

## 1   **RIPARIAN ORDINANCE LISTENING SESSION MEETING SUMMARY, FEBRUARY 15, 2023**

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3       Zoning Administrator, John Lovely called the meeting to order at 5:00 p.m. Also present on behalf  
4       of the Township were Carmine Avantini and Kelly McIntyre of CIB Planning, the Township's Planning  
5       Consulting firm engaged to assist with major ordinance amendments. Mr. Lovely explained past work on  
6       the Riparian Ordinance and where this was left prior to his hiring in August of 2022. He explained that  
7       while the draft Riparian Ordinance from June/July of 2022 is provided on the Township's Riparian  
8       Ordinance Webpage for reference, that does not necessarily mean that it is the Township's intention to  
9       take the current ordinance from where it left off. The intent of the meeting is to listen to residents' concerns  
10      before making any determination on final approach for amending current ordinances that apply to Riparian  
11      lots within the Township, as necessary. The next steps following the listening session will be to generate  
12      a survey to further confirm input received at the listening session and then use the results to draft an  
13      ordinance for review at a workshop session. After briefly outlining the rules of the meeting, Mr. Lovely  
14      opened up the floor for public comments.  
15

16       Dorothy DeYoung of Crooked Lake is concerned about the minimum width requirements of lots.  
17       She is of the understanding that her lot does not conform to the minimum width requirements and if her  
18       house burned down, she would not be able to rebuild. She also inquired about short-term rental  
19       requirements and how the Township enforces short-term rentals.  
20

21       Mr. Lovely responded that if the lot does not meet the current dimensional standards, then it is  
22      likely a lot of record or could possibly be considered a legal nonconforming lot, and the house could likely  
23      be rebuilt to meet the current ordinance standards for setbacks, lot coverage, etc. He would be happy to  
24      review this case in detail after the meeting. Mr. Avantini helped to clarify and added that a variance may  
25      be necessary to rebuild as well. Mr. Lovely went on to explain that short term rentals are considered  
26      anything 90 days or less, and informed residents that the Township is currently complaint driven only for  
27      ordinance enforcement. Enforcement actions are only taken if the complaint is filed with the Township and  
28      the Township can enforce provisions of the ordinance based on the merits of the case/complaint. Some  
29      short-term rentals may be considered legal nonconforming.  
30

31       Roderic Krapf of Crooked Lake states he has had problems with the 90-day rentals and was  
32      seeking clarification on making a complaint. In addition, he is pleased to see talk about the idea of  
33      preventing erosion, protecting the shoreline, and establishing buffer zones from the shoreline within the  
34      previous draft ordinance. He states that crooked Lake no longer has much natural shoreline left, where  
35      turtles, ducks, and swans can get out of the water or nest. He has been advocating for using natural plants  
36      that cause a more natural shoreline. He also has concerns about the 60-foot lot size. The north side of the  
37      lake has mostly 40-foot lots and if something burns and needs to be rebuilt, he is concerned for his  
38      neighbors that they will only be able to build mini houses.  
39

40       Mr. Lovely clarified that there is an online complaint form that must be filled out and submitted to  
41      the Township in order for the Township's Planning Department to investigate, and then take action if  
42      warranted.  
43

44       Joe Atkinson of Crooked Lake was seeking clarification on landing areas. He was also looking for  
45      clarification on the ordinance regarding prohibition on any new beaches.  
46

47       Mr. Lovely shared that the draft ordinance from June/July of 2022 sought to regulate landings for  
48      stairways and other platform structures that may be required by other building codes and necessary based  
49      on topography challenges of some lake lots. The intent is to limit the size of these landings as to treat such

50 areas differently than a deck or patio. Mr. Lovely stated that he believed the intent of prohibiting new  
51 beaches, having not been a part of the previous drafts, was to further protect shorelines and prevent filling.  
52

53 Mr. Atkinson continued by asking Mr. Lovely how the presence or lack thereof of beaches impacts  
54 water quality, use of the lake and other residents. He urged that the Township fully consider the  
55 ramifications for all users of the lakes. He also expressed his concerns with the relationship between the  
56 legal lake levels and ordinary water elevations.  
57

58 Mr. Lovely indicated that he will be reviewing the legal lake levels in relationship to the ordinary  
59 water elevations that govern setback requirements within the Zoning Ordinance as a part of this ordinance  
60 update process.  
61

62 Leonard Classen of Eagle Lake inquired about all the homes existing and not conforming, if there  
63 is a grandfather clause. He is concerned that he and his neighbors may not be allowed to continue legal  
64 use of existing structures, buildings, etc.  
65

66 Mr. Lovely responded that the Zoning Ordinance contains a section for legal non-conformities which  
67 outlines standards for the continuation of legal nonconforming uses, structures or even lots. Anything  
68 permitted by the ordinance prior to the adoption of a new ordinance or amendment of an existing ordinance  
69 can continue so long as this section of the Zoning Ordinance is adhered to. This is Section 36-7.9. Mr.  
70 Avantini indicated that the goal is to minimize nonconformities created by new regulations. Ms. McIntyre  
71 reinforced this notion and indicated that lot sizes will be reviewed thoroughly to limit nonconformities  
72 created and help reduce the overall number of variance requests.  
73

74 Jason Vroegindewey of Eagle Lake is concerned that AVB purchased a large chunk of land with  
75 Eagle Lake frontage which will be part of a new residential development and could provide keyhole access  
76 to the lake from the property and result in more boats, etc. He expressed safety concerns with more boats  
77 on the lake. He is asking that it be addressed. He shared his appreciation for the Township holding the  
78 listening session so he could express his concerns regarding potential Riparian Ordinance updates. He  
79 questioned whether there was anything sent out regarding the elimination of short-term rentals and asked  
80 for clarification of when formal letters are sent out on ordinance changes. He is also questioning why he  
81 can't tear down a dilapidated structure on his property and put up a \$70,000 garage. When he has turned  
82 in the plans to the Township, he's been told he can't do that on the property. He is seeking a resolution.  
83

84 Mr. Lovely started his response by sharing with residents that public hearings are required for all  
85 Zoning Ordinance amendments in accordance with the Zoning Enabling Act (ZEA). The ZEA also requires  
86 public notices for all such hearings and the Township does not go above and beyond the noticing  
87 requirements. He could not speak to any specifics with regard to Short Term Rentals as he was not an  
88 employee at the time the ordinance amendment was adopted, but he did state that he believed all  
89 necessary steps were taken, whether that resulted in the level of desired resident involvement or not. He  
90 understands the concerns with regard to short term rental prohibition and the timing. He also stated that  
91 he would be happy to work with Mr. Vroegindewey outside of the meeting to review the property in question.  
92

93 Dan Burton stated that he is not a riparian owner but rather is a volunteer steward of Michigan  
94 Nature Association and a watershed management group. He appreciates taking the steps in developing  
95 this ordinance. He believes it makes good effort in protecting and improving our waterways, however it  
96 does not go far enough and may reduce protection in the more valuable waterways along the headwaters  
97 of the east branch of the Paw Paw River. He believes that there was once discussion of rezoning this  
98 sensitive property to Resource Conservation (RC). He believes Texas Township should follow the lead of  
99 Antwerp Township in creating an environmental overlay district to protect the entirety of Paw Paw River as  
100 it flows through the Township, with similar setbacks such as 100-foot setbacks and 75-foot buffer zones.

101 He proposes a Septic Inspection Ordinance at time of sale to ensure the septic system is functioning  
102 properly and, in an effort, to reduce any excess nutrients being added to the waterways. Also, he proposes  
103 a ground water protection ordinance as the headwater region is a significant source of groundwater for the  
104 Paw Paw River and the east branch is an EPA designated cold water stream which allows cold and warm  
105 water fishery to exist. Not protecting it could negatively impact current water quality concerns and risks.  
106 He stated we need to consider language to reduce the risk to the property owners that would like to protect  
107 the wetlands.  
108

109       Kerry Nielsen of Crooked Lake wanted to express all the limitations of an existing R-2 riparian lot if  
110 it is less than 60-feet. There is a maximum allowable lot coverage of 45-percent and a minimum required  
111 floor area of 1,000 square feet (for first floor of two-story home). She asked if a formal structure could be  
112 built with those limitations on such a lot. She also referenced the section regarding one temporary dock  
113 per lot and felt that it was unnecessarily restrictive, especially for those with a larger lot and greater lake  
114 frontage. She also questioned why there is reference to short term rentals in the draft riparian ordinance.  
115 If it has already been adopted Township wide and the Township wishes to reconsider its position, this  
116 would have a negative impact on riparian lot owners as it would still be prohibited per the draft riparian  
117 ordinance from June/July 2022.  
118

119       Mr. Lovely confirmed that would be the case if the Riparian Ordinance was adopted as currently  
120 drafted and the Township wished to reconsider a township-wide prohibition on short term rentals without  
121 also amending the riparian ordinance at that time to match. He anticipated that this was added to the draft  
122 ordinance to help centralize information within the Riparian Ordinance itself and shared with Ms. Nielson  
123 that he would be happy to review any concerns with lot standards and how this relates to legal  
124 nonconformities.  
125

126       Kathy of Eagle Lake stated there is an empty parcel of land across the road to the east, and on the  
127 west side of the lake, existing farmland is undeveloped. She is encouraging the board not to allow  
128 overpopulation of the area for the sake of tax revenue and to maintain the green space. She believes there  
129 needs to be a balance between current homeowners and those new parcels that may be developed in the  
130 future. She is concerned about a new residential development that could come in the future and have  
131 access to the lake. It is already busy during the weekends.  
132

133       Jake Jedynak of Eagle Lake is seeking clarity on what the Board's vision is for riparian lots and  
134 urged more transparency. He stated that it is hard to understand what is being proposed versus what is in  
135 place and thinks a digestible diagram would be beneficial. He is also concerned about the AVB  
136 development as the lake is already congested as well as the roads. He asks that reasonable lot sizes be  
137 enforced with new builds.  
138

139       Russ Walters of Crooked Lake reiterated that owners of non-conforming lots that experience a  
140 home catastrophe need to be able to replace their existing homes. If the Ordinance were to limit this, he  
141 wants the Board to understand that this would be a severe challenge to the Crooked Lake residents that  
142 he represents as the President of the Crooked Lake Association. He shared that the lake association  
143 manages the boat ramp because there is no public access, but there is not 300-feet of frontage to qualify  
144 for a park as referenced when speaking about keyhole accesses above. There is an existing building on  
145 the property but will likely need to be taken down at some point and is concerned that they may lose their  
146 legal nonconforming use status. This is a major concern for lake residents if they want to put a boat on the  
147 lake and asked what can be done. He appreciates the opportunity to speak on zoom and on behalf of the  
148 Lake Association.  
149

150                   Mr. Lovely responded and informed Mr. Walters that he felt that the boat launch could potentially  
151 qualify as a legal nonconforming use in this case and informed him that he would be happy to work together  
152 on this as the riparian ordinance update process proceeds.

153  
154                   Gerald Robbins of Eagle Lake questioned whether riparian rights included only lots on the water or  
155 other Texas Township property as well, which have a major impact on drainage into the lakes and rivers.  
156 He was seeking more clarification about what planned unit developments are, and why they are considered  
157 a special exception use within the draft ordinance from June/July 2022.

158  
159                   Mr. Lovely responded indicating that riparian lots are lots with frontage on a body of water within  
160 the Township, whether it be a lake, pond, or stream. He explained that a Planned Unit Development is a  
161 type of development with a more strict review and approval process, but allows for the master planning of  
162 a sizable lot with numerous proposed uses and dimensional standards that may not be permitted under  
163 the underlying zoning district.

164  
165                   Mr. Robbins believes that planned unit developments should not be a special exception use and  
166 all uses be looked at equally as permitted uses.

167  
168                   Dave Bogen of Pretty Lake stated that the shoreline is approximately 25-feet from his home and  
169 the natural shoreline extends another 20-feet outside of that which raises some concerns for him. His lot  
170 is triangular with a lake frontage of approximately 40-feet. Pretty lake is naturally sandy. Many shoreline  
171 trees have died and have been removed due to the recent flooding. He brought up line of site concerns  
172 and mentioned that he felt the buffer zone possibly conflicts with the lake setbacks. He requested a redlined  
173 version of the existing code to better review the changes that are being proposed. He wanted to know why  
174 accessory buildings can only be 20-feet tall, and wondered if this might unreasonably prevent accessory  
175 dwelling units as lofts over an existing garage, which is common of lake living in his experience. He raised  
176 concerns with how building heights are measured. Section F.ii.b of the June/July 2022 draft ordinance  
177 indicates that height shall be reduced by one foot for each foot that the setbacks are less than 12-feet. He  
178 wondered if this would apply for both sides of the lot. He appreciated that the draft ordinance allowed for  
179 eaves to extend 2-feet into the side yard setbacks. Mr. Bogen also asked for clarity on attached decks. In  
180 addition, he wondered why some items were left in red in the draft ordinance. Finally, he asked if an  
181 evergreen grew within 30-feet of the high-water mark, would it need to be removed.

182  
183                   Mr. Lovely indicated that he felt the height reduction would be required for all sides of the building  
184 that encroach into the 12-foot setback. Mr. Lovely confirmed that the draft ordinance and existing ordinance  
185 both require a 60-foot setback from the ordinary water elevation, or an average of setbacks for neighbors  
186 250-feet in each direction. He shared with Mr. Bogen that an attached deck is viewed as a part of the  
187 principal structure and would need to meet the ordinary water elevation setback. Some items have been  
188 left in red and/or proposed for removal after the public hearing that took place in June of 2022. A revised  
189 draft was prepared based on resident and commissioner comments at the public hearing, yet the revised  
190 version never made it back to the Planning Commission for review. The draft ordinance on the website  
191 reflects these revisions. Regarding evergreens within 30-feet of the high-water mark, he responded to Mr.  
192 Bogen that he felt it would be the intent of the ordinance not to allow evergreens within this area.

193  
194                   Steve of Eagle Lake wanted to share a thought on including a burning ban on yard waste for all  
195 riparian lots with possibly some exceptions for recreational fires. He is happy that the township has  
196 partnered with KLS and wishes more residents would participate. Steve expressed concerns regarding  
197 allowing PUDs on riparian lots due to the potential reduction in typical standards that may be provided for  
198 such a development. He also wanted to share he has complained in the past about short-term rentals with  
199 no action but is happy it is now codified.

200

201 Margaret McShane of Bass Lake thanked for the work and for offering the meeting. She asked for  
202 what the intent is with the special exception uses. She also asked if the community is notified when a  
203 special exception use goes to the planning commission. She requested clarifications regarding the buffer  
204 zone with trees and shrubs and asked if it is interrupted or continuous. She requested clarifications to  
205 openings within the buffer zone.  
206

207 Mr. Lovely shared that special exception uses are uses in a particular district that are permitted but  
208 necessitate a public hearing, site plan and closer look by the Planning Commission. Often special  
209 exception uses have greater use standards and additional conditions may be attached as part of the  
210 approval so long as the conditions are reasonable and meet the criteria outlined within the ordinance.  
211 Removal of trees and shrubs to create access and viewing corridors 35-feet in width for every 100-feet of  
212 shoreline is what the draft ordinance states.  
213

214 Barbara Zufall of Birchwood Lake (Atwater Millpond) requested that it be considered when things  
215 are grandfathered in that this should apply until the sale of the property. She gave an example of Crooked  
216 Lake access being grandfathered in if it is existing and functioning well.  
217

218 Mr. Lovely asked if there were any other participants that wanted to speak, either in-person or  
219 online. Hearing none, Mr. Lovely went back to one of the questions regarding keyhole access. The current  
220 ordinance states that "in no event shall such vacant parcel of land consist of a swamp, marsh or bog as  
221 shown on the most recent United States geological survey maps, or manmade canals", "That such vacant  
222 parcel of land shall contain a lot depth of at least 150 feet and at least 20 lineal feet of water frontage for  
223 each dwelling unit to which such privileges are extended or dedicated". Also, "that in no event shall the  
224 launching of boats or the construction of docks therefrom be permitted from any such vacant parcel of  
225 land", which could protect from boats being launched from that site if it becomes a park. Mr. Lovely also  
226 shared that the timeframe for adopting updates to the current ordinances is undetermined, but this is the  
227 first step - listening to everyone's comments and getting feedback. We will be working into the second step  
228 now which is to compile a list of all comments and create a resident survey to confirm what was said at the  
229 meeting today and maybe hear from some riparian residents we have not yet heard from. We are hoping  
230 to set up a workshop that will be more interactive than this meeting and possibly have some early drafts  
231 available at this time based on comments and survey results. It will likely take a few months to wrap up the  
232 second step. Mr. Lovely estimated that it would take 6 months to a year to have something ready for  
233 adoption depending on how much interaction is needed. Mr. Lovely closed the meeting by thanking all  
234 residents for their time and efforts.  
235

236 The meeting adjourned at approximately 6:20 p.m.  
237

238 In addition to hearing comments in person during the listening session meeting, many residents  
239 wrote emails to the Township to share their comments and concerns in lieu of providing their comments at  
240 the meeting.  
241

242 Joanne Becker of Crooked Lake wrote "I am writing to you pertaining to our most recent  
243 conversation regarding the new proposed riparian ordinances. I have lived on a lake my entire adult life  
244 and perhaps the most concerning problem for me has been the indiscriminate burning of leaves on the  
245 beaches and the burn barrels that smolder for days". "There have been many times that we could not be  
246 outside, go fishing, or for a boat ride because of the smoke hovering over the area."  
247

248 Nancy Hall of Eagle Lake wrote "The following statement in your Riparian Ordinance update  
249 introductory paragraph disturbs me: *Planning Department and Planning Commission to resume work on*  
250 *updating riparian ordinances to protect lakes, ponds, and streams within the Township, in addition to*  
251 *centralizing the ordinances for simplicity.* My concerns are mainly 2 (short term rentals & setbacks). First,

252 the issue of short-term rentals; please explain how this will protect lakes, ponds and streams? Yet the  
253 township will allow "Public Parks" with little control over those using them. Our lake communities were  
254 developed on short term rentals; this is how my family migrated to Eagle Lake in 1947. The now short-term  
255 rentals are very much controlled by the owners who have done an amazing job protecting our lakes and  
256 neighbors. I live next door to one & it is managed very well. You see families enjoying time together,  
257 swimming, fishing, running the beach like I did when I was a kid. I have seen lake homeowners more  
258 abusive to our waters than renters. Then there is the financial issue, our homes bring high rent and also  
259 support the small businesses in the township. The consolation that we have potential rental income in case  
260 of hardship is very settling. You never know what hardship you may have such as in the case of loss of  
261 spouse, loss of job etc. You never know if you will have financial hardship due to flooding and have  
262 enormous repairs to be made. It is a consolation knowing if you needed money, you can rent whether short  
263 or long term. Short term is less invasive on all so why prohibit this? Why have a snowbird's house sit vacant  
264 all winter when it can be rented advantageously for income & protection from theft. This is a freedom that  
265 we should fight for – this is why we own our homes and are not in condos or apartments. Government will  
266 not be able to police this so why make an ordinance? Second, why haven't setbacks been compliant in the  
267 past? The Zoning Board of Appeals has more than likely had to approve non-compliant variance to most  
268 houses built in the last 10+ years; how will an update make any process or improvement? We've had  
269 ordinances that have been abused. That's why we have problems now."

270

271 Dan Burton, a non-riparian owner, but a volunteer steward of two prairie fens on Paw Paw Lake  
272 owned by MNA and member of Two Rivers Coalition which is a volunteer watershed group assisting in the  
273 implementation of the Paw Paw River Watershed Management Plan wrote "I want to begin by thanking the  
274 township for taking steps to develop its riparian ordinance. Our waterways are important to our quality of  
275 life here in Michigan, yet our rivers, lakes, streams, and wetlands are many times overlooked, overused,  
276 and sadly abused. We need to do more to protect and restore our waterways. In general, my read of the  
277 ordinance is that it makes good efforts at protecting and improving our waterways and I applaud the efforts.  
278 However, it does not go far enough and may reduce protection of the ecologically more valuable waterways  
279 along the headwaters of the East Branch of the Paw Paw River. These waterways differ significantly from  
280 those located outside of the Paw Paw River Watershed. For example, part D shows a minimum lot of 0.82  
281 acres and a maximum impervious area of 40% depending on sewer access. This is much less protection  
282 than the current agricultural zoning of a minimum 3-acre lot with a maximum of 15% impervious surfaces.  
283 The headwater region was once planned for resource conservation which had a minimum lot size of 10  
284 acres and a maximum 2% impervious surface. This zoning should be reconsidered for the headwater  
285 region. Texas Township needs to follow the lead of Antwerp Township who have created an environmental  
286 overlay to protect the entire length of the East Branch of the Paw Paw River as it flows through their  
287 township. They have a 100 ft setback and 75 ft riparian buffer for the EBPPR and tributaries. The  
288 headwater region is among the most ecologically valuable habitat in all southwest Michigan and has  
289 consistently ranked among the most targeted for protection by MNFI, the Nature Conservancy, SWMLC  
290 and the Paw Paw River Management Plan. These remnant wetlands are some of the last mostly untouched  
291 natural habitats dating back 1000s of years and home to many rare, threatened, and endangered species  
292 that are barely hanging on. They should be afforded the strongest protection to assure their continued  
293 survival. There are a few items lacking in the ordinance and I would like to propose: A septic inspection  
294 ordinance at time of sale to assure the septic systems are functioning properly and not adding excess  
295 nutrients to the waterways; A ground water protection ordinance. The headwater region is a significant  
296 source of groundwater for the Paw Paw River and the East Branch is an EPA designated cold water  
297 stream. The cool groundwater allows both a cold water and warm water fishery to exist in the East Branch.  
298 Impacts to the groundwater discharge amounts and quality (temperature, nutrients, pH) could negatively  
299 compound current water quality risk/concerns. Lastly, I want to comment on part F i. Lots of Record. I have  
300 had a several conversations about purchasing high quality wetlands around Paw Paw Lake to add to  
301 current protected preserves but the lots of record have prevented this. Even though the owners of the  
302 wetlands were interested in protecting these undeveloped wetlands and it is the stated interest of the

303 township zoning, the unknown risk to the property owner from the lots of record prevented these  
304 conversations from going very far. If we want to encourage further protection of these wetlands, we need  
305 to consider language to reduce the risk to property owners if they want to split off their high quality wetlands  
306 for protection in a preserve. In most cases, the properties remain unchanged, yet the wetlands are  
307 protected and managed for maximum health. Many of the unmanaged wetlands are being overrun with  
308 invasive species that need regular stewardship to hold them back.”  
309

310 Jerry and Kathy De Boer of Eagle Lake wrote “concern about the restriction on short term rentals  
311 on the lakes. These people own these properties, some are current residents, some live elsewhere part of  
312 the year, and the township should not have the ability to restrict a source of income unless there is neglect  
313 of the property or some other issue that might infringe on other lake residents in which substantial  
314 complaints have been made, and even such an inquiry by the township should be made on an individual  
315 basis not a township wide ordinance, one size fits all.” “Several lake homes have brought in sand to create  
316 beaches that were not a part of the original lot, some of which has found its way into the water.” “There is  
317 no mention on lots that are on the cosway or island road. There are homes there that are only a few feet  
318 off the roadway. Will this be continued to be allowed? It is my understanding that there was substantial  
319 flooding to these homes - not a good idea to allow more homes to be built on these narrow lots.”  
320

321 Cynthia Hettinga of Eagle Lake wrote “interested in why riparian lot size changes now? Is this a  
322 request of AVB? They purchased a large amount of lake front farmland and by changing lot size with sewer  
323 to 60-feet, that enables them to get many more lots on the water. Our lake cannot handle more boats and  
324 usage along with public access. It also sets precedence for Tomak's property for future.” “I own 138-feet  
325 on the lake and have lived here since March 1982. I have always had two docks. One for the boats and  
326 one for the children to play off from. Curiosity in who this is hurting and are people grandfathered in?” “I  
327 am opposed to the fact that the Township slipped in an ordinance against short term rental. I have not  
328 done it, but I do not see how they can nor should be able to deny us of that right. It is our house, we pay  
329 taxes on it, and as long as noise ordinance rules and other cleanliness rules are followed, why is it someone  
330 else's business?”  
331

332 Andrew Wedel of Wedel's Nursery with frontage on Atwater Millpond wrote “a letter was sent out  
333 to the residence and you wanted some input. Here is one of the concerns. The population of our township  
334 is mostly congregated by Crooked Lake and Eagle Lake – far more than the Atwater Pond area. The voices  
335 that were heard had it passed to pump the excess water from the 2018 flooding into a more unpopulated  
336 lake to ease some of the water table issues. I also know there is filtration system on the pump, and I am  
337 aware of that, but I also am aware of the Zebra Mussels in the 2 lakes that are not in Atwater Pond currently.  
338 My concern is that Atwater stays clean and fresh without any issues, and we don't endanger any of the  
339 ecosystem that is there.”  
340

341 Lea Stewart of Pretty Lake wrote “Development Standards, Building Height: It would be helpful to  
342 outline how height is measured in detail. For example, many lots are on a hill. Where is the starting point  
343 to measure up from? I saw the image in the current ordinance, but it is not quite clear how that would apply  
344 to properties that change grade. I have no issue with the heights, only suggest clarity on how to measure.”  
345 “Prohibited Use, iii Short Term Rentals: I don't see how limiting rentals to a specific time period relates to  
346 the goals of the ordinance to protect. Every person inhabiting a property should be subject to the same  
347 rules no matter how long they are there. Also, it seems odd that waterfront properties would have this limit,  
348 but properties across the street that would, on many lakes, still have public access to the lake, would not  
349 have the same limit. It just seems misplaced to have it be a part of this ordinance.” “Supplemental  
350 Development Regulations: i, Lots of Record: As a hypothetical - if a home's detached garage burned down,  
351 would they then be responsible to meet ALL aspects of the ordinance when rebuilding, if other structures  
352 on the lot did not meet the ordinance? For example, if they would also have to modify other structures,  
353 fences, etc. as they rebuild the garage? Perhaps clarity can be added to the ordinance around this.”

354 "Setbacks, c. Front Yard Setback Exemptions, 3. Walkways: What is the thinking for the 48 sq ft in relation  
355 to the goals? Does a larger landing area affect water runoff? Perhaps instead of the sq ft limitation, it should  
356 be required to have a certain water management strategy as an alternative if the site requires more than  
357 48 square feet to access from the stairs to the shoreline. With all of the different geographies around our  
358 area lakes, I could see a case where a larger than 48 square foot walkway is needed to get to the  
359 shoreline." "Environmental Protection Requirements, a Riparian Buffer Zone, 2 Requirements: Is the buffer  
360 zone only for new subdivision/condo planning and not for single family home builds?" "Beaches: does this  
361 restriction apply to areas that are used for putting boats in and out of the water?"