

**Otsego Lake Township Planning Commission
Approved Minutes
February 1, 2007**

Margaret Black, Chairman called the meeting to order at 7:00 pm. The meeting opened with the Pledge of Allegiance to the Flag.

Members Present: Erma Backenstose, Tim Baker, John Preniczky, Leonard Fritz, Randy Stults, Margaret Black, Nora Corfis, Dan Yale, Laura Boerema. A quorum was present.

Absent: none

Steve DuBois, attorney for Otsego Lake Township, was present.

Chairman Black asked for corrections or additions to the proposed Otsego Lake Township Planning Commission minutes of Jan, 4, 2007. Tim Baker made a motion to accept the minutes as printed. John Preniczky seconded the motion, which passed unanimously by voice vote.

Public Comments and Communications:

There were no public comments regarding items on the agenda.

Public Hearings:

There were no public hearings.

Other Business:

1. Ordinances

Steve DuBois attended the meeting to advise the Planning Commission on its proposed Billboard and Enforcement Officer Ordinances, as well as on how to proceed with a Dangerous Buildings Ordinance.

Billboard Ordinance: Mr. DuBois discussed the impact of the amendment to the State Highway Advertising Act, which became effective January 1, 2007, on our proposed billboard ordinance. He stated that at present there is enough ambiguity and a lack of case law, not to be able to determine accurately how the state will implement the new amendment. He advised the Planning Commission that by proceeding with the Township Billboard Ordinance; we would guarantee that any gaps or changes in the state law would be covered by the local ordinance.

Mr. Stults stated that he felt there were good advantages to having our own ordinance in place. As damaged billboards need to be replaced, the Township will be able to bring them into compliance.

Mr. Preniczky also agreed that the Township should proceed with the Billboard Ordinance, noting that Otsego Lake [Township] would incur little additional financial cost to adopt it.

Mr. Stults moved to have Steve DuBois review and revise the Otsego Lake Township Billboard Ordinance and submit his recommendations to the Planning Commission. After its review, the Commission will then pass it on to the Township Board with a recommendation for adoption. John Preniczky seconded the motion, which passed unanimously by voice vote.

Dangerous Buildings Ordinance: Mr. DuBois stated that under the State Housing Act, when a structure is a health hazard or dangerous, Otsego Lake Township has authority only over residential structures, not commercial. The City of Gaylord has its [its] own Dangerous Building Ordinance. Mr. DuBois stated Gaylord has used its ordinance to good effect on a number of occasions.

Mr. Preniczky asked if Otsego Lake [Township] could draft an ordinance similar to Gaylord's. Mr. DuBois reviewed the Gaylord ordinance with the Commission, and discussed how it could be applied.

Tim Baker asked what could be done with underground gas storage tanks and other such underground structures. Mr. DuBois will look into this; but thought that if all repairs were required to comply with state health and environmental regulations, then such structures would be covered by the ordinance.

There was also discussion about whom the Township could contract with to perform site inspections of these buildings. It was decided that a county building inspector or other qualified individual could conduct such inspections on a case by case basis.

A motion was made by Leonard Fritz to have Steve DuBois pursue a draft of a Dangerous Building Ordinance and return it for final review at the Planning Commission's March meeting; to be placed before the Otsego Lake Township Board at its meeting on March 15, 2007. Tim Baker seconded the motion, which passed unanimously by voice vote.

Enforcement Officer Ordinance: Mr. DuBois said that he has completed his review of the Enforcement Officer Ordinance and submitted his recommendations.

A motion was made by Randy Stults to accept the changes of our attorney Mr. DuBois and recommend adoption of the Enforcement Officer Ordinance to the Township Board. Leonard Fritz seconded the motion. The motion passed unanimously by voice vote.

Noise and Nuisance Ordinances: It was decided that such ordinances are difficult to enforce. John Preniczky moved to drop from the agenda any

consideration of Noise and Nuisance Ordinances until further notice. Erma Backenstose seconded the motion. The motion passed unanimously by voice vote.

2. Otsego County Planning Commission Activities

Mr. Stults reported that progress is being made on the Private Road Ordinance. A one-hour workshop will be held at 6:00 pm before the regular Otsego County Planning Commission meeting on February 19, 2007, at the Chester Twp Hall. A draft of the Private Road Ordinance is on the County's zoning web site.

Meijer received a one-year renewal of its Special Use Permit. Discussions continue between Gaylord and Bagley Township over a 425 agreement. Water and sewer contracts are not complete due to the busy schedule of Meijer's attorneys.

The County's Master Plan Goals and Objectives meetings will take place February 8 and 20, 2007. The meetings will be held at the Alpine Center's multi-purpose room at 6:00 pm.

The County Planning Commission has also completed its work on the kennel ordinance, which is ready to go to the County Commissioners.

Mr. Stults has also emailed Otsego Lake [Township] Planning Commission members a copy of the draft by Elmira for Town Center Zoning. He would like our input on this as it applies to Waters, and have it included on our agenda.

Planning Commission reports at Township Meetings:

February 15, 2007 -- Nora Corfis

March 15, 2007 -- Leonard Fritz

Other Items:

The next Planning Commission meeting will be March 1, 2007, at the Otsego Lake Township Hall at 7:00 pm.

Chairman Black adjourned the meeting at 8:15 pm.

Respectfully submitted,

Nora Corfis
Secretary