TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

APPROVED Planning Commission Meeting Minutes, With Changes 5-0

November 10, 2015

Community Service Building

Torch Lake Township

Present: King, Goossen, Schoenherr, Walworth, Jorgensen

Absent: Bretz, Kulka

Others: Olsen, Vey

1. Meeting was called to order at 7:35 p.m.

2. **Introduction of Mary Schoenherr, new Planning Commission Member**:

Walworth welcomed Mary to Commission.

3. **Consideration of Agenda:**

Agenda approved as presented.

4. **Correspondence, Meetings, Training, Announcements, etc.:**

Walworth had sent out email with various articles regarding planning.

5. **Approval of Minutes, October 13, 2015:**

Motion to approve October 13 minutes by Jorgensen, seconded by King, passed 5-0.

6. **Concerns of the Public other than Agenda Items:**

None.

7. **Election of Planning Commission Officers for 2015-2016:**

Nomination of Walworth for PC Chair by King, seconded by Goossen. Passed 4-0.

Nomination of Bretz for PC Vice-Chair by King, seconded by Goossen. No support.

Nomination of Jorgensen for PC Vice-Chair by Jorgensen, seconded by King. Passed 4-0.

Nomination of Kulka for PC Secretary by Walworth, seconded by King. Passed 5-0.

8. **Discussion of County Review of Proposed Rezoning of Parcels 05-14-301-003-10 (Agriculture) and 05-14-650-014-00 (Village Business) to Commercial and Possible Action:**

No response from County on rezoning of Parcels; will have to wait.

9. **Discussion of Issues Related to Decks, Structures, etc.:**

Chris Grobbel joined meeting through cell phone conference call.

* Vey said that enforcing ordinance has lead to questions.

Definition of multiple ground levels states that deck can cover 50% of front yard setback and that ground level decks are allowed in setback. regarding definition of multiple ground level. Cited page 16 of Ordinance, Section 2.16, B.1.2.3.

Asked what makes a ground level deck. Would like a height included in ordinance language.

* Walworth discussed steepness of shoreline and walkways.
* Vey distributed examples of ordinances related to decks and setbacks.
* Walworth doesn’t support permitting a non-ground level deck in setback.
* Grobbel said there are a variety of approaches to consider. Some default to Department of Environmental Quality. Antrim County regulations state that anything above 18 inches has to have a railing. There should be uniform development for Torch Lake Township.
* Walworth asked if we want to permit deck in setback areas in front yard setback on waterfront. Further asked if there is a reason for not permitting where it is level.
* Grobbel said that the old limit is based on square footage. Should consider how close it can be to a body of water.
* Goossen understands multi-level decks on sloped properties, but asked where ground is level, are they allowed.
* Walworth reviewed language of Section 2.16, B.2.
* Jorgensen is in favor of leaving as written.
* King asked what has brought this issue up and if it’s a problem.
* Vey referenced appeal before ZBA with multi-level deck built into setback. Stated that he would feel more comfortable in enforcing, if PC made language standardized.
* Grobbel suggested looking specifically at County language and codes.
* Walworth said that porches and decks attached to house are okay. This is different that decks not attached that are stand-alone entities.
* Vey suggested establishing a maximum distance from dwelling.
* Walworth said that this already exists. Decks are restricted a certain distance from shoreline.
* Schoenherr has had conversations with DEQ, who said that people will do anything. But it’s more of a safety issue.
* Goosen said that lake levels on Torch Lake are managed, but not on Lake Michigan.
* Grobbel said to consider that State has jurisdiction over water’s edge. A four foot walkway is okay, but nothing wider.
* Jorgensen said that Lake Michigan beaches are different than inland lakes. Refer to State and Federal laws that offer adequate protection. Feels that there is too much rule-making.
* Goossen suggested that Vey and Grobbel take a stab at a draft.
* Walworth reiterated that that was his intent.
* Grobbel said that Vey should work on the language for setbacks. He will then insert State law language as appropriate.
* Schoenherr stated that her home on Torch Lake is a steep lot. The DEQ evaluates permits for building and that Jorgensen is right – trying to define something too tightly doesn’t work.
* Walworth said that deck should be attached to house, and it cannot go all the way to front line setback if waterfront property. There are restrictions on lakefront properties for front and back setbacks.
* Vey needs definition of multiple-ground levels.
* Grobbel will search for more language and work with Vey toward first draft.
* Walworth suggested including “not to exceed 50% of setback area”.

10. **Concerns of the Public:**

None.

11. **Concerns of the Planning Commission:**

None

12. With no further business, meeting was adjourned 8:40.