

# Columbia Township

Planning Commission Meeting Minutes  
Tuesday, February 7, 2012

1) Meeting called to order at 7:00pm February 7, 2012. Roll call was taken.

Present: Bob Willerer, Philip Reynolds, Roger Gaede, Jerry Hayes.  
Michael McKay, Pam Jarvis and Mike Rackowski came in at 7:10pm.

Roger Gaede spoke regarding public comments, time limit and addressing the board.

## 2) Public Comments

Tom Petitto 521 Woodland Clark Lake gave a presentation concerning the path and access for Back Lot owners. The path width has been reduced to 6ft from the original 8ft width. Tom explained that they felt "uncomfortable" walking on the right of way that has been mowed and maintained by the Latka's. Tom also felt that they were intruding on the Latka's private property.

Mike Rackowski questioned who would be using access and Tom stated the Back Lotter's. Mike also stated that it is the County's problem and jurisdiction not the Townships. More discussion between Mike Rackowski and Tom Petitto concerning the access.

Phil Reynolds asked Tom about the request being turned down by the Road Commission back in May 2010 and Tom responded he was not aware of it. Per minutes Tom Petitto spoke at that meeting in favor of the improvements. (attached)

Mike Rackowski had more discussion with Tom Petitto.

Jerry Hayes questioned "Who owns the road end"? Tom Petitto response was the Township or County but didn't know for sure and was told by the road commission to apply to the township.

Jerry Hayes responded that the owner or representative had to make the request. Jerry also stated that the access is open and no need to improve it

Phil Reynolds asked have you ever been denied access or been harassed when using access. Tom responded No. Phil asked Do you have access without any problems? Tom said yes, we just feel uncomfortable walking down there.

Mike Rackowski discussed conversation with Fire Chief.

Roger Gaede discussed application process and that the owner or a person with a letter of authority must make the application.

Roger Gaede informed the public of the correspondence received by the Planning Commission from Allen Roden Jackson County Rd Commission, Robert Elrod Supervisor Columbia Twp, Victor and Gretchen Marshall, Kristina Fisk attorney for the Latka's and Andrew Campbell attorney for Gerard and Iris Detter.

Kristina Fisk spoke on behalf of the Latcka's 504 Woodlands Dr Clark Lake referring to her documents received by the commission further explaining that the commission had no legal right to approve and the applicants had no legal standing to apply for the permit. Stated George Svinicki already had a illegal dock at the road end. Latka's have been good neighbors and kept the area mowed but had not authority to cut or

trim the trees in the right of way.

Mike Rackowski questioned how long had Latka's lived at that location? Answer 25 yrs. More discussion per squatters rights and adverse possession.

Pam Jarvis questioned can Fire Trucks access the lake? It would be difficult due to overhanging trees.

Mike McKay questioned the drive way and that it being paved did help for access to the lake.

Vic Marshall referenced his letter and stated the access was open and they were able to use without problems.

Andrew Campbell attorney for Gerald and Iris Dettler Woodland Dr Clark Lake explained more about the documents that he had sent the commission. Mike Rackowski had discussion.

Susan Riley 514 Woodland Dr Clark Lake spoke about neighbors getting along and that the trees need to be cut and cleaned up.

Dan Baker 578 S Woodland Dr Clark Lake He lives next to a road end and he has a marina next to him with everyone parking their boats and rafts at a illegal dock and don't even live at the lake. He has tried to be a good neighbor but that isn't working. He keeps the area cleaned and mowed only to have a mess every week. He pays high tax's and has to clean up after other people when they leave.

End of Public comments

Roger Gaede opened meeting up to board discussion.

Phil Reynolds made motion To deny the permit submitted by George Svinicki and Tom Petitto to put a walking path on the road end to the water's edge between lots 10 and 11 on Woodland Dr Clark Lake Mi. The following reasons for denial are,

- 1) Applicant has no standing to apply for a permit, they are not owners nor do they have a letter of authorization to make the request.
- 2) Township Planning Commission nor does the Township have the authority to approve such a request.
- 3) Request was turned down by the Jackson County Road Commission on May 26, 2010. (attached) who has authority over the road end.

Motion seconded by Mike McKay

Roger Gaede called for a roll call vote, Pam Jarvis Yes, Jerry Hayes Yes, Mike McKay Yes, Roger Gaede Yes Philip Reynolds Yes, Mike Rackowski Yes and Bob Willerer Yes.

Motion Passed

3) Ordinance for Fossil Fuel Fired Boilers

Changes to the second draft made. Bob Willerer will be submitting changes made to the commission at the next meeting for final approval.

4) Minutes from the January 10, 2012 meeting.

No changes made. Motion by Bob Willerer seconded by Mike McKay.

Ayes all.

Motion Passed.

5) Adjournment

Motion By Phil Reynolds seconded by Mike McKay

Ayes all.

Adjourned 9:55pm