TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

APPROVED MINUTES OF TOWNSHIP BOARD MEETING WITH ADDITIONS 5-0

JULY 19, 2016

COMMUNITY SERVICES BUILDING

TORCH LAKE TOWNSHIP

Present: Martel, Schultz, Goossen, Windiate and Amos (7:10)

Absent: None

Audience: +/- 50

1. REPEATING AGENDA:
2. Meeting convened at 7:03 followed by the pledge to the flag.
3. Minutes: **Motion** by Goossen to approve the Minutes of June 21, 2016 with corrections was seconded and passed 4-0. In item A. 3, line3, change “boat ramp” to read “Ordinance specific to the boat ramp”. In item E. Board Commentary, change line 1 to read: 1. Goossen wanted to be on the record that we should do nothing to circumvent the requirements of the Open Meetings Act.
4. Correspondence, etc. None
5. Agenda Content: **Motion** by Goossen to approve with additions was seconded and passed 4-0. Add item D. 6 International Great Lakes Datum Discussion and item D. 7 Wendy Davidson Job Application.
6. Citizen Commentary: From the audience Marvin Rubingh introduced himself as candidate for County Commissioner District 1, representing part of Torch Lake Township.
7. CONSENT AGENDA: **Motion** by Goossen to approve was seconded and passed 5-0.
8. SPECIAL REPORTS AGENDA: Goossen reported the Public Hearing on the proposed update of the A-Ga-Ming site plan for the new clubhouse, which had been scheduled for the July 12th Planning Commission meeting, was postponed at the request of A-Ga-Ming. Also discussion of the DNR-owned boat ramp near Mc Lachlan Road was tabled until next month, when the entire Commission is expected to be present.
9. AGENDA FOR BOARD DISCUSSION, CONSIDERATION AND POSSIBLE ACTION:
10. PUBLIC HEARING: Requested by Bruce Laidlaw regarding zoning amendment to zoning ordinance Chapter II, Section 20.16 B and Chapter XIX, Section 19.02 B.

**Motion** by Goossen to open the Public Hearing was seconded by Schultz and passed 5-0. Mr. Laidlaw began the hearing by explaining that, after reviewing the proposed amendments, he was concerned about the effects along the shorelines. He has done research on other townships and has found that most do not allow construction in setback areas. He would like to see the ordinance go back to the Planning Commission.

From the audience, comments were received from the following citizens: Norean Martin, Tom Stillings, Lee Scott, Gerry Sell, Becky Norris, Sue Calu, Tom Welch, Deb Magennis, Bruce Bigelow and Wes Cowell. All were basically opposed to the proposed ordinance amendments. Tina Norris Fields was in support of the Ordinance. Also from the Township Planning Commission and Zoning Board of Appeals, comments were heard from Pat Keelan, Ralph Houghton and Bob Spencer, also all opposed to the amendments, even stating that Section 2.16 should be eliminated. Township Planner Chris Grobbel explained that the intent was to fix a problem found by the Zoning Administrator and the ZBA, and the Planning Commission decided to fix it. The change was not intended to over-rule state or federal authorities. The intent was to prevent big structures by limiting square footage of decks.

Letters were read into the record received from Becky Norris, recommending the proposed amendments be sent back to the Planning Commission to revisit language; the Antrim County Planning Department, opposed as the amendments are incompatible with the Antrim County Master Plan; Christine Crissman, Executive Director of the Watershed Center, who provided alternative solutions to “mitigate the adverse impact to water quality resulting from waterside decks and porches”; and Bruce Laidlaw, who believes the Board should ask the Planning Commission to consider amendment revisions which won’t impact shoreline appearances and which take into account the changing Lake Michigan water levels. A Letter from Wes Cowell was not read, at his request, in that most of what was said in the letter was said tonight at the meeting. With no other comments, the **Motion** by Schultz to close the Public Hearing at 8:10 pm was seconded and passed 5-0. She thanked the participants for their orderly discussion. “Public Comments were recorded by Christine Olsen, Recording Secretary, and are available at the Clerk’s office and on the township website, torchlaketownship.org.”

1. Zoning Ordinance Amendment Board discussion: Goossen recommended sending the amendments back to the Planning Commission or even removing them totally. Amos stated he doesn’t agree with going into the setbacks. You should be able to walk the shoreline. Windiate felt it important to consider the comments made tonight. The amendments need more work. With no further discussion, the **Motion** by Goossen to remand this back to the Planning Commission for legal clarity on who has jurisdiction, and to determine the jurisdiction rights of the owner to get to the waterfront was seconded and passed 5-0. Once this is information is obtained, we will know how to move forward.
2. Road Millage: Burt Thompson from Antrim County Road Commission addressed his report of the current pavement conditions in Torch Lake Township and a suggested road improvement/pavement maintenance strategy for the next five years, based on the current 0.25 mil road millage.
3. Rescind Ordinance 0-79-5:  **Motion** by Goossen to rescind Ordinance 0-79-5 was seconded by Amos and passed 5-0 roll call vote. This will be published in the next edition of the two local papers.
4. Municipal Civil Infraction: **Motion** by Goossen to approve as prepared was seconded by Martel and passed 5-0 roll call vote. This will be published in the next edition of the two local papers.
5. International Great Lakes Datum Discussion: Discussion of the two different measurements used for the Ordinary High Water Mark, one from the I.G.L.D of 580.5 feet above mean sea level on Lake Michigan which the Army Corps of Engineers uses versus the DEQ measurement of 581.5. Inadvertently the wrong number (580.5) was used in the Zoning Ordinance Definition of Yards and the PC and Board would like to correct that mistake.
6. Recommendation to Hire Wendy Davidson: The **Motion** by Martel to hire Wendy Davidson as part-time maintenance employee was seconded and passed 5-0.
7. Citizen Commentary: There was none.
8. Board Commentary: Clerk mentioned the upcoming August 2nd Primary Election. The Treasurer mentioned the positive feed-back received from the newsletter.
9. With no further business meeting was adjourned at 10:15 PM.

These Minutes are respectfully submitted and are subject to approval at the next regularly scheduled meeting.

Kathy S. Windiate

Township Clerk