TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Planning Commission Meeting

(ZOOM) 982 4431 9029/789185

Draft Minutes

March 9, 2021

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

**Absent:**

**Others:**    B. Cook (TLT Supervisor), D. Graber (TLT Zoning Administrator), M. Strange (IT) Sara Kopriva (TLT Planner)

**Audience:**

**Recording Secretary:** J. Petersen

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

Meeting called to order at 7:06 by Stridiron.

Roll call including name and location was taken by Stridiron

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited

**3.** **Public Commentary**

Stridiron called for public comment and there was none

Carleton read a letter received at TLT from Tom Joseph dated 2-10-21 regarding the TLPA’s *Keep Torch Blue* yard sign request.

**4. Consideration of Agenda**

Motion by Shoemaker to approve Agenda for 3-09-21

Second: Kulka

Stridiron called for further comment and vote 7/0 motion passed

**5. Approval of draft minutes from 02-09-21**

3 changes. 1. Item 7 change $60/hr to $60/day 2. 8A change public meeting to public hearing 3. 8B. Add last name to Heidi Schaefer

Motion by Shoemaker to approve draft meeting minutes from 02-09-21 as corrected

Second: Hawkins

Stridiron called for further comment and vote 7/0 motion carried

**6. On-going Reports**

**6A. Zoning Administrator’s Report**

Graber distributed an updated *Checklist for February 2021,* TLT 2021 Land Use Permits spreadsheet through Permit ZP#2021-14, ZBA Appeal #2021-2, and Municipal Civil Infraction #54

**6B. PC Representative on ZBA Report**

Shoemaker stated there was no ZBA meeting last month and none for this month. The next ZBA Meeting is to hear two variance requests. The meeting is scheduled for April 14, 2021.

**6C. TLT Board Representative on PC Report** Jason Merchant prepared and distributed the following report:

On Tuesday February 16, 2021, these are a few things that were discussed and voted on at the monthly Torch Lake Township meeting.

1. Board approved the hiring of Linda Woodward part-time scanning processor. Linda will be helping Deb with zoning related items, planning commission files, ZBA files, and assist with the Assessor’s property records. Anticipated start date of February 23, 2021 for 10-15 hours per week.
2. March 16, 2021 will be the date for the Annual Budget Meetings in person (tentatively). Info is on the website.
3. Board approved the hiring of Revore Law Firm, PLC and David M. Revore as a special counsel to assist the township in the matter of policies, procedures, bylaws, and related documents.
4. Board approved the Police Power Fireworks Ordinance.
5. Board approved the changes to the zoning ordinances in chapters 2 and 5 2X in the last 3 weeks.

**7. Correspondence, Meetings, Training Announcements, etc.**

**7A. Freedom of Information Act (FOIA) Training - Kathy Windiate (TLT Clerk)**

Windiate addressed the Commissioners and reviewed the obligation of a Planning Commissioner of following FOIA with regard to what is and what is not allowed. She advised them to read the Open Meetings Act and email (power point presentation) she sent, and ask questions of Kopriva, Windiate, Stridiron or Cook - we will find the answer. She warns that the handling of a FOIA request must be done by the Clerk only. If you receive a request from the Clerk regarding a FOIA, you must respond in a timely manner. FOIA forms, policies, laws etc. are all located on the TLT website. Commissioners asked Windiate questions until there were no further questions.

**8. Unfinished Business**

**8A. Zoning Ordinance review of chapter 2**

The commissioners, Graber and Kopriva reviewed and discussed Ordinances 2.14, 2.15, 2.16, 2.17, 2.18, 2.19 and 2.20

The memo from Sara Kopriva (Planner) dated Feb 22, 2021 regarding Sections 2.14, 2.15, 2.19 was referenced

Budros distributed comments regarding Sections 2.14, 2.15, 2.19, 2.20, 2.16, 2.24, 2.23, 2.26.2, and 2.26.3.

**Motion** by Carleton to remove Section 2.14 from the ordinance, in its entirety, second by Merchant. Stridiron asked for further comment and vote; 7/0 motion carried

Regarding section 2.15; Kulka, Shoemaker and Carleton would like to review this again after Heidi Schaefer’s visit from Antrim Soil & Erosion - Stridiron asked the commissioners and it was decided it would be left for now and discussed later.

Carleton stated the TLT website should have links to EGLE and Soil Erosion etc.…

Graber stated throughout Chapter 2 “District Health Department 3” has been changed to Northwest Michigan Health Department.

Sara Kopriva stated if PC wants to require septic pumping, it might consider asking the board to make it a police power ordinance as an option. Requiring a “point of sale” inspection in the ordinance was discussed. Carleton and Stridiron will draft a letter to the board addressing these concerns.

**Motion** by Budros to change last sentence of Chapter 2.17 - WATER SUPPLY AND SEWAGE DISPOSAL FACILITIES, and make it a separate paragraph so that it is more defined. Motion seconded by Stridiron. Stridiron called for further discussion and a vote 7/0 motion was carried.

Section 2.19 was discussed at length - a sub-committee was formed to work on clearing up the section. Hawkins, Carleton and Kulka will meet as the sub-committee and report back to the Planning Commission.

**9. New Business**

**9A. Carriage Houses and Accessory Buildings**

Presented was an email from Sara Kopriva (Planner) dated 2-25-21 regarding definitions for Accessory Building and Carriage House, Section 2.06 Accessory Building and her recommendations regarding Section 2.06

12 pictures were distributed

Stridiron formed a subcommittee of Budros, Shoemaker and Merchant. They will meet regarding Carriage Houses and Accessory Buildings and report back to the Planning Commission at the next meeting prepared to draft the ordinance. Stridiron asked Kopriva to present the PC with two other township ordinances to see what they are doing.

**9B. Land Clearing - R1, R2, VR**

The commissioners discussed Section 18.14 - LAND CLEARING. Article titled *Preserving Farmland, Rural Character and Open Space* was distributed. Kopriva recommended consulting with the township atty about this if the PC has interest in restricting/zoning tree removal. She said while considering this, people are allowed to forest and maintain their properties. Kopriva recommended an overlay to show areas of concern that the PC may want require permitting. Graber suggested if the PC drafts an ordinance, it should be placed in section 2.14 previously deleted. Stridiron suggested this issue be tabled for now and discussed again. Shoemaker stated it would be helpful to consult with Heidi Shaefer (Antrim Soil & Erosion) about this as well.

**10. Concerns of the Planning Commission**

**10A. Concerns of the PC Chair**

A document titled “*What a Planning Commissioner Needs to Know”* was distributed and discussed. Stridiron asked the commissioners to specifically review the FOIA section.

**10B. Concerns of PC Members**

Kulka recommended reading the March 5, 2021 article in the Record Eagle regarding wineries and townships.

**11. Public Commentary**

Graber stated there is a March 31st court hearing to view on YouTube. Judge Cooney’s case. Hearings will be via Zoom. Graber stated there are 2 variance requests being heard next month on April 14 for the ZBA. She is anticipating it to be in person.

**12. Adjournment at 9:41pm**

With nothing further, a motion was made by Kulka to adjourn, the motion was seconded by Hawkins. Stridiron called for further discussion and vote passed 7/0.