

ATTICA TOWNSHIP
MINUTES OF THE
ZONING BOARD OF APPEALS

November 14, 2013

At a meeting of the Attica Township Zoning Board of Appeals held on the 14th day of November, 2013 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412, the following members were present: William Winslow, Elaine Thayer, Richard Lacey and Carol Eisenhardt (arrived at 6:11 p.m.) Absent: Gierman. Also present: the public per the attached sheet.

MOTION by Thayer, seconded by Lacey, to elect and appoint William Winslow as Chairperson in Chairperson Gierman's absence. A vote was taken. Ayes: All; Nays: None; Absent: Two (Geirman and Eisenhardt). **MOTION CARRIED.**

The meeting was called to order at 6:07 p.m. by acting Chairperson Winslow.

The Board having reviewed the last meeting minutes of September 12th, 2013 and there being no corrections, additions or deletions:

MOTION by Thayer, seconded by Lacey to approve the September 12th, 2013 Zoning Board of Appeal minutes. A roll call vote was taken. Lacey: Aye; Thayer: Aye and Winslow: Aye. Ayes: All; Nays: None; Absent: Two (Geirman and Eisenhardt). **MOTION CARRIED.**

Acting Chairperson Winslow opened the meeting to consider the request of **Katherine Kogelmann** to clean an existing pond on a property less than 5 acres. The property in question is located at 1892 Conley Road in Section 23 of Attica Township, Michigan.

Resident Nancy Szerlag of 1669 Birch Road stated that the request to clean a pond is not valid because in her opinion it is a wetland and explained her opposition to cleaning it stating that it is a natural filter and the water supply in the area will be put at risk if it is cleaned.

Resident Dave Penzien of 1763 Conley Drive lives across the road from the pond and does not feel that cleaning it will cause any harm as long as nothing is done to impede the flow of water.

Resident David Seeley of 1702 Birch stated his objection to cleaning the pond.

Supervisor Ochadleus informed the Zoning Board that he visited the site and talked to Ms. Kogelmann and he advised her to request a variance.

Acting Chairperson Winslow read the recommendation from Planner Birchler.

At this point ZBA member Carol Eisenhardt entered the meeting (6:11 p.m.).

The ZBA members looked at the wetlands map and there was lengthy discussion.

There being no further comments from the Zoning Board of Appeals:

MOTION by Eisenhardt, seconded by Lacey to grant a variance request by **Katherine Kogelmann** to clean an existing pond on property less than five acres (1892 Conley Drive in Section 23) with the condition that the area around the pond is only to be leveled and smoothed without enlarging or digging the pond. A roll call vote was taken: Thayer: Aye; Winslow: Aye; Lacey: Aye and Eisenhardt: Aye. Ayes: All; Nays: None; Absent: One (Gierman). **MOTION CARRIED.**

Acting Chairperson Winslow presented the request of **Anthony Trupiano** for a 360 square foot variance from the maximum square footage (2,200 square feet) of residential accessory buildings on a given site. The property in question is located at 57 South Lake George Road in Section 16 of Attica Township, Michigan.

Resident Tom Megna of 10 S. Lk. George Rd. asked questions regarding the use of the accessory building and stated his opposition to the loud vehicles he drives and plans to store in the accessory building.

There was discussion among the ZBA members and Mr. Trupiano regarding the amount of junk cars on the property and his intention to store them in the accessory building. Mr. Trupiano also stated that the existing shed will be torn down once the new one is built.

Contractor, Steve Russell, explained the proposed the dimensions of the proposed accessory building.

Planner Birchler's written statement stated the he was unable to recommend approval of the variance

There was lengthy discussion.

There being no further comments from the Zoning Board of Appeals:

MOTION by Eisenhardt, seconded by Lacey to grant a variance request by **Anthony Trupiano** to build a 2,240 square foot accessory building with dimensions of 40 feet by 56 feet with 14 foot side wals and a maximum 22 foot overall height. Upon completion of the accessory building the existing shed must be torn down. A roll call vote was taken: Lacey: Aye; Eisenhardt Aye; Thayer: Aye and Winslow: Aye. Ayes: All; Nays: None; Absent: One (Gierman). **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Eisenhardt, seconded by Lacey to adjourn the meeting at 7:10 p.m. A vote was taken. Ayes: All; Nays: None. Absent: One (Gierman). **MOTION CARRIED.**

William Winslow, Acting Chairperson

Valerie Schultz, Recording Secretary