzel said Carol Whitney got working microphones for the Township Hall.

- B. Rob Mitzel has more letters about the landing strip (attached).

- C. Rob Mitzel said Carol Whitney would like Township Boards and Commissions to use Direct Deposit for their compensation.

XII. Paul Zalucha moved, 2nd by Cindi Zuccaro, to adjourn. Motion carried. The meeting adjourned at 8:05 pm.

NEXT MEETING DATE:

Public Hearing, Wednesday, September 21, 2016 at 7:00 p.m.

Regular Meeting, Wednesday, September 21, 2016 at 7:00 p.m.

Respectfully Submitted,

Wilber Woods, Secretary

WW:mlz

copy to: J. Kingsley

B. Calleja

R. Raiford

MINUTES OF THE 462ND REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 21, 2016

The Meeting was called to order at 7:02 p.m. by Chairperson Mitzel in the Township Hall.

WTPC Members Present: Rob Mitzel, Cynthia Zuccaro, John Westman,, Paul Zalucha. George Goodman, Erica Perry

WTPC Members Absent : None

Also Present: Martha Zeeb, John Kingsley, Randy Raiford, Charles Estleman, Gary Koch, Chris Atkin, and about 12 residents

I. Approval of Agenda: Rob Mitzel asked to add item #9d Election of Planning Commission Secretary. John Westman made a motion, 2nd by Cindi Zuccaro, to approve the agenda as amended. Motion carried.

II. Approval of Minutes: Erica Perry moved, 2nd by George Goodman, to accept the minutes of 8/17/2016 Webster Twp. Planning Commission as written. Motion carried.

III. Rob Mitzel announced that Wilber Woods died August 20, 2016 and was Secretary of the Planning Commission since 1972. There will be a memorial for him at 1:00 pm on October 2, 2016 at the Township Hall.

IV. Citizens Wishing to Address the Commission:

- A. Jean Wallace said she is strongly opposed to what the proposed airport will do to our Township. She likes the rural and doesn't want our Township to be like the others.
- B. Randal Reich said he moved here in 2000 because he likes the rural. He lives directly across the street from the proposed airport and is strongly opposed.
- C. Bob Douglas is concerned if we allow the proposed airport we lose control of it from that time on and governmental agencies are not concerned with small airports.
- D. Kim Trinkley said she trusts Township officials read correspondence from residents but she questions if they do. She asked, if it is Brian Herron's dream, why doesn't build a house by his proposed airport. She was concerned with enforcement and not knowing how many planes. She said there were 17 changes in his new airstrip proposal and passed out a copy (attached) with the changes highlighted.
- E. Cindy Hunter, representative of Homeowners Association, said Township taxpayers pay for the attorney fees and the applicant should pay for the fees. She is against the airport due to increased air traffic, and Cobblestone Farms is harassed with airplanes.
- F. Gary Koch thanked the Planning Commission for their service. He said there is trash by the Party Store at the river. The Parks won't pick it up and we need an idea on how to handle it.
- G. Frank ? said he has lived in his dream home on his 130 acres since 2000. He plans homes for his children and grandchildren. He is against the airport for safety and tranquility.
- H. Jason Wiley said he owns the rental house in front of the proposed airport. He doesn't know why there is more air traffic now. The new landing strip direction doesn't change the safety issue. We should stop this before setting a public hearing to save time and money. .
- I. Rob Mitzel said he prints out emails and put them in the Commissioner Packets. Attorney fees are charged to the applicant for site plan application but if there is a question on the Zoning Ordinance or legal framework review then the Township pays.

V. Township Board Report:

- A. John Westman said the Board passed a resolution for Wilber Wood's service.
- B. John Westman reported that FEMA requires flood insurance on residences in the flood

plain map so the Township passed an agreement that the County Building Dept. enforce building construction in the flood plain zone as it will be cheaper flood insurance.

C. The Township Board approved a beer and wine license for the old Mill Creek site. They are proposing a kayak rental and tavern. There is not a site plan yet. Erica Perry asked if this property is in the Natural River District and Rob Mitzel said yes.

D. John Westman said 2 parcels, totaling 183 acres, may close by the end of October. They are not involved with the PDR public access issue. He said there will be two public meetings to discuss the public access issue and he will attend the one October 12, 2016 to represent land owners. Dan Smith, County Commissioner, is instrumental in moving this forward.

E. George Goodman left the meeting for his work and did not return until the meeting ended.

V. Zoning Report – Randy Raiford reviewed his “Zoning, Property Inspection & Code Enforcement Activity Report” dated September 20, 2016 (attached). Cindi Zuccaro said the frog farm on Merkel Road is an environmental concern. Randy said he has looked at it and questions what we allow on a farm before he proceeds. Rob Mitzel said there is the Nuisance ordinance.

VI. Webster Township Fire Station Public Hearing and Site Plan Review

A. Rob Mitzel said the public notice did not get published in time for this September Meeting.

B. Erica Perry moved, 2nd by Cindi Zuccaro, to schedule a Special Meeting on Monday, October 3rd, 2016 at 7pm. for the purpose of a public hearing and site plan review for proposed fire station. Rob Mitzel said at least 4 Planning Commission members must be present for the Special Meeting. Motion Carried.

C. Erica Perry moved, 2nd by John Westman, to reschedule the Public Hearing for fire station site plan review, originally scheduled for today, to Monday, October 3, 2016 at 7 pm. Motion carried.

VII. Set Public Hearing Date for Arms Creek Airstrip

A. Randy Raiford verified the application is complete and the Topographical map and Impact Statement requested by the Planning Commission is submitted. In addition the fees have been paid and the escrow of \$1000 has also been paid.

B. Erica Perry said that given all fees are paid and the application material requested has been submitted she moved to set a Public Hearing for special land use and site plan review for Arms Creek Landing Strip on October 19, 2016 at 7 pm at next Planning Commission Meeting. Paul Zalucha 2nd the motion. Motion carried.

VIII Election of Planning Commission Secretary - John Westman moved, 2nd by Erica Perry, to nominate George Goodman as Secretary. John Westman rescinded his motion to elect George and nominated Erica Perry. This was 2nd by Cindi Zuccaro and the motion carried.

IX. Restructure of Article 8 of the Zoning Ordinance

A. Randy Raiford said he made a flow chart and draft of a potential rewrite of Article 8 to streamline it as the ordinance is difficult. Currently the Planning Commission has jurisdiction over some and the Township Board has jurisdiction over others. He would like it all the same.

B. Rob Mitzel said currently the Planning Commission makes recommendation to the Township Board on Special Use Permits after holding a public hearing and reviewing it. The Planning Commission holds a public hearing and reviews site plans of permitted uses and decides without going to the Township Board. Consistency would make all go to the Board.

C. Chris Atkin, Planner, said Special Use Permits, PUD, and Site Condo's also need both Planning Commission and the Township Board approval. The Planning Commission is trained to make recommendations to the Township Board. The Board can send it back to the Planning Commission to start over. Streamlining could be a lengthy process.

D. Paul Zalucha asked what the Boards idea is for this change. Randy has made a lot of

significant changes to Article 8. When the Planning Commission crafted the Zoning Ordinance we had a reason and Randy may have missed our intent. The flow chart is nice.

E. Rob Mitzel asked if the flow chart is part of the Zoning Ordinance. Randy said not necessarily. People need to know if the Township will consider their site plan before they spend money.

F. Erica Perry thought Randy's changes are better organized and clear. Cindi Zuccaro liked the flow chart to help the public when they apply

E. John Westman was comfortable either way, but thought it good to ask the Township Board. It is easier if it is always done the same way, but it is more work for the Board.

X. Natural River District Regulations

A. Rob Mitzel said he sent the draft of our proposed Zoning Ordinance to the State to see if it is sufficient so appeals can be heard at the Township level, but he hasn't heard back from them.

B. Erica Perry asked if the Mill Creek deal would go to the State appeal board. Rob Mitzel said currently we approve site plans and if they can't meet the setbacks it would go to the State.

XI. Citizen Comments:

A. Phil Fox was concerned about the airport proposal because of 1) danger to horse and rider 2) safety for residents in the area due to plane crashes 3) inconsistent with the Master Plan 4) negative property values 5) no control after approved – then up to the State & FFA.

B. Jim Daratony, owner of Cobblestone Farm, said the airport puts his business in jeopardy as planes and horses don't mix.

C. Lucas Hosford said government must protect the masses, not individuals, and the airport has costs and risks to the surrounding community.

XII. Correspondence/General Discussion: Rob Mitzel said the Michigan Assoc. of Planning has a 7 part training program at Scio Township. There are funds in the budget for this and he encouraged the Commissioners to attend.

XIII. John Westman moved, 2nd by Cindi Zuccaro, to adjourn. Motion carried. The meeting adjourned at 9:08 p.m.

NEXT MEETING DATE:

Special Meeting: Monday, October 3, 2016 at 7:00 p.m.

Regular Meeting: Wednesday, October 19, 2016 at 7:00 p.m.

Respectfully Submitted,

Erica Perry, Secretary

WW:mlz

Copy to: J. Kingsley

B. Calleja

R. Raiford

MINUTES OF THE 463RD REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, OCTOBER 19, 2016

The Meeting was called to order at 7:04 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: John Westman, Erica Perry, Robert Mitzel, George Goodman, Paul Zalucha
Members Absent: Cynthia Zuccaro

Also Present: Martha Zeeb, Randy Raiford, Chris Akin, Christopher Patterson and a room full of citizens

I. Approval of Agenda: Rob Mitzel asked to replace Township Board Report and Zoning Administrators report with Township Attorney Report as item #6. Randy Raiford asked to add Set Public Hearing date for Mill Creek Outdoor Adventure Preliminary Site Plan as item 8c. Paul Zalucha moved, 2nd by George Goodman, to approve the agenda as amended. Motion carried unanimously.

II. Approval of Minutes:

A. John Westman moved, 2nd by Paul Zalucha, to approve the September 21, 2016 Regular Meeting minutes as presented. Motion carried unanimously.

B. Erica Perry moved, 2nd by George Goodman, to approve the Special Meeting Minutes of October 3, 2016 as written. Motion carried unanimously.

III. Comments from Citizens: None

IV. Chris Patterson, Township Attorney, said he gave the Township his legal opinion on the airport landing strip yesterday and has not had an opportunity to talk to the Commissioners. John Westman moved, 2nd by Erica Perry, to go to a closed session to get the legal opinion with the Township Attorney. A roll call vote was taken and it carried unanimously. The Commissioners went to Closed Session at 7:10 pm. to discuss his legal opinion. The Regular Meeting opened again at 8:08 pm.

V. Public Hearing for Special Land Use Permit and Site Plan approval for Private Landing Strip. (see attached)

VI. A 5 minute break was taken after the Public Hearing and the meeting resumed at 11:24 pm

VII Discussion by Commissioners of the Private Landing Strip

- A. Rob Mitzel said the Township Clerk brought out a binder of all the correspondence received regarding this.
- B. Paul Zalucha asked Mr. Gordon, flight instructor, how a pilot knows where there is an assembly of people. Mr. Gordon said it is by pilot observation, unless it is a charted obstruction. Pilots need to be 1000 feet high and most pilots want to be higher. He guesses pilots need to be 1 mile distance. Mr. Herron said FAA regulations say pilots need to be a radius distance of 2000 feet.
- C. Rob Mitzel started reviewing the 7 standards in Section 10.05A(13)b of the Special Use Section of the Zoning Ordinance. #1- Randy Raiford said all the required information requested has been supplied and fees paid.
- D. #2 - Randy Raiford said the proposed use is a Special Use in the Ag District.
- E. #3 - Rob Mitzel asked if the proposed use is consistent with the objectives and goals of the Master Plan? Chris Atkin, Township Planner, explained that it is not specified in the Master Plan if this Special Use is allowed and, in fact, a majority of uses are not specified in the Master Plan. The land is zoned Agriculture and future plans are Agriculture.
 1. John Westman said Webster Township has a rural character which residents want to retain. The Road Section of the Master Plan supports horseback riding on local roads and the proposed use is not consistent as Mr. Herron would be 200 feet above Gregory Road when taking off which is a safety issue for horseback riding.
 2. Erica Perry said the Master Plan indicates for the future 20 years to maintain the rural quality and the Planning Commission needs to consider if this will promote that. The proposed use is not consistent as there is so much dedicated horseback riding in this area.
 3. Paul Zalucha and George Goodman said the airport is not consistent.
 4. Rob Mitzel said in this case the use is not consistent with the Road Section of the Master Plan, but grass landing strips are compatible with rural areas. We want to encourage roads to comply

with that Section of the Master Plan.

- F. #4 - Rob Mitzel asked if the proposed use would have an adverse effect on neighboring lands. He reminded the Commissioners the burden of proof is on the applicant to convince us there is no impact with issues.
1. George Goodman there would be adverse action against neighbors due to the impact on horses, bikes, and runners.
 2. Paul Zalucha said property values were a concern, as well as safety, flight level above congregations of people in the area, and business impact.
 3. John Westman said there would be a negative impact on the equestrian business, and damage to supportive services (hay, farrier, etc) of equestrian facilities.
 4. Erica Perry said she was concerned about injuries with spooked horses, and that mandatory government disclosure is required about proximity to airstrip or airport informs her there are likely adverse effects on property values, and an adverse effect for Cobblestone Farm.
 5. Rob Mitzel asked if any airplane approach or takeoff location would be too close to Cobblestone or Gregory or Vaughn Road now that the landing strip is realigned.
 - a. Mr. Herron said he is 1800 to 2000 feet from Cobblestone Farm now. It depends on where the gathering of people at Cobblestone is if he would puncture the 2000 foot radius. The 1000 foot dome doesn't apply to take offs and landings.
 - b. Daryl Daratony said the closest hayfield is a warm up area for their horse shows and the show ring next to it is used on a daily basis.
 - c. Paul Zalucha asked Mr. Herron about other pilots that might use the landing strip. Mr. Herron said it would be listed in the flight directory submitted to the FAA, but you are not allowed to take off or land from a private airstrip without permission.
 6. Rob Mitzel said they have received conflicting information on property values so he needs clarification from the applicant that there is no adverse impact from small private landing strips. The RPZ showed plots of potential impact but he hasn't seen data of the probability of incidents.
 - a. John Westman said we are not talking about absolute safety. It is a low risk, but it increases the risk of incident if the airstrip is there.
 - b. Rob Mitzel said there could be forced landing without the airstrip being there.
- G. #5 - Rob Mitzel asked if the proposed use is compatible with and not adversely affect the natural environment?
1. Erica Perry was concerned with crop dusting as Arms Creek Natural River District is close and we are duty bound to protect it.
 2. Paul Zalucha was concerned with spray drift as Mr. Herron is not a professional. He asked Mr. Herron what chemical? Mr. Herron said fertilizer, possibly pesticides, but he has no mechanism to dump the spray material if there is an issue after takeoff and he can land with a full load.
 3. George Goodman asked Mr. Herron the type of fuel the airplane uses and learned it was Aviation gas which is like racing fuel. He would have 20-30 gallons of fuel and 90 gallons of chemical. George Goodman asked about a Fire Department hazard if there is a crash. Mr. Herron said he would see if the FAA regulations address this.
 4. Rob Mitzel did not think the proposed use of the grass landing strip would affect the natural environment and crop dusting can still be done without this airstrip so he didn't think it applies to this question.
- H. #6 - Rob Mitzel asked if the capacity of the local facilities would not hurt residents by impacting public services and traffic?
1. Chris Atkin, Township Planner, said a grass landing strip has no traffic impact, but a crash could impact the Fire Department.
 2. Rob Mitzel said we need assurance emergency response would be adequate access the site.
- I. #7 - Rob Mitzel asked Randy Raiford and Chris Atkin if the Site Plan meets the requirements of Section 8.05 of the Zoning Ordinance. Randy Raiford said there would be no grading or

improvements attached to this Site Plan.

1. As the Site Plan is to enhance safety Paul Zalucha went over the FAA recommendations to enhance safety. Mr. Herron said he would not do #1 to trim trees but would do # 2, 3, 4, 5, 6.
 2. Rob Mitzel asked if Mr. Herron could put the RPZ fully onto his property. Mr. Herron said he could make most of the RPZ on his property by shortening the runway to 1200 feet. Only he will use it, and he doesn't need the extra length to fly his airplane. This would not change the height of his plane over the road.
- J. As the Commissioners determined that receiving the requested additional information would not overcome their concerns John Westman said he was prepared to make a motion.
1. John Westman moved, 2nd by Erica Perry, that the Planning Commission recommend to the Township Board to deny the Special Land Use application for proposed Arms Creek airstrip at 6570 and 6598 Gregory Road, Parcel C-03-21-200-008 and Parcel C-03-20-400-008 because the proposed use fails to meet the following standards as instructed in the Zoning Ordinance 1) not consistent with goals and objectives of the Master Plan for reasons stated earlier in deliberations and 2) adverse effect on neighboring lands as discussed earlier during deliberations.
 - a. Rob Mitzel said it is really 6570 Gregory Road and 6698 Gregory Road and the last Parcel ends in 400-028. He asked to amend the motion to ask Township staff to prepare written recommendations that enumerate the items we discussed tonight that will accompany the motion, minutes, and packet material. This was supported by John Westman and 2nd by Erica Perry.
 1. Rob Mitzel said Chris Patterson has a list of items including Master Plan item #3 for rural character and nature of area as well as Master Plan ancillary use of secondary roads, recognizing horseback riding and other modes of travel and recreation for the community, and plane within 200 feet of Gregory Road when taking off; and item #4 Adverse effect to the horse farm, and low height level of takeoff and landing, and RPZ, and discussion of property value, and business impact, FAA advisory circular, and Equestrian and Vet professional letters.
 2. Erica Perry asked to add mandatory disclosures.
 3. Paul Zalucha asked to also include the ability for firefighting and capacity of local area utilities #6 and FAA regulation #7 advisory and flight level over congregations.
 - b. Rob Mitzel recommended denial based on criteria 3, 4, 6, and 7. John Westman and Erica Perry accepted this amendment to their motion.
 1. Rob Mitzel said the applicant did the spirit of what was detailed as an effort to comply with the wishes of the public but it still just doesn't fit. Even moving the RPZ doesn't impact the flight elevation over the road, use of public road, etc. when use of public roads and horses are already here.
 2. The vote was taken and it carried unanimously.
- K. Site Plan for airport landing strip
1. Erica Perry moved to table the site plan until we get direction from the Township Board about approval or denial of special use permit. Chris Patterson recommended denying the Site Plan based on the criteria stated in the record. Motion died for lack of a 2nd.
 2. Erica Perry moved to deny the Site Plan of Arms Creek landing strip. 2nd by Paul Zalucha. Motion carried unanimously.

VIII. Due to the late hour Natural River District Regulations and HRWC Grant for Green Infrastructure Implementation were postponed.

IX Paul Zalucha moved, 2nd by George Goodman, to set a preliminary site plan public hearing date of November 16, 2016 for the Mill Creek Outdoor Adventure. Motion Carried unanimously.

X. Citizen Comments: Kim Trinkley said organic farms don't use pesticides.

XI. General Discussion/ Correspondence: None

XII. John Westman moved, 2nd by George Goodman, to adjourn. Motion carried. The meeting adjourned

at 1:05 am.

NEXT MEETING DATE:

Public Hearing, Wednesday, November 16, 2016 at 7:00 p.m.

Regular Meeting, Wednesday, November 16, 2016 at 7:00 p.m.

Respectfully Submitted,


Erica Perry, Secretary

EP:mlz

copy to: J. Kingsley

B. Calleja

R. Raiford

WEBSTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING FOR SPECIAL LAND USE AND SITE PLAN OF PRIVATE LANDING STRIP
AT 6570 & 6698 GREGORY ROAD IN DEXTER
OCTOBER 19, 2016

The Public Hearing was called to order in the Township Hall at 8:08 p.m. by Rob Mitzel.

WTPC Members Present: Erica Perry, John Westman, Rob Mitzel, George Goodman, Paul Zalucha

WTPC Members Absent: Cynthia Zuccaro

Also Present: Martha Zeeb, Randy Raiford, Chris Atkin, Christopher Patterson and a roomful of citizens

I. Mr. Mitzel said this public hearing was to consider a Site Plan and Special Land Use Permit. He explained the Planning Commission is an appointed body that makes the Master Plan and Zoning Ordinance. The Zoning Ordinance has permitted primary land uses allowed without a Special Use Permit and some, like a private landing strip, are allowed with a Special Use Permit requiring a Public Hearing and approval by the Board. The Special Use Permit runs with the land. The Planning Commission can approve site plans and the Township Board approves Special Use Permits. The applicant has changed the plan and now has two parcels in it.

II. Mr. Mitzel asked Brian Herron to explain his application request

A. Mr. Herron explained that he has listened quietly to the public. He has rights as a property owner and he will protect his rights. Arms Creek is in the Ag District and it will allow private airstrips.

1. He has moved the 2000 foot runway so it is 1000 more feet from Cobblestone Farms and 500 feet from the Gregory-Vaugh Road intersection. He understands that horseback riding rarely goes west from that corner. The airstrip is boarded on the north by wetlands and on the south by Gregory Road. The Runway Protection Zone (RPZ) applies to public airports that are federally funded. This new runway layout takes all homes out of the RPZ to accommodate concerns.

2. He will use a 2 seat, single engine plane for farm activity applications, and personal use. His grass landing strip will have no lighting, no facilities, no fuel, and will only be used in dry weather for 12 flights per year. He cannot extend the airstrip as there are protected wetlands.

3. There are 2 active airstrips in Webster Township now that are safe and he asked if there have been any history of noise violations. In his first Public Hearing he showed a video of noise with an airplane. The video is still on the web and he wants it to be part of the record. Cackleberry Airport has Strawberry Lake Road and 7 homes in the RPZ. His appraiser reviewed homes in Cackleberry RPZ and has found no difference in value.

4. He has not been flying low over any residents but any airplane can fly 500 feet over Cobblestone Farm. He is a considerate neighbor and is willing to work with neighbors. Herron.us is his website. He said people can sign up and he will give 24 hour notice on when he will be flying. If people are having an event they can send him a request and he will not fly. He showed a computer simulation of a plane taking off and landing on his proposed grass landing strip. The Exponent report that speaks against his proposal does not apply as it is referring to federally funded public airports.

B. Bill Stapleton, attorney, said Mr. Herron intends to use the plane for crop spraying which is protected by the Right to Farm Act and preempts the Zoning Ordinance Special Use. The airstrip is protected from nuisance lawsuits such as noise, light, or horses when used as a farming activity. The FAA issued a no objection email in early October. The FAA says the Township does not lose control because this is a private grass strip so all applicable ground based restrictions, such as noise, light, wetland, and expansion, must be met. It is okay to approve this grass landing strip with conditions or a restricted covenant that restricts the expansion of the airport.

C. Gregory Elliott, Planner with McKenna Associates, said Webster Township can craft conditions to control activity on the ground. The Zoning Enabling Act says if the application for Special Land Use is in compliance with the standards of Township Ordinance it shall be approved.

III. Questions from Commissioners

A. John Westman asked what is the clearance on takeoff over Gregory Road? Mr. Herron said he is 200 feet above the road.

B. Erica Perry said she is hearing that we retain control over noise and asked if we can control the number of flights. Bill Stapleton said absolutely if we want to put restrictions on it.

- C. Paul Zalucha asked about calculations used in the computer simulation and Mr. Herron said they were in Section 3 of his book which he distributed to the Commissioners.
1. Paul asked what airplane was used for the computer simulation and learned it was the Super Decathlon. Paul asked if all models have the same take off, landing, and stall speeds and learned they are pretty close. He asked where they got data for stall speeds and if they can provide something that shows stall speeds. Mr. Herron said he would get that for him. Per the pilot handbook he needs 1200 feet runway and the property would support 2000 feet. Paul asked if it was for paved and what % more do you need for grass. Mr. Herron will look.
 2. Paul asked about the Piper plane Mr. Herron had previously considered. Mr. Herron said he won't purchase a Piper now as he will need a more suitable aircraft for farming. Paul asked if Mr. Herron has ever crop dusted before and was told no.
 3. Paul asked about the drag and Mr. Herron said a single engine has a belly hopper.
 4. Paul asked where Mr. Herron is selling produce from his active organic farm. Mr. Herron said it is a 3 year process to convert to organic farming so there is just a cover crop for the first year. He would not disclose what restaurant he has a relationship with.
 5. Paul asked if Mr. Herron is considering implementing any of the FAA enhanced safety recommendations. Mr. Herron said some require land he doesn't own. He does not plan to cut trees. The landing strip will be for private use only with no night operations. The property will be restricted and no one flying except him.
 6. Paul asked in the simulation what is the tree height to the north? Mr. Herron said he can get it.
 7. Paul asked how a twin engine aircraft would compare to the simulation – show drawing with airstrip speed. Mr. Herron said he won't fly a twin engine on this grass landing strip and he would accept a covenant to that effect.
 8. Paul asked if the FAA looks at the type of aircraft that will be used before they give a no-objection letter? Mr. Herron didn't think the FAA looks at that even though he provides it.
 9. Paul asked who determines if the runway is long enough. Mr. Herron said ultimately the pilot decides if it is long enough to be safe. MDOT says runways will not be less than 1200 feet.
 10. Paul asked about the FAA advisory on runway lengths. Mr. Herron said some are for public airports and some airplanes can land on a short airstrip.
 - a. Paul said the FAA advisory says the Piper needs a 3200 foot runway. Mr. Herron said a federal grant will never happen on a 2000 foot landing strip and the FAA advisory is for public airstrips.
 - b. Paul asked if the advisory is based on safety and he needs data. Paul wanted calculations and data so he knows how. Mr. Herron said he was happy to provide them.

C. Erica Perry said organic farming does not require crop dusting. Mr. Herron said he will also use it for aerial photos and fertilizer applications.

D. John Westman asked if Mr. Herron needs additional certification for aerial applications. Mr. Herron said there are requirements to follow but he doesn't need a separate rating. John Westman asked FAA regulations for separation from structures and people on the ground. Mr. Herron said they don't have the same regulations as normal flying and he will get them for John. John Westman asked if Mr. Herron feels this intention of aerial applications is an increased safety risk for people and property on the ground. Mr. Herron said no as they can crop dust today.

E. At 9:25 pm Randy Raiford asked for a 2 minute break so people can set up their displays.

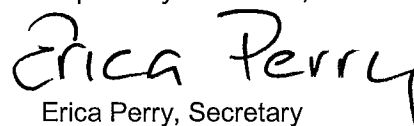
IV. Rob Mitzel opened the Public Hearing to the Public at 9:27 pm.

- A. Steven Estey, attorney and former Planning Commissioner, said he represented Zamansky and Daratony. He stated that Mr. Herron is not a farmer and we are not bound by the Right to Farm Act as there is nothing in it that says you need a landing strip. The Township cannot control after it is approved. Special Use Permit must satisfy all 7 criteria and we must look at the impact on the area. He has an affidavit of Veterinary and horse trainers that say this will affect Cobblestone Farm.
- B. Randall Reich read his letter and lives south of the runway. The FAA says the RPZ should be clear of all facilities and Mr. Herron should own the land. A future owner may not have just infrequent use. This is a risk to family, property value, and noise. Deny it and also remove private landing strip from the Zoning Ordinance.
- C. Shantal Hubbard has her horse at Cobblestone Farm and she has witnessed an increase in air traffic. The farm is inspected by horse associations to ensure they meet safety standards. Low planes could impact their business.

- D. Josh Jacquot lives on Cobblestone Lane. Planning Commission should listen to constituents. Rights end when it negatively impacts others. Loss of property value, permanent quiet rural character, and natural features are issues. He read his letter.
- E. David Bergoyne, is a state certified real estate appraiser around airports and hired by Savander and Zamansky. He said, in general, airports do devalue homes. The Runway Protection Zone (RPZ) is access for emergency vehicles.
- F. John Solo owns a flight school in Ann Arbor and expensive homes are by it. Private air strips are not open to the public. Lawnmowers, boats, etc. are noisy. Wildlife and horses live by the airstrip where he lives and there was never an incident that the aircraft was a concern for the horses or a complaint from a neighbor. He submitted his letter.
- G. Colin Kahn, realtor, said Mr. Herron is commercial now. He is concerned with low flying planes. The minimum safe altitude over an assembly of persons is 1000 feet and a 2000 foot radius. This does affect property value of homes and the horse farm business. HUD has a disclosure that is required for the purchaser if the property is in a RPZ.
- H. Harry Valentine, of North Territorial Road, was concerned about crop dusting by someone who hasn't done it before and the watershed that could be affected if it is a business that doesn't do it right. He is used to the noise but worried about expanding the number of flights. It bothers him that if the property is sold to someone else it could be developed. The Planning Commission needs to look out for him and find answers.
- I. Jean Wallace said she has lived on her 26 acres for 9 ½ years and it is a joy. She is scared about the dangers of an airport to her horses, family, friends and neighbors. She is offended by claim we are full of nuisance claims.
- J. Liz Pielsticker said she is a friend and neighbor of Brian Herron and he won't put people in harm's way. Lawn mowers are noisy and it is a dirt airstrip.
- K. Jenifer Brooks is a horse professional and it is true that horses do get accustomed to noises, but at Cobblestone people bring their horses from far away for events so the horses are not used to it. Cobblestone wants the safest situation possible.
- L. Lucas Hosford asked to deny this as one party benefits and the whole community has risks and costs. Farming is ludicrous for an organic farm and will not increase profit. The airplane is only 200 feet high at Gregory Road. An airport next to Cobblestone means it more likely there will be low planes.
- M. Mike Kanney said he is an engineer who lives next to the proposed airstrip. The airstrip is a risk and he is concerned when the pilot decides when to fly in. Exponent says no airport there as it doesn't comply with FAA standards. The RPZ is not owned by the airport. He is suspect of the video and many homes are in the real runway protection zone.
- N. Jim Daratony owns Cobblestone Farm and Section 13 Site Plan Review Guidelines say consider proposed adverse effect on neighboring lands. The airport will be loss of his revenue and could shut it down as he has many letters that riders may not participate at Cobblestone. He read letters from professionals that may not use his facility. He has been here 13 years and this could cripple his and other businesses.
- O. Virginia Wheeler said she has been a commercial pilot for 27 years and there is a saying – there are old pilots and bold pilots but there are no old, bold pilots. There will be spray drift with crop dusting. His website says this is for personal and business use and now he says crop dusting. He has been looking for a site for 5 years. He is talking out of both sides of his mouth.
- P. Connie Savander told a story of an airplane taking off and a school bus. She said the end of the runway is called a clear zone to keep the end of the runway clear of obstacles and persons. She asked to protect Webster Township residents and deny the airport.
- Q. Michelle Krebs said Mr. Herron doesn't care about people. Her daughter doesn't ride at Cobblestone any more. We need to consider safety.
- R. Steven Zamansky said the Township is responsible for the safety of residents and that the airport is safe to use. Preemption does apply. Exponent used safety standards for this airport. Nothing has changed from the prior denial and asked the Planning Commissioners to deny this.
- S. Darlyn Daratony said there has been increased air traffic that rattles the steel and puts everyone at risk. It affects the safety standards she provides and people will leave if this keeps happening. They get inspected to ensure they are meeting safety standards. They are an open assembly of persons so planes should be 1000 feet over their barn. A congested area is 3 homes.

- T. Stephen Bagne, attorney, stated small number of accidents will happen due to weather, people, and airplane malfunction. It is unsafe to be 100 feet right over houses. Airports devalue property and Michigan laws say must disclose when a house is near an airport. Approving this airport is a taking claim against Webster Township so deny the request.
- U. Joslyn Shehab said he is using organic farming and crop dusting as a loop hole. There is lots of baloney to get what he wants.
- V. Brant Savander said he was a naval engineer and private use falls to the local body. He gave the Commissioners a pilot operating manual. FAA is for safety and a conditional no objection isn't approval.
- W. Gerald Lax, attorney representing Mr. & Mrs. Savander, said there is nothing in the Right to Farm Act requiring an airport to do the spraying. The burden is on the applicant to demonstrate that the special use standards are met. It isn't the obligation of the Township to make regulations to satisfy safety concerns of this proposal.
- X. Andrea Zamansky said preemption does exist and it is not true that we can regulate it. We can't assume he will limit flight operations. Deer Run is against the airport because of noise, safety and property value. Bob Gregory is against the airport. There is a new petition with 300 names because their lives and homes are adversely affected if the airport is approved. Cackleberry is 4 miles away.
- Y. Kevin Braun said the proposed airport is in his backyard, and he has kids, so he opposes it due to noise or a crash.
- Z. Jason Wiley said he owns the house Kevin Braun lives in and is concerned with the value of his house. He farms and has hired professional crop dusting done but he is not comfortable that Brian Herron is learning in his back yard. Mr. Herron could go to Cackleberry. The Right to Farm says every time he flies he is taking pictures of his crops. It could be unlimited flights and not 12 times a year.
- AA. Chris Gordon, of Brass Creek, pilot and flight instructor, said Mr. Herron is a professional pilot, a caring father, and a generous member of this community. The character of our community is defined by us. Our job is to separate fear, emotion, and intimidation from facts, and to use facts to interpret the Zoning Ordinance and Master Plan. The fact is Cackleberry and Gooding airstrips do exist and do not comply with the standards as they are not required to, so we can assess the real historical impact. He supports Mr. Herron's right to have a private airstrip as he is a valuable member of the community.
- BB. Kim Trinkle said the airstrip would have a negative effect on safety, wildlife, property value, noise, and Arms Creek runoff. It is not in the Master Plan or what residents want. We won't be able to regulate the number of flights or planes. We already have Cackleberry that he can use for \$50 a month. He has a hidden agenda as his cover crop is still standing.
- CC. Cindy Hunter wants safety and the airport is not safe or quiet. Airplanes are the 2nd most deadly pastime. The houses by Cackleberry were put in after the airport was in place. Her home is here now and there would be very low flying to this airport. It is a difference between a hobby and life. Neighbor's lawnmowers do not crash into her house. Property values will be lower. The right of one person doesn't override the community. He can't police other pilots.
- DD. Brad Frederick said he is the Michigan liaison for the Recreational Aviation Foundation. He said in 2005 there were 235 fatalities in general aviation and only 4 of them were innocent bystanders. 100 people per year die from horses, 75 per year from lighting, 2000 are hit by cars, 200,000 die from doctor's misdiagnosis so we need to put this in perspective.
- EE. Gary Koch said there are night landings at Cackleberry and it is not lighted. Section 1.10 said the intent of the Zoning Ordinance is to the promote public health, safety, comfort, convenience and general welfare of the inhabitants of Webster Township.
- V. As there were no further comments Rob Mitzel closed the Public Hearing at 11:16 pm.

Respectfully Submitted,


Erica Perry, Secretary

EP:mlz

Copy to: B. Calleja

J. Kingsley
R. Raiford

MINUTES OF THE 464TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, NOVEMBER 16, 2016

The Meeting was called to order at 7:03 p.m. by Chairperson Mitzel in the Township Hall.

WTPC Members Present: Rob Mitzel, Cynthia Zuccaro, John Westman. George Goodman

WTPC Members Absent: Erica Perry, Paul Zalucha arrived just before the end of the meeting

Also Present: Martha Zeeb, John Kingsley, Randy Raiford, Charles Estleman, Chris Atkin, and about 4 residents

I. Approval of Agenda: Cindi Zuccaro made a motion, 2nd by John Westman, to approve the agenda as written. Motion carried unanimously.

II. Approval of Minutes: George Goodman moved, 2nd by John Westman, to accept the minutes as written of the 10/19/2016 Webster Twp. Planning Commission Regular Meeting and Public Hearing. Motion carried unanimously.

III. Citizens Wishing to Address the Commission:

A. John Kingsley said the Township Board will have a Special Meeting at 6:30pm Tuesday, November 22, 2016 to have a closed session with the Township Attorney on the landing strip.

B. Brian McGuire said he thought the air strip was done. Rob Mitzel explained that the Planning Commission denied the Site Plan and recommended the Township Board deny the land use. The Board could decide next week.

IV. Township Board Report:

A. John Westman said the Board will meet next week.

B. John Westman reported that the PDR closed on Loren Estleman's 106 acres and they are looking at others.

V. Zoning Report – Randy Raiford explained he is revising the ZBA Handbook for their review. He has had 3 final zoning inspections. He wants to work on outside storage issues.

VI. Public Hearing for Preliminary Site Plan for Mill Creek Outdoor Adventure Kayak Livery and Indoor/Outdoor Beer Garden at 8180 Main Street, Dexter, Michigan.

A. Rob Mitzel explained that Randy Raiford received an email (attached) from Allison Bishop of AR Brouwer postponing the site plan review.

B. Rob Mitzel opened the Public Hearing at 7:15 pm for 8180 Main Street in Dexter.

1. Brian McGuire encouraged the Commissioners to look at the traffic on the Huron River by the Ann Arbor canoe livery to see how crowded it is. He said the river is too narrow by the proposed Mill Creek Outdoor Adventure so it needs to be on another part of the river. Also the beer garden is right next to residential houses.

2. Jean Wallace asked about where overflow parking would be.

C. Cindi Zuccaro moved, 2nd by John Westman, to table the public hearing to a future date to be determined based on the applicant's request. Carried

VII. Preliminary Site Plan Approval discussion

A. Rob Mitzel explained that the north part of the Mill Creek property is in Webster Township. Scio Township's portion of the property is being annexed to Dexter City. They plan to tear down the existing building and rebuild. After it is built they want to annex the Webster Township portion to Dexter City so the Liquor License is from Webster. Scio and Webster may have different river set back requirements and different building height requirements.

B. John Kingsley said the former owners didn't want to be in Dexter. The current owners

want to be part of Dexter City as they have no room for a septic field. He explained the procedure to annex to the City.

C. Cindi Zuccaro asked about Webster losing taxes if it is annexed. John Kingsley said most of the \$2100 is for the schools. Webster Township would lose about \$100.

D. John Westman moved, 2nd by Cindi Zuccaro, to postpone consideration of Mill Creek Outdoor adventure indefinitely. Motion carried.

VIII. Natural River District Regulations

A. Rob Mitzel reviewed the changes received from the DEQ and HRWC (see attached) regarding the ability to remove dead, diseased, or invasive plants in the river setback and to clarify the pathways to the river.

B. The Planning Commission thought Rob Mitzel should update the language and map.

IX. Huron River Watershed Council Grant for Green Infrastructure implementation. Rob Mitzel explained that the HRWC could help work on non-contiguous PUD to preserve open space. The Commissioners were agreeable for Rob to talk to the HRWC.

X. Updates for Article 8 of Zoning Ordinance – Site Plan approval.

A. Randy Raiford said he has not had any feedback from the Commissioners or Township Board. He would like comments to streamline the process and make clear what items are in the Preliminary and Final Site Plan.

B. John Westman said the Township Board has not discussed it.

XI Public Comments – Jean Wallace said tonight was a nice change from prior meetings.

XII Information Items – Rob Mitzel passed out forms from Carol Whitney for direct deposit of paychecks.

XIII Cindi Zuccaro moved, 2nd by Paul Zalucha, to adjourn the meeting. Motion carried. The meeting adjourned at 7:48 pm.

NEXT MEETING DATE:

Regular Meeting: Wednesday, December 21, 2016 at 7:00 p.m.

Respectfully Submitted,

Erica Perry, Secretary

WW:mlz

Copy to: J. Kingsley

B. Calleja

R. Raiford

MINUTES OF THE 465TH REGULAR MEETING OF THE
WEBSTER TOWNSHIP PLANNING COMMISSION
WEDNESDAY, DECEMBER 21, 2016

The Meeting was called to order at 7:02 p.m. by Chairperson Mitzel at the Township Hall.

WTPC Members Present: John Westman, Erica Perry, Robert Mitzel, Paul Zalucha, Cynthia Zuccaro, Charles Estleman

Members Absent: George Goodman

Also Present: Martha Zeeb, Randy Raiford, Chris Akin, John Kingsley, John Scharf and 5 citizens

I. Approval of Agenda: Randy Raiford asked to add a winery at Cottonwood Barn, discussion on Conditional Rezoning, and possible revised Nuisance Ordinance language. Rob Mitzel said the Discussion items could be a) Cottonwood b) Natural River District Regulations c) Updates for Article 8 of the Zoning Ordinance d) Conditional Rezoning e) Nuisance Ordinance. Erica Perry asked to add her power point presentation after the Natural River District Regulations as item b-2. John Westman moved, 2nd by Cindi Zuccaro, to approve the agenda as amended. Motion carried unanimously.

II. Approval of Minutes: Cindi Zuccaro made a motion, 2nd by John Westman, to approve the minutes of the Webster Township Planning Commission on Wednesday, November 16, 2016 as written. Carried.

III. Township Board Report

- A. John Westman said the Township Board denied the application for the Herron Landing Strip.
- B. In 2017 the Township Board will meet at 7pm on the 3rd Tuesday of each month.
- C. The Board approved annexing the Mill Creek Outdoor Adventure to the City of Dexter. They will not need the liquor license from Webster Township.
- D. The proposed Firehall has been postponed indefinitely due to the excessive cost.
- E. The Board appointed a committee of 3 Board members and 2 citizens to come up with an affordable solution to Jennings Road condition.
- F. The PDR Committee closed on Charles Estleman's property and the Township Board has appointed him to fill Wilber Wood's position on the Planning Commission.

IV. Zoning Administrator Report – The United Methodist Church will present a site plan in January for an addition.

V. Comments from Citizens: None

VI. Set Public Hearing for Zoning Ordinance proposed Text Amendments to align it with Road terminology in the Master Plan.

- A. Paul Zalucha asked that Neighborhood Road should be #6 in Section 2.10.
- B. Erica Perry moved, 2nd by Charles Estleman, to set a public hearing on Wednesday, January 18, 2017 for this bundle of road redefinitions of road amendments. Motion carried.

VII. Cottonwood Barn

- A. Blake Kownacki discussed the potential for them to use Cottonwood Barn for their winemaking, agritourism destination.
 - 1. They would plant 2 ½ acres of vines at the site and also have 25 Bee Hives. They would not have amplified music, DJs, late night parties, or other liquor. A café or restaurant could be a prospect for them as wine goes with food.
 - 2. Blake Kownacki said he has been a winemaker for 10 years in the Irish Hills, and is planting vineyards in Detroit. They want to grow world class wines and need retail space. Blake said he plans to live in the caretaker house on the property. They wanted feedback from the Township on this idea.
- B. Rob Mitzel asked for questions from the Commissioners:
 - 1. Paul Zalucha asked if they would make wine there year round. Blake Kownacki said they would get grapes from their other sites also. The café would be year round, and there could be large groups, but weddings aren't their focus.
 - 2. Charles Estleman asked how many parking spots as traffic could be an issue. He asked if they would hire people to work there. Blake said they would need to hire people for the spring and fall to

work with the grapes, and a few people in the wine tasting area. He thinks there are 60 parking spots.

3. Cindy Zuccaro said time constraints were important for the neighbors.

4. Erica said the property is not zoned Commercial so a restaurant is a question. She said the neighbors would not like large groups. Blake Kownacki said the Fire Department allows 298 people in the Main barn. They would have a man directing parking so cars would not park on the road. The upstairs would be for wine tasting. They would have storage in Detroit.

5. John Westman said there is not a lot of acreage on site for growing grapes. Blake Kownacki said the main focus is retail outlet to sell world class wine. They are looking for rural elegance and asked if a restaurant is possible, though it is not their focus.

a. John Westman said retail sales and food service is commercial activity. Blake's partner, Klaes Fornell, said they need to know what the Township wants and doesn't want and then he will look at the economics. It takes 5 years to get the vineyard producing so it is important to decide upfront what the Township will allow.

b. John Westman said they should check the water flow as some of the Township has issues.

6. Rob Mitzel said restaurants are not allowed in the Ag zoning and traffic and parking are a concern. He asked if they plan outdoor music and Blake Kownacki said he would love Jazz. Klaes Fornell said they can get a restaurant anywhere, and this barn is production, but they need a tasting room and retail in a spot like this. A winery would be a good fit for this barn. There is an opportunity cost of not having something there.

C. Chris Akin said retail is commercial but there is a provision depending on what they are selling other than wine. A restaurant in an agribusiness area could be incidental.

D. Randy Raiford asked if they would partner with other local farmers. Blake said more than 50% would be wine, but cheese, smoked meat and dried cherry could use their space as an outlet. Randy asked if they would sell wholesale on site and Blake said yes – wholesale and retail.

E. Rob Mitzel said we need a better understanding of the Right to Farm and Agribusiness retail sales, and we need to get input from professionals. We need an appropriate use on that property to enhance the community.

VIII. Andrea Zamansky asked, and Rob Mitzel allowed, that she could give Citizen Comments now as she needed to leave. She said year round is not seasonal agriculture, a restaurant and retail is not allowed in the Ag District, traffic on a dirt road is a problem, and legal fees to get input about the Right to Farm can be charged back to the applicant.

IX. Natural River District Regulation.

A. Rob Mitzel said there is no change to the text of Section 16.20 but the Surface Water Overlay Map has been revised to include the State buffer to all waters in the Township. He said he thought the new map is too aggressive as it includes waters less than 5 acres in size, includes water courses not on our original map and will make more non-conforming structures outside of the Natural River District. He asked if this is the Commissioners intention as he thought we were just using the State buffer on the Natural River District.

B. Erica Perry said people were out of compliance in the Natural River District. She would like to protect our waters better from storm water runoff issues.

C. John Westman said our intention was to conform with the State so landowners come to us and not the State. He said we should stick with our original intention as this is classic overreach.

D. Charles Estleman said the new map is inaccurate as there is no Arms Lake anymore. Also, a good share of the waterways is in PDR and can't be built on.

E. Paul Zalucha agreed this new map was too intensive. He likes our current map and 5 acres like in the text.

F. Cindi wanted to protect all rivers and creeks on our current map by using the State buffer.

G. Randy Raiford said 100 feet buffer is a long way and he is not sure 125 feet does much more.

H. Rob Mitzel said we will use the old map as the basis, verify 5 acres and bigger waters, verify the Natural River District new setback, and keep the original set back on the rest.

X. Erica Perry presented her power point which she gave at the December 10th, 2016 workshop "Community Techniques to Protect Water Quality" about what Webster Township has done. Rob Mitzel

said he would work with Chris Akin on TDR. He showed the letter and brochure from the Huron River Watershed Council dated 12/27/2016 (attached) the Township will send to people in the Natural River District to update them on the new restrictions.

XI. Article 8 of the Zoning Ordinance. – Randy is waiting for comments from the Commissioners. He also encouraged the Commissioners to use Township email for Commissioner Business. He asked for guidance from the Commissioners on getting information to them. He and Rob Mitzel will discuss.

XII. Conditional Rezoning – Section 11.05 of the Zoning Ordinance. Randy Raiford asked if this Section could be used for people to find out if their idea is possible without the expense of a site plan first. It is a new State law to spot zone. Much discussion followed.

XIII. Nuisance Ordinance - Randy suggested wording for Section 3, item 4, to be more explicit on definition of junk and abandoned motor vehicles as he wants to get them out of the front yards. As this is a Township Ordinance John Westman will find out the Township Board wishes.

XIV Citizen Comments: None.

XV. General Discussion/ Correspondence:

A. Rob Mitzel said he will not be able to attend the February, 2017 meeting. We have election of officers then and he would like to pass the torch of Chairman to another member of the Planning Commission.

B. Rob Mitzel encouraged the Commissioners to talk to Carol or Barb about signing up for the Citizens Planner Series as training is in the budget.

XVI. Erica Perry moved, 2nd by Cindi Zuccaro, to adjourn. Motion carried. The meeting adjourned at 9:58 pm.

NEXT MEETING DATE:

Public Hearing, Wednesday, January 18, 2017 at 7:00 p.m.

Regular Meeting, Wednesday, January 18, 2017 at 7:00 p.m.

Respectfully Submitted,

Eric Perry, Secretary

EP:mlz

copy to: J. Kingsley

B. Calleja

R. Raiford