TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

APPROVED Minutes Planning Commission Meeting WITH CHANGES

October 11, 2016

Community Service Building

Torch Lake Township

Present: Goossen, Bretz, Walworth, Jorgensen

Absent: Schoenherr, Kulka

Others: Olsen, Vey, Martel, Grobbel (via cell)

Audience: Spencer, Laidlaw

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

 Meeting called to order at 7:35.

2. **Consideration of Agenda:**

 Motion by Bretz to approve agenda, seconded by Jorgensen, passed 4-0.

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

4. **Approval of Minutes, September 13, 2016 Meeting:**

Spencer submitted letter regarding PC minutes and addition of information.

Motion by Bretz to approve minutes with Spencer’s additions, seconded by Jorgensen, passed 4-0.

Motion by Goossen to approve September 13, 2016 minutes, as amended, seconded by Bretz, passed 4-0.

5. **Concerns of the Public other than Agenda Items:**

Spencer asked PC to address subject of Ordinary High Water Mark and history since 2012.

 Laidlaw asked about Items #7 and 8 on Agenda.

6. **Review of Final Findings of Fact Regarding Amendment to A-Ga-Ming’s Site Plan for Construction of New Club House and Related Changes:**

Grobbel commented that an amendment to a site plan is subject to review and approval by PC. This becomes the recommendation to the Board. If it is a PUD, it has to go to TLT Board for final approval. He also said that any conditions approved before have to be carried forward.

Jorgensen questioned the absence of sections 15.02-15.06 (part of the Findings of Fact).

Grobbel said that this was a stripped down Findings of Fact, which covered what was most germane to the PUD. Also noted that the **Application** was approved in September, not the PUD. The October Findings of Fact reflects what was done in September.

Walworth will re-write conditions to reflect what was originally proposed in October 2014.

Motion by Goossen to forward Findings of Fact, as amended, to TLT Board with recommendation to approve A-Ga-Ming PUD, passed 4-0.

7. **Discussion and Possible Action on Proposed Amendments to Sections 2.16.B and 19.02.B Regarding Allowed Structures in Front and Rear Set Back Areas:**

Laidlaw cited his concern that PC is considering voting on this topic. He said that the PC can (1) Approve, (2) Disapprove or (3) Approve with amendments, and that in July 2016, the TLT Board remanded the decision to the PC. There were no changes from previous version. The concerns of Antrim County Planning were not addressed regarding Lake Michigan versus Torch Lake. Further, he said that (1) the PC should not be voting, (2) the PC should address concerns from the Public Hearing and comments from the County, and (3) the boilerplate language in the Ordinance is not needed.

Spencer said that action cannot be taken because it has already been forward to TLT Board.

Walworth said that even after Public Hearing, the PC can still make changes. His preference would be to not make any changes and leave it as it stands.

Jorgensen said she would rather set it aside and asked the question if the PC has the ability to make another amendment.

PC agreed to leave the “Structures” ordinance where it is at and felt it was not necessary to make a distinction between Torch Lake and Lake Michigan.

8. **Discussion and Possible Action on Proposed Amendment to Section 23.01 Defintions – Yards to Revert to 580.5 Feet as the Ordinary High Water Mark (OHWM):**

Walworth reviewed Section 23.01 and the suggestion to change the Ordinary High Water Mark to 580.5 feet.

Motion by Goossen to approve the proposed OHWM to 580.5 feet above mean sea level on Lake Michigan, seconded by Bretz, passed 4-0.

 9. **Rescheduling of November Regular PC Meeting:**

Consensus was to move the meeting from November 8 to November 15, 2016.

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

Vey cited data that as of this date in 2015, 24 permits had been received at TLT; in 2016, that number is 41.

11. **Concerns of the Public:**

Spencer said that no further action could be taken on decks and walkways, because the PC decision is still in the hands of the TLT Board.

Martel said that the ZBA needed to have a basis for appeal on safe and reasonable access to the water.

12. **Concerns of the Planning Commission:**

 A Public Hearing will be held on the OHWM.

The new calendar year of meetings will be determined at the first 2017 PC meeting on January 10.

Grobbel will continue to participate in PC meetings via cell phone until January 2017 when he will be here in person.

Walworth said that in 2017, the PC must begin the process of working on the Master Plan.

13. With no further business, meeting was adjourned by Walworth at 9:40.