TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Planning Commission Meeting &

Public Hearing

Community Service Building

APPROVED Minutes AS PREPARED 4-0

May 14, 2019

**Present:**  Shoemaker, Stridiron, Kulka, Petersen, Jorgensen, Carleton, Goossen

**Absent:**

**Others:**    Graber, Grobbel

**Audience:**  7

**Recording Secretary:** J. Petersen

**1.**    **Call to Order Regular Meeting:**

Meeting called to order at 7:00 pm by Kulka

**2.**  **Call to Order Public Hearing**

Meeting called to order at 7:00 pm by Kulka

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

Kulka summarized the procedure and rules for the public hearing

**4.    Public Hearing**

**4A Topic #1 ZP-2019-14 Hubbell**

**4B Topic #2 ZP-2019-15 LaLone**

Kulka called for any public speakers regarding the aforementioned topics and there were none.

Kulka called for the secretary to read any correspondence received regarding the topics and there was none.

Kulka called again for any commentary at all from the audience and there was none.

**5. Close Public Hearing**

Kulka closed the public hearing at 7:08pm

**6. Regular PC Meeting resumed at 7:08pm**

Kulka resumed the regular PC Meeting

**7. Public Commentary**

Kulka called for public commentary and none was given.

**8. Consideration of Agenda**

Shoemaker requested to add item 13B - “ZBA requested interpretation regarding signage” to the agenda.

Motion to approve agenda with the addition of 13B by Shoemaker; seconded by Stridiron. Kulka called for further discussion and vote. 7/0 motion carried

**9.   Approval of April Minutes**

Motion to approve April 2019 meeting minutes by Goossen; seconded by Shoemaker. Kulka called for further discussion and vote. 7/0 motion carried.

**10. On-going Reports**

**10A Zoning Administrator’s Report**

Graber distributed an updated *Checklist for April 2019* and TLT 2019 Land Use Permits spreadsheet. No civil infractions in past 30 days issued, Blight issues are resolving. A civil infraction was served on Hjelte road in the two dwelling / one lot situation, the homeowner assures the dwellings will be properly connected within 6 months. Other violations, complaints, on-going permit status, and current zoning applications were summarized.

**10B PC Representative on ZBA Report**

Shoemaker stated the ZBA’s last meeting in May was short and for administrative purposes only.

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

Petersen reported that the board approved all submitted items last month. (Chapter 20 ZBA, Chapter 6 AG Events, Village business and village residential outdoor events and a definition for outdoor events.)

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

MTA training is available on 5-16-19 in Grayling. Jorgensen and Kulka will attend with ZBA Members Meinke and Barr.

**12. New Business**

 **12A ZP-2019-14 HUBBELL**

Kulka summarized the procedure and rules for the discussion

Kulka asked the commissioners if they had any questions

Shoemaker asked if there were events scheduled already this year, Hubbell affirmed there were 6 events planned so far, and one was for the upcoming weekend. None of the events are public.

Shoemaker asked if and who lived in the houses at the property. Hubbell stated he lived in one of the houses and his son (also present) lived in the other. Jorgensen had no comments. Goossen had no comments. Stridiron asked about parking and Hubbell described the parking situation was all several feet off the highway and no parking on the highway or in non-designated areas would be permitted at any event. Hubbell stated the parking is strictly enforced to be at least three orchard rows off the highway and clearly marked by the wedding/event party. Petersen had no comments. Kulka asked about signage and Hubbell stated the events usually put a handmade sign (sometimes in the shape of a heart) near the entrance. Graber referenced pictures of the barn and parking areas. Kulka asked about fire extinguishers and inspections. Graber suggested Ryan Bigelow, TLT Fire Chief visit the location before 5/24/19. Petersen made a motion to approve a one-time activity for the upcoming weekend if and until the complete approval could be granted - in the event that a final and full granting was not possible at this meeting. Motion was seconded by Stridiron and Kulka called for further discussion. The commissioners discussed the timing further and agreed to discuss the matter further with the goal of finalizing at this meeting. Motion to cancel previous motion was made by Stridiron, seconded by Shoemaker, Kulka called for further discussion and a vote - passing 7/0 to withdraw previous motion. Grobbel read from the zoning ordinance, chapter 17E; items 1-4 regarding Standards for Approval.

Item 1. The special use proposed must be consistent with and promote the purpose and intent of the ordinance and zone district in which the use is proposed. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 2. The special use proposed must be compatible with the zoning and use of adjacent lands. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 3. The special use proposed must not adversely impact the environment. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 4. The special use proposed must not unduly burden or exceed the ability of the public services or facilities to handle the anticipated needs of the community. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Petersen made a motion to accept all 4 criteria as being met and to accept and approve Special Use Permit #2019-14 with the condition of a fire inspection by Ryan Bigelow or delegate within 45 days. Shoemaker seconded the motion, Kulka called for further comment and a vote 7/0 motion carried. Graber to draft letter 5/15/19.

**12B ZP-2019-15 LALONE**

Kulka asked the commissioners for questions and comments. The commissioners discussed the location and reviewed the site plan and application. Grobbel read from the zoning ordinance, chapter 17E; items 1-4 regarding Standards for Approval.

Item 1. The special use proposed must be consistent with and promote the purpose and intent of the ordinance and zone district in which the use is proposed. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 2. The special use proposed must be compatible with the zoning and use of adjacent lands. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 3. The special use proposed must not adversely impact the environment. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Item 4. The special use proposed must not unduly burden or exceed the ability of the public services or facilities to handle the anticipated needs of the community. Kulka polled the commissioners. All 7 commissioners agreed 2019-14 met this criterion.

Petersen made a motion to accept all 4 criteria as being met and to accept and approve Special Use Permit #2019-15 as written. Shoemaker seconded the motion, Kulka called for further comment and a vote 7/0 motion carried. Graber to draft letter 5/15/19.

 **13. Unfinished Business**

**13A STR moratorium**

Kulka explained the moratorium time frame. He stated two months of 6 have passed. Kulka outlined three options for action:

1. Agree to allow STRs and recommend language
2. Do not allow
3. Leave as is (Special Use Permit - case by case basis)

Grobbel stated once a decision is made, if there are any changes to the ordinance; next it will be the the county, legal review, then the board. The commissioners asked Grobbel questions and discussed the matter and information Grobbel has provided. Grobbel advised the commissioners to let the Master Plan be their guide in any decisions they make. Kulka polled the commissioners for their opinions on the matter. Opinions ranged from disallowing STRS at all to allowing them with guidelines in the Village Business and or Village Residential zones only. Petersen reminded the commissioners why the board imposed the moratorium and stated it was not to revoke the ordinance of STRS, it was to be sure bases were covered and establish guidelines in special use application approvals. He stated that a zoning change was not the intent, rather an updated checklist (criteria) for approval. Discussion will continue at next month’s meeting.

 **13B Interpretation for ZBA**

Shoemaker asked for an interpretation of the zoning ordinance regarding signage. No scrolling, no movement, no flashing lights - downward facing lights were discussed. Grobbel stated that the Master Plan calls for the preservation of rural character and non-compatible signs can be removed as in other townships. Shoemaker stated that the ZBA may have appeals coming up regarding signage and wanted to be prepared to keep the intent of the ordinance.

**14. Concerns of the Planning Commission**

**14A Concerns of the PC Chair -** Kulka asked for comments and none were given

**14B Concerns of PC Members -** Graber stated the June PC meeting / hearing will include a pre site plan review and special use permit application # 2019-20 and the meeting is maxed out. Any other items that come up will have to be scheduled for the July meeting.

**10. Public Commentary**

Kulka asked for comments and none were given

**11.**  **Adjournment - 9:36pm**

With nothing further, a motion was made by Goossen to adjourn, the motion was seconded by Petersen; Kulka called for further discussion and vote passing 7/0.