**TORCH LAKE TOWNSHIP**

**APPROVED PLANNING COMMISSION SPECIAL MEETING 7-0 WITH CORRECTION**

**Community Services Building**

**October 7, 2021**

**Members Present:** B. Stridiron, J. Merchant, C. Shoemaker, B. Hawkins, J. Kulka, L. Carlton, B. Budros

**Others:** S. Kopriva

**Recording Secretary:** Veronica Beitner

**1. Meeting called to Order** by B. Stridiron at 7:00 pm.

**2. Pledge of Allegiance** recited by all present

**3. Consideration of Agenda** – (M/S) B. Hawkins/J. Kulka move to pass as presented. Passed 7-0.

**4. Public Commentary** - T. Stillings, Golden Beach Rd speaks to Rezoning Petition FOR A REFERENDUM that was presented to Community and impact on Property Owners. R. Vermeer, Sun Bay Ct (Land Living Resources, owner) speaks to Zoning Ordinance, Section 10.01. Spoke to concern that proposed changes might discourage and prohibit new Village businesses. Addresses concerns regarding regulations regarding percentage of windows in which current businesses would not meet as well as limitations to parking for a business as an example. B. Petersen, Hjelte Rd provided handout to Planning Commissioners regarding Conflict of Interest. Addressed three (3) members passing around a petition FOR REFERENDUM to negate work already approved, how can these same commissioners ensure citizens that their work is unbiased and executed in the Township best interests. Urges the Commission to not engage in any discussions tonight until there is a full review with legal counsel and all Board members. R. Bishop, Wood Special reiterates comments provided by T. Stillings and B. Petersen. Speaks to over regulation that is happening under this current Commission and perceived Conflict of Interest. T. Petersen, Hjelte Rd speaks to new Ordinance being reviewed tonight and does not agree. Pointed out discrepancy with existing buildings and inconsistent arguments for changes. Agrees with everything everyone voiced during Public Comment tonight.

**5. Correspondence** – None

**6. Conflict of Interest** – J. Merchant states there is a Conflict of Interest as evident with copies of petition FOR REFERENDUM that were provided by B. Petersen during Public Commentary. Read definition of Conflict of Interest and obvious existence. (M/S) J. Merchant/no second makes a Motion to end meeting now due to Conflict of Interest. B. Hawkins spoke to seeing petition for first time this evening and would like answers as to why the owners of M-88 property has been held up. B. Stridiron responds that the document is a referendum and not a petition. States he had recused himself from prior meetings. B. Hawkins, reiterates that he questions the legality of existing referendum presented. B. Stridiron states there is a current Moratorium that prohibits any progress for the property owners. Discussion ensued which included input from S. Kopriva that spoke to details of Moratorium and that the Clerk is the individual responsible for ensuring the process of the Referendum. C. Shoemaker asks for further definition of Referendum and its process. Further discussion ensued. B. Stridiron states there is no Conflict of Interest on his part. L. Carlton states she is impartial and has no Conflict of Interest and trusts her fellow Commission members to make the same statement. J. Merchant asks how the Referendum was presented by B. Stridiron, J. Kulka and B. Budros to residents approached by them for signature. J. Kulka states he signed the petition and his understanding of the referendum. He did not initiate the conversation. States he feels he can be objective and unbiased. Does not feel signing the petition impacts his position as a Commissioner. B. Budros states she did circulate the petition but prior to that did vote on the factors which she found to be confusing. When the process reached the Board, she requested the Board not vote as she did not feel the proper procedure had been followed. Reiterates the process which was followed for a Referendum. B. Budros feels that those speaking tonight do not understand definition of a Referendum. Discussion ensued with B. Budros stating she does not have a Conflict of Interest and will not sit through another meeting with her integrity being questioned. B. Stridiron summarizes and suggests that emotions settle down and get back to the agenda upon the direction of the Township Board. (M/S) J. Merchant/C. Shoemaker makes a Motion to end meeting now due to Conflict of Interest and continued need for review with Board. Discussion ensued with C. Shoemaker stating he is not an expert on Referendums and not accusing anyone but states the instructions were perfectly clear when reviewing a Zoning change. L. Carlton agrees the Zoning Ordinances are lacking and agrees that S. Kopriva gave clear directions to follow when reviewing. J. Kulka spoke to the Right to Petition and reviewed with further discussion. Roll Call Vote: J. Merchant – yes, C. Shoemaker – no, B. Hawkins – no, J. Kulka – no, B. Stridiron – no, L. Carlton – no, B. Budros – no. Failed 6-1.

**7. Purpose of Special Meeting**

A. Village Business/Commercial Zoning District Discussion – B. Stridiron speaks to past recommendations from Planning Consultants and the guidance to maintain a cohesive flow of zoning and asks S. Kopriva if she had considered. S. Kopriva with detailed description of items/factors considered and provided tonight for review. S. Kopriva provided specific details which included landscaping aesthetics, parking which includes limiting parking in the front of the building, design suggestions which included speaking to roof pitch, window requirements and other topics. B. Stridiron speaks to overriding concern. S. Kopriva states it is important to consider the Township Master Plan when reviewing all the information. B. Stridiron asks for clarification on 10.03Q. It is reviewed that this proposed change speaks to moving to a Special Use Permit. Discussion ensued which included square footage comparisons and additional review of Village Business areas. Review of how proposed changes would impact current businesses. B. Hawkins speaks to 10.05B and the setbacks of 10’ and Fire Protection. Discussion ensued with attention to height restrictions. B. Budros addressed “native plantings” (Section 12.5G) and a need for further review and consistency. S. Kopriva noted we do not currently have any specific language and resources to define as written. L. Carlton speaks to 10.2F not having any limits on business size and need for further clarification. S. Kopriva suggested that language be left to state “residential uses on upper floor(s).” 10.4Q discussion regarding some stores listed needing a Special Use Permit and clarifying for consistency. L. Carlton raises 10.05D and questions need for specific language regarding vegetation. Additional language will be added per S. Kopriva. 10.06D question if the screening is adequate enough. 10.06C discussion regarding steel and possible options to allow with added language to reflect a mixture of materials. Would there be option to add “street facing façade constructed with high quality materials…” C. Shoemaker addresses impervious area (10.5C and 12.3) and where numbers provided were determined. These numbers are industry standards per S. Kopriva. Discussion ensued with lot examples being reviewed. C. Shoemaker spoke to parking sounding very limiting as stated. Discussion ensued with usage of “minimums” versus “maximums” being used and suggestion to review on a case by case usage. B. Stridiron provided options to next steps. (M/S) J. Kulka/B. Hawkins motions to have rewrites provided for review prior to next Tuesday’s meeting. Discussion ensued with additional option to move review to a Special Meeting on 10.29.21. (M/S) B. Stridiron/C. Shoemaker motion to have a Special Hearing to review the changes at tonight’s meeting on the 29th of October as well as two (2) Public Hearings with one for Section 20 and one for the High Water Mark. Discussion ensued. Passed 6-0. Motion by J. Kulka/B. Hawkins withdrawn.

(M/S) Motion to adjourn by B. Stridiron/J. Kulka at 8:50 pm. Passed 7-0.

Minutes respectfully submitted by Veronica Beitner