TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Planning Commission Public Hearing

and Regular Meeting

A-Ga-Ming Golf Course

APPROVED Minutes 7-0 WITH CORRECTIONS

November 10, 2020

**Present:**  Chair: Stridiron, Kulka, Carleton, Budros, Shoemaker

**Absent:**  Hawkins, Petersen

**Others:**    Graber

**Audience:**  3

**Recording Secretary:** J. Petersen

**1.&2.**    **Call to Order Regular Meeting & Pledge of Allegiance**

Meeting called to order at 7:05 by Stridiron.

**3.** **Open Public Hearing**

Stridiron opened public hearing at 7:06

**4. Summarization of the Procedures and Rules**

Stridiron summarized the procedures and rules as well as summarized the proposed ordinance amendments.

**5. Public Hearing on Zoning Ordinance Amendments;**

**5A Chapter 2 - General Provisions - 2.16B & 2.27B**

**5B Chapter 4 - Nonconforming Lots - 4.02D**

Draft (proposed) changes were distributed for review (changes in red)

1. Delete from chapter 2; section 2.16, Item B1 and renumber
2. Delete from chapter 2; section 2.27.2 item B and renumber
3. Delete from chapter 4; section 4.02 item D and renumber

**6. Close Public Hearing**

Stridiron Called for public comment (regarding Chapter 2 and 4 amendments) and there was none

Stridiron closed the public meeting at 7:08

**7. Public Comment**

Janet Killian 4741East Torch Lake Drive spoke on 2 issues

1. Fences: She feels fences should be required to be constructed entirely on the owner’s property NOT the lot line. She appreciated the exceptions the PC included such as gardens and snow fence, she felt they were good to include.
2. Stairways - she does not agree with the limit of 1 stairway per property. She feels this is too restrictive and too limiting, and needs to be made less restrictive and state what it is you’re trying to accomplish.

Graber clarified the ZBA could be appealed and the fee can be requested to be waived. Stridiron asked Killian to put her suggestions in writing for further review.

Randy Bishop 11089 Wood special Dr spoke regarding the website and the posting of the agenda - he stated what is posted as the agenda is too vague and needs a short synopsis of what is to be discussed. He stated people look at the website to decide if they want to come, and it looks cryptic and does not lend itself to community involvement. He recommends the commissioners to look at this issue at a future meeting and submit synopsis of future meetings with the agenda on the website. Graber stated the agenda and hearing notice are published in the paper with all the details and there is a link on the website. Bishop stated he did not see it and the agenda itself should be clearer.

**8. Consideration of Agenda**

Kulka made a motion to accept the agenda; motion was seconded by Shoemaker. Stridiron called for comments and vote 5/0 motion carried.

**9. Approval of draft meeting Minutes from October 13, 2020**

3 changes. 1) Item 4; change section to chapter. 2) Item 8 correct spelling of fences. 3) Item 10 - add “none were offered”. Shoemaker made a motion to approve meeting minutes from October 13, 2020 with changes, Budros seconded motion, Stridiron called for final comments and vote 5/0 motion carried.

**10. On Going Reports**

**10A. Zoning Administrator’s Report**

Graber distributed an updated *Checklist for October* and TLT 2020 Land Use Permits spreadsheet through Permit #2020-56, and ZBA Appeals ZBA 2020-5. on-going permit status, and current zoning applications were summarized as well.

**10B. PC Representative on ZBA Report**

Shoemaker distributed ZBA Meeting Summary from 10-14-20 which read:

A public hearing was held for a variance of section 2.19 allowing a one-time use of a recreational vehicle as a temporary residence for no more than 30 days. Several comments were received from the public. The ZBA offered the option to postpone the variance request to allow the applicant to bring the issue to the Planning Commission. The variance was denied 5/0.

**10C. TLT Board Representative on PC Report**

Cook reported the board is still working on a final resolution to the clerk and payroll issue. A special meeting will be held Friday 11-13-20 to obtain resolution. The township sent a letter to Brown regarding the gun range and has received no response and there has been no shooting. This is still an open burner issue. A second motion was received to amend the ordinance to allow a shooting range in certain areas with parameters to meet all legal requirements to stand up in court. Stridiron asked Cook if the board had moved any further with the hiring of a planner. Cook stated it had not.

**11. Correspondence, Meetings, Training Announcements**

EGLE is giving a seminar called *Resiliency in the Face of Climate Change* on 11-19 - see Graber for details

Stridiron stated if you haven’t completed the MTA training please do so.

**12. Unfinished Business:**

**12A Discussion of Hearing Items**

Kulka made a motion to accept and proceed with the above changes heard at the public hearing, motion seconded by Stridiron. Stridiron called for further discussion and vote 5/0 motion carried. Graber to forward to county for approval.

**12B Zoning Ordinance Review of Chapter 2.01-2.22**

The commissioners discussed, asked questions and clarified each section as they read through them

Stridiron summarized the need for clarification of the zoning ordinance and to bring it up to speed. Graber submitted the changes suggested last MONTH Stridiron spoke of the need for the PC to review the ordinance in sections, spending a maximum of 45 minutes per meeting, discussing, asking questions, clarifying, updating etc.... The commissioners and Graber reviewed and discussed Chapter 2 section by section.

Budros made a motion to change the wording in Section 2.12 - Cottage Industry Letter A. - remove “on the basis of individual merit” and Home-Based Business Letter A.- remove “basis of individual merit” and replace with “approval on a case by case basis.” Motion seconded by Shoemaker. Stridiron called for further comment. Motion withdrawn - issue to be tabled and reviewed at a later date. Graber will research what other surrounding townships are doing with this issue.

\*Budros made a motion to amend Section 2.13 to eliminate the last sentence in section C item #2. “For the….” And add “3 hoists” after (3) registered watercraft. As well add “hoist” to section C item #3 after (1) additional dock. Motion seconded by Shoemaker. Stridiron called for further discussion and vote 5/0 passing,

Stridiron would like to add a restriction regarding moored boats respecting riparian setbacks. He will research and bring ideas to the next meeting. Graber asked about grandfathering for the above change. She wants to know how to respond to those people. Stridiron stated the PC should consult the township atty and or the planner. Carleton asked how those would prove what they had and since when.

Draft revisions to be made by Graber and brought to the next meeting for acceptance and motions to revise will be made at that time.

**13. New Business**

**13A. Draft Meeting Schedule 2021**

Motion by Stridiron to approve the 2021 PC Meeting Schedule, motion seconded by Kulka, Stridiron called for further discussion and vote 5/0 motion carried.

**13B. Organization**

New member Barbara Budros introduced

Graber to run appointments of Planning Commission for Stridiron

Nominations will be accepted for Chair, Vice Chair and Secretary

Graber asked for nominations

Kulka nominated Stridiron FOR PLANNING COMMISSION CHAIR, Seconded by Budros, Graber called for discussion or further nominees and vote 5/0 motion carried.

Stridiron nominated KULKA FOR PC VICE CHAIR , seconded by Carleton, Graber called for discussion or further nominees and vote 5/0 motion carried

Stridiron nominated Carleton FOR PC SECRETARY, Seconded by Kulka, Graber called for discussion or further nominees and vote 5/0 motion carried

**14. Concerns of the Planning Commission**

**14. A. Concerns of the PC Chair**

Stridiron stated to Cook that now would be a great time to have a planner on staff, Shoemaker agreed

Stridiron reminded the members to get trained

**14. B. Concerns of PC Members**

Carleton pointed out that the by-laws are not on the website

**15. Public Comment**

Stridiron called for public comment

Janet Killian - suggested the township reimburse the variance applicant from last month

Jason Merchant spoke against the 3-boat hoist restriction, stating if you’re paying taxes to live on the lake you should be able to have as many as you want without restriction.

Randy Bishop spoke to tell PC about his new newspaper called *Antrim County Times* as a public service to the community he and others will be attending township board meetings, school board meetings, planning commission meetings etc. and video taping them, posting to YouTube for community viewing. He has concerns that TLT is becoming overly regulatory and over doing zoning enforcement.

**16. Adjournment at 8:49pm**

With nothing further, a motion was made by Shoemaker to adjourn, the motion was seconded by Kulka; Stridiron called for further discussion and vote passed 5/0.