



**Webster Township Special Meeting
Webster Township Board of Trustees Question & Answer Forum
March 5, 2024, at 6:30 P.M.**

The Webster Township Special Meeting between the Webster Township Board of Trustees was called to order at 6:30 p.m. by Supervisor John Kingsley on Tuesday, March 5, 2024, at the Webster Township Hall, 5665 Webster Church Road, Dexter, MI 48130. Members present: Supervisor John Kingsley; Clerk Barb Calleja; Treasurer John Scharf; Trustees Dan Munzel, Jeff Harms, John Westman, Shelly Vrsek; and 97 citizens.

Agenda:

The meeting was called to order at 6:30 pm.

Pledge of Allegiance

Supervisors Remarks (Disclosure of Legal Advice/Opinion)

Discussion of our ordinances

Kingsley gave a brief description of ordinances listed in the directory. Zoning Ordinance regulates the land, and the General Law or Police Ordinances regulate the use of the land. Mentioned the Consumer Energy Ordinance being worked on.

Call to Public (3 minutes per person, 2 times per person)

Gary Koch expressed that every time there is a new member on the Planning Commission or a new Zoning Administrator it seems the Zoning Ordinance gets amended. There was a lot of money spent on totally rewriting the Zoning Ordinance and it was adopted in 2010 or 2011. Asked about the Methodist Church & Catholic Church on having weddings. Lots of chatter on social media about home-based business ordinance. Employees should not be on social media.

Bill Sullivan asks why do we have a home-based business ordinance? Why do we need to have a township level ordinance regulating businesses?

Kingsley responds that guidelines are needed for how to operate. Not all home-based businesses are equal, and they can cause burden to neighbors and roads. Kingsley gave an example of an out of state person buying a home with a pole barn structure on it, not living there but starting a trucking business from the parcel.



Bill Sullivan says he understands that the home base business ordinance has been around a while and that we are just trying to clarify it and restructure it. I have read it and some of the language in there seems a bit restrictive with the number of cars and signs in the easement. He is in favor of roadside stands and the township not coming down on them. Asks when the animal ordinance was started. Was the ordinance started around 2008? He mentions 5 acres minimum and the mention of poultry along with exotic animals.

Kingsley responds it started back in 2005 and into 2006 with the zoning enabling act and was completed in 2010.

Bill Sullivan asks if the township would be willing to strike poultry. Poultry is allowed in other places around Washtenaw County, such as Ann Arbor, on regular sized city lots. We should not have an ordinance that we do not want to enforce actively.

Scharf responds that the Zoning Ordinance is in place to help minimize conflict between adjacent parcels, the landowner, and the neighbor. We have different districts and what we are talking about is in the residential ag district. Businesses can grow and become disruptive. We are trying to find the right balance between the people on the parcel and the people around them. Finding balance is always a goal.

Avianna Byson is upset by the new laws being passed to get rid of animals. It breaks her heart. She loves raising chickens.

John Tuttle is concerned about the way we are going about creating zoning. You see a property zoned ag and think agriculture. When you eviscerate zones, what's the point of having agriculture. We should amend zones and rezone parcels, or you have situations that don't make any sense.

Steven Ostrowski asks how many complaints are there on home-based businesses? How many ongoing litigation cases for home-based businesses complaints?

Kingsley states that if you have a zoning ordinance you need to apply it.

Erika Tuttle states there is ongoing litigation and heard a board member say, but does not know who, it's not the Zoning Ordinance we want but it's the Zoning Ordinance we have. Is the board aware that in a Right to Farm act case that if Right to Farm prevails then the township will pay the bill? Does the board consider the cost entailed when considering citing someone.



Scharf states he has dealt with many attorneys and believes that she (Erika Tuttle) is an attorney and he says that not once has an attorney been able to tell someone what something is going to cost in advance.

Erika Tuttle says that is true that she would not be able to tell you what something is going to cost in advance either and she remembers talking to Scharf about this. Why is she paying for a public millage of fire and all that stuff if the township has so much money. Her taxes are too high.

Peter Stevens states the Keeping of Animals Ordinance, presented to the board last March by the Planning Commission, still has not been moved on. This ordinance amendment would have allowed a little girl to keep her chickens and Stephanie to have her chickens. It has been a year that the Planning Commission was labeled as out of date and overly restrictive. Waiting on legal decisions. What does this board hope that a legal opinion will do to change your opinion? As the current draft is written it will alleviate some of the current enforcement going on around you. Why are you sitting on it? What are you hoping will change or what you can change with the ordinance? I am not asking about litigation. You obviously have some idea of where you would like the animal ordinance to be.

Scharf responds that Peter is creating the impression that the board deliberates when it is not at this table. The deliberations that this body does are in public and at this table. You are asking questions about things that have not been deliberated by this body.

Stefanie Vansteenis has a nice big barn, it had chickens in it for almost 8 years. Stresses she has had chickens for 8 years and nobody cared about her chickens until she had an interaction with her neighbor blowing leaves into the road. We should be concerned with the leaves going into the road. People have chickens in Ann Arbor in a 12 by 12 dog kennel. This brings up the question on whether a chicken a domestic animal. States the definition (not sure of the source she cited from.) With the draft amendment of the keeping of animals she lives on 0 -.99 acres and could still have her chickens. Her kids love chickens. She likes the good eggs they provide.

Pat Schloss has lived here for 14 years and loves Webster Township and what it has done for his 9 kids they are raising here. Having a farm and living around families that have lived here for hundreds of years means the world to him. Regarding the home-based business, you rewrite stuff to solve a problem and cause all sorts of other collateral damage. Someone having a mechanic shop on their property is raised to a higher level and that needs to be regulated more. There may be very little traffic flow but because they are working on cars there is more of a concern. Same with trucks or livestock. How many people does this affect? The answer always seems to be I don't know when I ask questions. How can you legislate with so many I don't knows. How many miles do you drive around the township. What are you doing to



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interact with your citizens to answer fundamental questions. Pat accused board members of being politicians. He did not know about the party barn until it was finished, and he lives on the same road.

Vrsek responded that the township has sent out surveys and we took the feedback from those surveys to help guide us in our strategic plan. That survey guides us in what we are thinking and helps us with some of the ordinance changes and decisions we make here. We do seek out opinions. I am not going to campaign at a board meeting, that is not what I came here to do. I am not a politician. I ran for trustee because I am a resident of this township, and I am obligated to do things for the township that I am a resident of, and I want to serve. We do seek it and we do ask. You can call us. We do not know what is happening unless you talk to us. We want things too. We have home-based businesses and chickens. We live here.

Westman states that he does put a lot of miles on his vehicle driving around the township and that he has met with numerous citizens over issues we have dealt with, one being roads, and we had the issue of the airport years ago. I met with a few people over their concerns about the airport. If you have issues, I am more than willing to set up an appointment and sit with whoever wants to talk, if the intention is to make it a productive conversation. I am retired and I am available and I'm willing to speak with anybody at any time.

Scharf responds that he talks to citizens every day on the phone, all the time. His cell number has been published on 6000 tax bills for years. I listen to everyone and do it every day except for some Saturday & Sundays.

Kingsley states that local representatives should not be politicians, running for office should be non-partisan. You should be voting for the person that you feel would be the best one for the job.

Peter Stevens makes a comment about the board stating our phone numbers are listed and to come and talk to us, have a private conversation. I revert to John Kingsley stating at the opening of the meeting, everyone is here so they can hear what is going on. They are asking it in public so they can hear what is going on. These private conversations that you are asking people to have, or had recently, and then when they come to talk about it to the board in a public setting you fall back on Pat Schloss's favorite answer, I don't know. So to say call us, but then have someone say the point of this entire meeting is to hear what is being said, maybe you should ask yourself why you are not using board meeting time to ask questions and get some of these things squashed before they become bigger issues. He states that in the Zoning Ordinance there is a section in one of the articles that states that the Zoning Enforcement Officer has certain duties. One of those is official reporting so I guess my question is, what is the official reporting mechanism for the Zoning Enforcement Officer?



Kingsley responds that he and Peter have had this conversation many times. There is not a specific form, they do actual handwritten reports and typed reports.

Peter Stevens responds, not like the report that I have gotten from Gary Lask.

Kingsley states that he has told Stevens this before and the answer is no.

Peter Stevens wants to mention here that he has had conversations with township residents that have told him that in interactions with Mike he has been rude. There is evidence out there that township officials should not be on Facebook. Mike has directly messaged a resident from his personal Facebook. This is on the internet and it's there forever, as anyone that uses the internet should know. What are you as our elected officials doing to protect us from this treatment.

Kingsley says several years ago we established an internet policy, obviously the internet was not used in the way it is since the pandemic and we probably need to review that policy. Under the policy that we have we regulate what people can do on their workday on the internet. But under that policy we do not regulate what someone does on their own personal computers on their own personal time. We probably need to visit that. In terms of him calling someone a name, I have never seen that. We need to find out more about that situation. Peter will message the comment to Kingsley.

Mac Gills says we do not have residential ag in Webster Township, we have ag. There is not a commercial ag or a residential ag, it's just ag. Why it matters is that commercial activity regarding Right to Farm animals is judged differently than noncommercial activities. He implies that back in 2021 the former chair of the Planning Commission stated ordinance 13.25 was a typo in the previous revision that should not be used to govern the use of animals on agricultural property. That was obviously her reading of it. There is no intent to restrict animals to five acres. His question is regarding commercial use if 2 acres is sufficient in agricultural for commercial purposes, why is it not considered sufficient for animals for non-commercial purely residential activities?

Kingsley says that was under Right to Farm.

Gills states that the ordinance states that commercial use is permitted. It is not Right to Farm as you stated in this meeting.

Sri wants to clarify we have a Right to Farm Act that protects certain agriculture uses which includes any farm related activities, but for some, if something qualifies for commercial farming, then it's protected by the Right to Farm act and the Right to Farm Act preempts any local regulations. In other words, if a



determination has been made that this is protected by RTF, then we have limited ability to impose certain regulations. However, if there is something that is not addressed under RTF, the township or the cities do have the right to regulate the land regarding setbacks and such.

For something to be protected by RTF:

1. It should be GAAMP compliant
2. It should be a farm
3. It is a commercial farm.

How it is determined to be a commercial farm? There are multiple ways and I do not want to get into that because there is no clear black and white answer. When I said the commercial aspect of it, it is not just if it is commercial that the acreage does not apply, it should also be GAAMP compliant and then GAAMP looks at selection criteria, like you cannot have any nonfarm residents in a certain distance. Let's say that you have a property that is not GAAMP compliant, then it is not protected by RTF.

Mac Gills asks why does land have to be commercial to have animals on 2 acres. Back and forth debating took place here.

Kingsley states that the Zoning Ordinance says that the minimum acreage to have animals is five acres.

John Tuttle In an agricultural zoned district, the primary use and right is farm animals. When you look at the definition of the ordinance that is defined as commercial animals. Your ordinance is ambiguous. So if you have a minimum 2-acre parcel conforming under the law it says you can have commercial animals, and then you have a parcel section of your law that says, oh wait, we know we said this over here, but we have this other section on this because we want to eviscerate the zoning. It becomes ambiguous and it gets thrown out by the court. You have an ordinance that allows people to raise animals for profit. But you have a limitation on people raising animals that they cherish.

Stefanie Vansteen says having animals is a privilege and a right. My chickens were used during the pandemic. Her son had to do Community Service and he took care of the chickens. States that the code enforcement officer does not like her because she is vocal. Brings up wood. Can she sell the wood if it came from her property? On Donovan there are 10 boats and trash. Why are they not given a violation?

Sri Komaragiri states Roadside Stand or Farm Market Stands are products from your land that you can sell. Sri says this is an ongoing investigation so cannot provide a comment at this forum, but she can reach out to Mike.



Steven Ostrowski asks what is up with the Consumers pipelines. Are they currently in use or decommissioned and they are going to turn them back on? Is the intent to return the transmission lines to active service? How is the LHBB creating a supportive environment to help people's businesses?

Kingsley states that Consumers has a transmission line through the township and that 30 years ago an ordinance was adopted for allowing that. He believes it is for gas only. They do not service anybody in the township. They have asked us to redo the ordinance. It is no longer Consumers Power but Consumers Energy and there was a provision that the board discussed and a provision that they could be in waterways in the township. Trustee Dan Munzel pointed out that maybe we did not want them in our waterways so we are working through our attorney with Consumers Energy to change that wording and at some point in time possibly do an ordinance not with them but on our own dealing with Consumers Energy only.

Scharf explains the home base business ordinance was adopted in 2006. It's the same today, so there have been no changes. When this body deliberates on possible amendments to that ordinance, it is looking not only at the impact on the property owner but on all the adjacent property owners and the people that are on that trunk of road that could also be impacted. I will be doing my very best to balance all those things. We have heard a lot tonight about people that have been subject to notices of violations. I have talked to many residents of this township who are neighbors and afraid to do what you are doing and stand up and talk because their neighbors are vindictive. And so, I am balancing everything that people are saying tonight with the things they say to me everyday that don't have the courage to stand up and say these things because they are afraid they are going to get heckled and have action taken against them. You don't get to see all the things that I am trying to balance.

Bill Sullivan asks if we do not like an ordinance and we want to change it or get rid of it, what is that process?

Scharf responds that sometimes he votes no, and it still passes.

Kingsley asks if Sullivan is asking about procedure. Show up at a board meeting if the ordinance is a stand-alone ordinance and tell us the reason why. The board is the one that considers those ordinances. I would think that you would come prepared with some sort of documentation on why we should not have that ordinance anymore. Likewise, if you wanted an ordinance, or say chickens, you might come forward with an ordinance to the Planning Commission. In that case, maybe even bring some language that you may want to see. Come to the meetings and communicate.

Bill Sullivan questions interaction at meetings.



Kingsley explains that the purpose of a board meeting is to conduct the business of the township. There is required be a place for one public comment in a meeting, but Webster Township has two public comment sections. That would be the place for you to communicate with the board. Your concern may not be discussed right then but it could be placed on a future agenda. People act like this board does not listen well. I think they are great listeners.

Mark Fawcett says, in regard to the PDR program, it is kind of funny that property is being bought to keep it rural, but chickens are not allowed. What is the long-term goal of the property that we are acquiring and can we think of other ways besides buying the property.

Kingsley explains the PDR-Development of Rights program. The township is not buying the property but purchasing the development rights, still allowing it to be a farm but preventing development. What it entails is putting in an easement that allows the land to be used for farmland or forest purposes, whatever the exact language of the easement says, but it cannot be developed. This is preventing development on some of the larger parcels in the township. The same people own the land. The last property the township purchased was about 26 years ago for the future site of the new fire station.

Westman who is Chair of the PDR program gives explanation. The township is not outright purchasing the properties. We purchase conservation easements on the land. The landowner continues to own the land and can do whatever he wants on that land, he can sell that land. The conservation easement goes with the land. The township has not purchased any farmland, the land is still subject to property taxes just as it has been all along. It is not all township money being used. We leverage a millage, and that millage generates \$200,000. We partnership with other entities such as Ann Arbor Parks & Rec. the State, and Greenbelt. For our \$200,000 an additional million dollars is brought into the township to help preserve that land.

Inshal Chenet says we have different zoning classifications. Our current ordinance does not allow farm animals on it or farming on it. My question is why then why we are having them agriculture zoned and not residential zoned. If 2–3-acre parcels are not allowed for farming, then why is the township zoned agriculture.

Kingsley explains the history of zoning and how the township was originally zoned 100% Agricultural and we have just never moved on from that. The Planning Commission looked at changing zoning districts because we have site condos with 20 homes in ag zoning. We have one subdivision in the whole township and it is zoned R-3. We have developments considered site condos and we never have changed the zoning on them. We have a lot of 10-acre parcels that should be in their own zone but the board was not interested at that time in taking on a complete rezoning of the entire township.



Inshal Chenet says, to clarify, it would be a lot of work to change the zoning, but it would be a simpler process to change what the zoning means for various places to regulate things like animals on smaller lots.

Kingsley responds that he would not characterize it like that, there would be a lot of resistance to changing what's there today. Kingsley says that due diligence is done by the purchaser of the land as to its uses.

Inshal Chenet asks if we would be expecting someone who is buying property not to assume that they could have animals on a piece of agricultural land but read through the entire zoning ordinance to see if there is anything attributing that you cannot have it.

Kingsley says they would have to read through the agricultural section.

Inshal Chenet says that during board meetings, answering questions and addressing people during the public comments, there are no rules stating you can't answer a question or answer it at another time with the board. Why does this board seem to have a policy of not commenting to people who have comments.

Kingsley says we run on the recommendation of the MTA, Michigan Township Association, to conduct the business of the board meeting. To take input from the citizens and not get involved in a dialogue because it can potentially interfere with the meeting and getting the job done that we are supposed to be doing.

Inshal Chenet says that does that include the call at end of the meeting. Could that time carry dialogue?

Kingsley says that at the concerns of the board members section, we have had responses then.

Harms says we get a lot of comments after, most people don't stay because it's late. We have a lot of dialogue between us on issues as well as bringing up meetings like this where people can talk and say what they have to say. We can't talk and answer questions when we are conducting a business meeting. It is difficult to conduct business with dialogue.

Vrsek states there are a variety of reasons why the MTA recommends we do business this way, and it's just not the MTA, it has to do with the Open Meetings Act Law, and the way that all boards that are governed by the OMA must get their jobs done now. As mentioned, sometimes we don't know the answer because the only time that we can talk about it is when we are together in a meeting openly. I am



part of two other boards that are bound by the OMA and we do business exactly the same way. They are government regulated bodies and they do not answer comments.

Inshal Chenet states he understands but we are a relatively small township.

Kingsley points out there are various ways to communicate with us. Email addresses are listed on the website. You can come to the Planning Commission meetings, you can attend board meetings as you have done, you can call into the office, you can contact any of the board members at any point of time.

Inshal Chenet says the board together is in a better position to answer questions like this meeting tonight. It would be very much appreciated to have more meetings like this.

Munzel clarifies that this is not a unique scenario of how our meetings are run. This type of structure is done so that we can conduct business. Webster Township is not the only one. You will see this all over the state.

Harms states that in our packets we get for our meeting, any communications that are received are put in there for us all to review. So, if anyone feels that they need to say something, it will go to everybody. Correspondence is a tool to communicate with us.

Joanne Westman would like to talk about what this board has not done in the past. It has not ignored the needs of its seniors. It provides support to the Webster Township seniors through the Dexter Senior Center at a higher level than other municipalities. It does not squander taxpayer money. Our new fire station was completely paid for through the way that this board conducts business. It has not handed over our beautiful property for development. It has preserved 20% of the land. We can enjoy our forests, fields, water, and clean air because of this. It has not forgotten about the history of our township and has supported the mission of the Webster Historical Society. The township contributed funds that we (Webster Township Historical Society) were short of to help finish the walkway that runs through the historic village. That pathway is now available to citizens that are disabled. This board is not perfect, but I can't think of a better place to live.

Gary Koch thinks when some of the residents asked what they could do they were somewhat misguided. Residents really need to attend the Planning Commission meetings because most of what goes on in this township goes through the Planning Commission. Basically, the township board says yes to everything. I sat on the board for many years and there were not too many things that got turned down. A majority of the township is zoned ag and Mr. Kingsley and Mr. Westman were on the board with our other previous Zoning Administrator and we had a man from the state of Michigan who basically stated that if your



property is zoned agriculture you can have animals and they will back you up as long as you know what to do with the manure. He thinks this thing at Cottonwood is a travesty. They have a couple animals, and we take them to court. He do not like that positions are filled with people that are not residents of the township and they are telling residents what they can and can't do. The board should tell them what they can and can't do. He feels people need to know what their jobs are, let the boards know how to conduct their business. He feels like selling his land that has been in his family for years. He is tired of the township telling people what they can and can't do. Taxes are outrageous. Leadership needs to start at the top. Needs to be a better way of communicating with the public. This is the first time in my life that this has happened. He remembers RTF act guy that came out. Ralaric Farm has acreage set aside that they could use. What are you going to do if they want to have a couple cows running around out there. He brings up that every time a new person comes on the board things change. I have told the assessor not to come to my property anymore. If you pull a building permit, they have a right to come on the property one time. Half the time the Planning Commission is out of control. It took five years to do that Zoning Ordinance and it cost \$100,000. Probably more has been spent since then and now we are changing it again. He brings up the height standard change. What's the difference in how the roof is measured. We changed it because it was the center and now it's back to the center again.

Barbara Webb says they purchased in Webster because of the agricultural area and the preservation. We did a lot of due diligence for about two years. We chose this community because they seem so Ag friendly. Likes young families that want to farm but don't have a hundred acres. We have four acres, and we have no animals. I think it's sad about the little girl that can't raise chickens. Don't we want our kids raising chickens, eating fresh eggs instead of being on their screens. Can we do a petition saying we would like these things assessed? She spoke of witnessing an assessing incident with her neighbor who lives on the dead end. The neighbor told the assessor that he could not come on his property. The neighbor later came home and found the assessor on his property, and he kicked him off again. She wonders if he was on her property. They had seeded their grass and she saw fresh footprints in that area and face print on the glass. I was appalled at the FB posts by the zoning person. He works for us.

Kingsley responds with the assessing procedure, he is instructed to go to a house, drive up the driveway, go to the door that seems to be used the most, knock on the door, wait, and knock on the door again. If there is no response, then it is his job to put a card in the door and leave by the same direct route out to his car and out of the driveway.

Barbara Webb says that she does know that he went to the neighbor's door because he told him that he did not want him on the property. They had literally just laid straw on the side of the house so there were footprints that were around the patio.



Kingsley asks if there was a card in her door.

Barbara Webb says that she believes that she did not have a card in her door.

Kingsley responds that if she did not have a card in her door then it was probably not our assessor, and she should report that to the police.

Westman says he would like to add to Kingsley response on the assessor's inspection that the state of Michigan requires we inspect each property once every five years. So, we try to do 20% of the property inspections yearly. We are audited by the state to ensure that we comply with their rules and regulations, so it is not an arbitrary procedure conducted by the township but mandated by the state. If we don't do it and we get audited, then we will get cited and possibly fined. Worse case scenario they can come in and take over the assessing. This is a requirement that we must do.

Barbara Webb asks if the assessor comes onto the property if there are "no trespassing" signs.

Kingsley responds he will not come onto your property, and you can call the assessors office and let him know you don't want them to come on your property, then they won't. Then we will use google maps or whatever means available to everybody to assess your property. In regard to the prints on your windows, we don't look in windows, we don't care what is in the house. We have the list from the property card when the house was first built but to answer your first question, if you don't want us on your property for assessment purposes even though the state requires it of us, please let the assessor know and we won't. He will review the process of going onto a property with the assessor and yes he does wear credentials.

Mac Gills addresses the board to respond to why not bring back the keeping of animal's amendment. Is waiting on litigation the way to go? Are we aware that the Code Enforcement Officer is giving violations based on the ordinance. What have you done to push this forward since working on it last year.

Munzel responds that he has heard from the last two meetings, but he has not seen the level of interest that he is seeing tonight expressed to the township board. Munzel responds he is aware that the Code Enforcement Officer is doing his job. He thinks we need to look at the ordinance and until now he was not aware of the level of interest on the issue, but it is before us now.

Harms says that we looked at it when it came before the board on a couple occasions and everybody has opinions on what they think should be in there. We have all expressed that and we can only discuss it at those meetings. It's been in a couple meetings and there has been a lot of discussion on it. Everyone wants to see different things on it. He is waiting for it to come back.



Vrsek echoes both things. She brings up when it was brought up on FB, by possibly Pat, on why we have not approved it yet. I went back and checked the minutes to see what the disagreements were and checked with a couple people. Some people were working on trying to iron out the differences and she reiterates that there is pending litigation/legal guidance and that was one of the reasons that it has not gone back on.

Mac Gill addresses **Westman** and he replies that he has not done anything to force the issue. One of the reasons that is has not been addressed is a considerable difference of opinions on the issue as to what is appropriate. The only time we can discuss it is in a public meeting, otherwise probably we could have resolved this long ago. It's our only time to conduct business. You need to remember that the township meets to conduct the township's business and that is just one issue. With that said he is very appreciative of what he is hearing tonight and I will make every effort to move this forward. Where he has issues with the ordinance as it's been written, or the revision as it's been proposed, is it makes a significant large allowance for large animals on small parcels and he has talked to some local farmers, one of which is highly esteemed in this community, and he told me we were nuts to even consider having that amount of animals on five acre parcels. He does think that is one of the reasons that it has not been resolved. There is such a difference of opinions on the board. He was aware there was concern but not at this level and the only way that he knows is if you tell him. So, if you don't come to board meetings or send letters then he have no way of knowing. He will ask and it may be too late that it be placed on this month but can certainly request it be placed on the April agenda.

Vrsek says, regardless of what the attorney advises, we can sure get it farther than it is now. We can come to an agreement on the things that we are not in agreement on and have it ready to go.

Mark Vanvoorhis asks what the standard procedure is for recording a complaint.

Kingsley explains that complaints are generally made to us verbally in person, or on the phone. We prefer the person to come in and fill out a complaint form and give us some background on what the complaint is about because as you have heard in this meeting, a lot of the complaints are based on two neighbors that can't get along. The complaint is then investigated. Sometimes the complaint is unfounded and sometimes it is not. Once it is found to be a legitimate complaint, we send out the first notice of violation with a request to contact us within a specified amount of time and then generally we send a second one, and again with a specified period of time, and then finally the ticket. We try to get a written complaint. He answers Vanvoorhis question that someone does not have to be a resident to make a complaint and they do not have to live in a certain proximity to what they are complaining about.



Mark Vanvoorhis asks what businesses are having an impact on the infrastructure. Kingsley responds that at least 1 business effects a whole neighborhood that we have had a complaint on. It was a legal complaint, so it was sent on to the Sheriff and the Sheriff investigated it and found it to be true. It was sent to the county prosecutor, but no action was taken.

Mark Vanvoorhis says in the “new” proposed ordinance we lay out tiered activity but no mention if someone has an LLC for reporting state or federal income. With a subjective look at someone’s property you could be calling someone’s hobby a business, am I correct.

Kingsley clarifies there is not a new home base business ordinance. He supposes that could happen but there may be no complaint, or if there is, once that is investigated then that could be cleared up.

Mark Vanvoorhis asks at what time does your right to privacy on your own property become bridged in your opinion.

Vrsek responds that if there is a complaint, it doesn’t matter if there is a business or not. When you are violating your neighbors right to privacy, that is what we investigate when there is a complaint.

Mark Vanvoorhis asks what rights are violated with a car or lawn business. Is it noise? Is it roads?

Vrsek responds that she can answer with a personal experience. Some of the things mentioned are not regulated by us but are regulated by the state government. Obviously, those would take precedence over our ordinances. She has a business near her that is similar to a landscaping business, and it is located on a hill. In the morning they have several of their employees come in and they leave their vehicles and take the company vehicle. There is not enough parking so everyone parks their vehicles on the road. This is a small dirt road on a hill so she has to drive around the vehicles on the road and drive in the opposing traffic lane and is unable to see if traffic is coming. This causes a danger to people trying to travel on that road and she herself has had unsafe incidents, especially in the winter. There are times when private businesses impede the safety of the space around them. She is not trying to target them and has not complained about them, but it is an example of the impact some home-based businesses can have.

Mark Vanvoorhis asks if the board abstains from personal interest or prejudice regarding complaints. The **Board** replies yes and **Kingsley** states that the board has a code of ethics.

Mark Vanvoorhis asks does Zoning Enforcement use drones or telephoto lenses or any other pieces of surveillance to look at people’s properties, and do we authorize the Zoning Enforcement Officer to carry a concealed pistol.



Kingsley replies he does not know about the “other” pieces, but the answer is no to drones and telephoto lenses, and we did not authorize him to conceal carry.

Mark Vanvoorhis suggests speed limit changes to deal with truck traffic.

Kingsley explains that the township does not have the ability to regulate speed limits. That is controlled by the state police.

Mark Vanvoorhis asks why the township is so interested in people’s call-sign names on Facebook.

Kingsley mentions again the internet policy and that we regulate what employees do on township time, but we do not regulate what they do on their own time. Scharf asks what a call-sign name is and welcomes him to come to his office anytime to talk.

Merri Rose thanked us for doing this meeting and asks to please hold a forum like this again. She is glad that she has excellent neighbors, that her neighbors will come to her if they have a complaint against her. She does not like the idea that someone can drive by her house and go into the township to complain. She talks about the township logo and where it was created. Her hope is that the township can say yes to as much farming for people as possible because it is important. Farms should not have to abide by the RTF act to be considered farms. We ought to promote farms as much as possible. She feels that the problems that come with animals and home-based businesses can be handled with the nuisance ordinance. She hopes we can do a lot more towards smaller farms. She refers to the formula to determine net acreage and advises to bold that language in the ordinance. She realizes that people have more responsibilities than being on the board, and please do this again.

Pat Schloss says the board does not know what is going on in the township and enforcement. There is a lack of trust. Makes the point that three acres could be surrounded by PDR land but it cannot have animals. The perception is that the township has to prove to a judge that you’re enforcing the ordinance. He thinks it would be good of the township to say that we will regulate any farm, whether it is commercial or non-commercial, because GAAMPS considers density. I think this is getting in the way. What if he becomes an animal sanctuary. Whether I sell the animals to myself to eat it or sell it to you to eat it. It shouldn’t matter.

Scharf responds that the board is made up of seven members. Three of the officers are basically at the township full time. Four members of the board, their primary function is to conduct the business of the board at the monthly board meeting, prepare for that meeting, and do any follow up that is required. They are not at the township hall everyday so they do not have the pulse of what’s going on. He wants to



make clear that different people on this body have different responsibilities and different levels of engagement. Some of them have full-time jobs also.

Rob Armbruster asks about the Michigan Proposal on large scale solar & wind farms. How they are preempting local control. Facebook had a large conversation on this issue. Has the board attempted to put any restrictions on this? In regard to warning sirens he listed many good questions to ask such as are they solar or hard wired and what is the longevity of the solar panel versions; are they rotating sirens; are they four quadrant horns; how are they maintained and who pays; what is the cost for 12-13 and what is the mapping; will the board be checking with other municipalities in regards to their sirens and who installed them and contracts; will the board get references on companies; what is the warranty; how is the system operated; Is the system un-hackable, and will they go off unexpectedly or if they are hacked?

Kingsley responds to wind and solar farms saying that long before there was anything in front of the state legislature, Webster Township reviewed and approved in our Zoning Ordinance regulations on solar farms. The legislation that was referred to was for large scale we have both large scale and home use generator language in our ordinance. The state sent to their legislation approval of large scale, 50 megawatts or greater, either solar or wind, to the public service commission. The entities should come to the township first, but everything is out of our hands. We have discussed some strategies to maintain local control. These large solar energy farms that companies are building to sell to DTE and Consumers Energy are looking for 400–500-acre continuous parcels that are probably hard to find in Webster Township. In regard to sirens, the county will run them.

Munzel responds to solar that there are other townships that have much more viability of parcels to develop solar. Wind ~~could~~ COULD NOT possibly have a chance in Webster. The benefits of the PDR program are it puts regulations on many of the large parcels that they might consider to use for renewable energy. It's nice to have those larger parcels off the plate. The developers are looking for even more rural areas than Webster Township.

Harms asks Armbruster if he is for or against the sirens.

Armbruster replies that he thinks the sirens are a good community asset, he just wants to make sure that we get the best bang for our buck. He recognizes that Harms was asking good technical questions at the last board meeting.

Harms explains the response for siren information is very limited. We have had a lot of discussion on sirens and on whether to have them, recognizing that many people rely on their cell phones or whatever



electronic device they have, and would sirens be of good use. If people have an opinion on sirens, please let us know.

Munzel polls the group on who would support the installation of sirens throughout the township and the response is mixed. Some would like to see the cost laid out first.

Paul Zalucha he has been on the Planning Commission for 23 years and he has reviewed, revised and personally written some of the ordinances. He wants the public to know that another important document that the people should know about is the Master Plan. Every five years we update the Master Plan. We just did the update on the Master Plan. We did it through Covid and it took almost two years to accomplish. We had several meetings dedicated to the Master Plan, probably over 20. When it came to holding the public hearing there were three people that attended, for probably one of the most important documents this township has. The Master Plan polls all of you on what is envisioned to be in the township. Whether there is going to be a mobile home park, or something is going to be zoned residential or commercial. Things looking differently or parts remaining the same. So, I encourage everyone the next time it comes up, which will be in about three years, to attend those meetings. We also held a visioning session well in advance of working on it and very little public showed up. He stresses the importance of this document. The Planning Commission is not perfect, and I have heard complaints on the building height and changing it back. It should be a compliment to the officials of the township that they did that. I was the chair of the Planning Commission at the time, and we made a mistake on building height and how it was measured, so we changed it and what that caused was several buildings in the township to come back into compliance and they would not have to go to the ZBA (Zoning Board of Appeals) for variance requests. The Planning Commission looked at it and changed it back to the way it was. We made a mistake, and we corrected our mistake. Regarding other ordinances, a lot of what we do is because of requests to the ZBA. We look at the requests going before the ZBA and look at those variance requests coming to them because the ordinance does not allow them. That is why several changes have been made in recent years to alleviate those requests. The Zoning Administrator comes up against requests that cannot be solved in different ways, so we look at those requests, gauge them, study other townships and consider whether to change the ordinance or not. After 23 years of service, I have worked on multiple Master Plans. That Zoning Ordinance that was mentioned was a major overhaul and we had to have a consultant help us. It was too much for the Planning Commission and the Zoning Administrator at the time. That was why the cost was so high.

Zalucha asks Kingsley to remember when the development requests were out of control, and we were in the process of writing an ordinance. We put a moratorium in place on development to give us a chance to get an ordinance written. Zalucha suggests putting a possible moratorium on animal enforcement until litigation ends and the ordinance is finalized. Is that a possibility?



Kinglsey replies that to some extent we have done that by listening here tonight and expressing that the board has varying opinions on the language. At some point you are going to see it back with the Planning Commission.

Jean Wallace says she and Phil attend almost all the board meetings. Sometimes it is horribly boring, but they learn a lot and feel they know what is going on in the township. She recommends that residents come to the meetings to know what is going on and speak up and that they will find it very educational. She firmly believes that every one of the board members works very hard on the township's behalf and she really appreciates it.

Closing Comments by the Webster Township Board of Trustees

Westman appreciates the input, he feels he understands the chicken issue better. Employee conduct is something that we can do something about, and we can investigate. He is not here every day, so does not have the opportunity to interact with the employees. He does not condone some of the activity that has been mentioned here. He mentions a comment about ordinances that are not enforceable. He is an advocate of getting rid of ordinances that you cannot enforce. But when you do those kinds of things there are unintended consequences also. He does not advocate for selective enforcement. Some of the changes in the home-based business ordinance tend to lead to selective enforcement and he does not support that. There is a long way to go on home-based business amendments. These are works in progress and sometimes the final product is very different from the initially presented one. It is very important for us to have input. A lot of times we only have 3-5 people at our meetings, and it is very difficult to know what people think if they don't tell us. He quoted Oliver Wendell Holmes Jr., who was a big advocate of property rights, "Your right to swing your fist ends where my nose begins." When we sit up at this table, we represent everyone in the township. Everybody has property rights and we have to try to balance all these issues and come up with the best result for all the constituents. He says he wants to hear what you have to say. We will not agree on everything all the time. He hopes you view this as a positive experience tonight and he will do what he can to make it better.

Munzel appreciates the thought and comments. This is a good method to learn what each of you is thinking and what your opinions are. We do listen and think we heard a lot this evening. An ordinance is in place to help regulate and protect us all. To prevent someone from building a large structure too close to a property line is just an example. An ordinance ensures that we all have a right and fair place to live. Society functions with rules & regulations. Sometimes too many, but it's where we are. There are townships that do not have ordinances but then you have people that do crazy things, or their neighbor thinks they are crazy, and their neighbor can do nothing about it. So, there are pros and cons to having a zoning ordinance in place. We happen to live in a township that has a very old ordinance, and we



occasionally look at amendments for it. Such as the home-based business ordinance which we have looked at and have had discussions on a couple of times many months ago. There were so many questions and so much confusion on it, so we tabled it. I am not sure that it will return to the table because it was getting into a lot of detail that did not seem appropriate. It seems to be one that is of interest to people and a difficult one to achieve that balance. Deciding if what we have is appropriate or not. It's a process we go through, and hearing input is helpful, and we appreciate the time you spent sharing with us. Thank you very much.

Scharf wants to thank you all for coming saying it takes courage to stand up to say something or ask questions. Thank you. Paul Zalucha mentioned something important and I want to echo it. We are required to review our Master Plan at least every five years. We sent out surveys to every single parcel in the township. We had multiple choice questions and four open ended questions at the end. I liked it very much and I found the answers very helpful.

1. What do we have in the township that you want to keep.
2. What do we have in the township that you don't want.
3. What don't we have in the township that you wish we had.
4. What don't we have in the township that you want to keep out?

The feedback that we got from those questions helped guide my decisions and continue to help guide my decisions. Unfortunately, the vast majority of those surveys went unanswered. We do want to hear what you want to say, and it is heartbreaking that when we come to do business Phil & Jean are the only ones who show up. Thank you for coming and please keep coming again and again.

Harms says to please show up for the Planning Commission and see the work that they do. They work exceptionally hard on the language that goes into the ordinance and how it is going to affect everybody. They spend a lot of time. These things are not just produced for the board and rubber stamped without putting any time into them. A lot of the board members drill down on what is passed to them. There are a lot of moving parts with the boards and what they do. I want to give credit to the Planning Commission and the work they do. You try to cover all the bases, but you can't. I want to thank all the speakers that came up and brought an issue and a solution. It is easy to criticize but not so easy to bring a solution. I have learned a lot tonight about people's concerns. We talked about people calling in. There is one thing that an enforcement officer or someone else picking up the phone ~~wants~~ DOES NOT WANT to hear and that is "my neighbor." Nobody wants to get into those situations but unfortunately, we are running into a lot of situations where neighbors are not speaking to each other anymore. We are seeing a lot more of it. I grew up in the country and we always spoke to each other and helped each other out. Like Westman said, it starts being a nuisance when it starts being a problem for the neighbor. That is when people need to get involved. Sometimes the neighbors can't handle it together. I wish we did not have to get involved. I wish neighbors could communicate. Neighbors change, people move in and out. That is why we have the ordinances, to help people out. Home-based businesses, due to Covid, are a lot more



prevalent and we see the issues being brought out. Examples are people buying property and using it for commercial use but living out of state. I appreciate everyone for coming in.

Vrsek echoes what everyone says. She especially thought the child (Avianna) speaking was very special. Lots of questions on why we change ordinances. Ordinances need to change with the changing of times of the world. She gave an example of the refugee crisis and how the ordinance was looked at the request of some residents wanting to take refugees into their home. Feedback is appreciated and we need it. We live here and we are your neighbors. Public meetings are great, but we don't want you panicking until the next meeting. Calling is helpful and we will try to get it on the agenda whether it's that month or the following month. It's true that the government moves at the pace of a snail. Thank you again for your voices and your support.

Kingsley Back when the Michigan Farm Bureau was fighting to get the The Right to Farm Act through the legislature it was because people were moving into rural areas and wanting farmers to change what they were doing because someone put a sub division in next door. The RTF was top protect farmers when law suits happened. Now it has evolved with a lot more rules. GAAMPS did not exist when the law came into existence. RTF is constantly being updated. Lots of comments tonight have been defending local residents to do agricultural endeavors. Our enforcement policy is complaint driven. What we need to look at is a balance between your rights and your neighbors' rights. The board and Planning Commission has to have rules to make that happen, and our decisions will upset some people. We are looking at what is best for the township.

Calleja states that she is not a politician and that it is an honor and a privilege to serve you.

Motion Harms second Scharf to adjourn the meeting at 9:29 pm.

Respectfully submitted,

Barbara Calleja, Clerk