TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Planning Commission Meeting

Community Service Building

APPROVED Minutes AS PREPARED 7-0

April 10, 2018

**Present:**  PC Members; Goossen, Shoemaker, Kulka (Chair), Carleton (Secretary), Petersen (Board Trustee), Jorgensen (Co-Chair)

**Absent:** Bretz

**Others:**   Grobbel, Graber

**Audience:**   1 attendee, did not sign in

**Recording Secretary:** J. Petersen

**1.**    **Call to Order Public Hearing:**

Meeting called to order at 7:07 pm by Kulka

**2.    Public Commentary:**

Kulka asked for any public questions, comments or considerations and none were offered

**3.    Consideration of Agenda:**

Motion by Petersen to approve 4.10.18 agenda. Motion seconded by Shoemaker; Kulka called for vote; motion passed 6/0.

**4.**    **Approval of Minutes of March 13, 2018 meeting minutes**

Motion by Jorgensen to approve 3.13.18 meeting minutes with modifications; motion seconded by Shoemaker; passed 6/0.

\*Section 7 E - Correct spelling of Grobbel.

\*Jorgensen asked for clarification of the numbering of the proposed ordinance for Fences. Verification was made by Grobbel that Fences will be a section of chapter 2 and the section is 27. Therefore, Fences, if added to the zoning ordinance of Torch Lake Township,will bear the reference number **2.27**

**5.    On Going Reports**

**5A     Zoning Administrator Report - Deb Graber**

Deb Graber distributed *Check List for April, 2018 - Reporting by Zoning Administrator*

* 7 new zoning permit applications
* No zoning complaints
* Several ongoing projects - no issues
* Templin violation - will be appealing in May
* Bucklew / Petrillo appeal has been filed for next ZBA meeting 4/11/18
* Bergen appeal has been filed for 4/11/18
* Livingstone appeal has been set for May ZBA meeting
* New Land Use Permits report was distributed and read
* Letters were sent by Deb to all residents within 300 feet of the commercial building on the corner of US 31 North and Day Park Road; as a permit has been requested there for a new business.
* Other permit applications include a carriage house, a demolition of a house trailer, a deck, a second floor bathroom addition and the aforementioned permits pending ZBA hearings and or appeals.

**5B     Representative on ZBA Report**

None given as Bretz was absent

**5C     TLT Board Representative on PC Report**

Petersen reported that the board has finalized the 2018 budget and will be moving forward with establishing the benefit package for the township’s ALS employees. Jorgensen asked if the board had or was going to assign a special task force group. Petersen said he was unaware of any group, but stated that the board would be setting the next steps up.

Petersen also reported the board was approached with a proposal regarding the Day Park’s day to day operations. The board is consulting its attorney regarding the feasibility of this proposal.

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

Kulka and Graber attended MTA ZBA training on March 22, 26 and 27

**7.    Unfinished Business**

Kulka advised the PC of the next step with the proposed zoning ordinance changes is to send the proposed changes to the county for approval.

**AS A RESULT OF THE PUBLIC HEARING; AND BY POPULAR VOTE OF THE PLANNING COMMISSION THE FOLLOWING WERE ALL DISCUSSED, AND APPROVED TO BE PRESENTED AT THE COUNTY LEVEL**

**7A Building/Structures (**Draft 3\_14\_18) Motion by Petersen to approve the above; seconded by Goossen; Kulka called for vote; motion carried 6/0

**7B Time Limit for Zoning Appeal (**Draft 3\_14\_18) Motion by Petersen to approve the above; seconded by Goossen; Kulka called for vote; motion carried 6/0

**7C Shall Vs May (**Draft 3\_14\_18) Motion by Petersen to approve the above; seconded by Goossen; Kulka called for vote; motion carried 6/0

**7E Fence Zoning** Draft ver. 6 (3\_14\_18)

Discussion resulted in a change to draft ver 6; section 2.27.6. Grobbel authored a new paragraph including the input from the group and read it allowed twice before the group approved the ordinance with the change. Consensus within the group was due to the weather breaking and the lack of any sort of rules about fencing in the township currently, that time was critical.

Motion by Petersen to approve the above with changes; seconded by Goossen; Kulka called for vote; motion carried 5/0

Goossen stating he would like to see the final changes before he votes for this to go to the county - others disagree based on timing and not wanting the delay this ordinance by an additional month if waiting occurs.

Concern was also raised by Goossen regarding the DNR boat launch property on WTLD near McLaughlin road and the proposed fencing ordinance. Grobbel stated that federal and state lands do not have obligation by law to comply with township zoning ordinances, and such the ordinance is not and shouldn’t be written with them as our target audience.

**Grobbel will prepare supporting documentation and submit to the county for approval, as part of the next step.**

**7D Zoning Administrator and Municipal Infractions**

Kulka met with Martel and Martel is going to meet with the twp atty. - Kulka will follow up - no information was available at the beginning of this meeting

**7F Master Plan Update-Chris Grobbel**

**Now Called “Land Use Plan”**

Grobbel reminded the PC that he distributed Chapter 8; future land use etc… and asked group to read, mark-up and bring back comments for the next meeting. He will take all comments and incorporate them as he “stitches” together all the chapters in the Master Plan being submitted to Alan for the May board meeting. Next is a Coordinated Plan Review, whereas the Master Plan is sent to neighboring communities and townships, who have 42 days to respond if they wish. A Public Hearing will follow, then on to the PC for final adoption. The Master Plan does not get approved by the board unless the board decides to take this power from the PC.

Goossen asked Grobbel what we as a township can do to get out in front of the issues and challenges at other township levels.

Grobbel stated TLT seems to be doing this regarding MMA, Weekly rentals etc…Further, go back to the Master Plan and do what you said you were going to do in that plan; Trail connectivity, waterfront overlay, revisit setbacks, percentage of impervious surface cover - make a table to show what others are doing, however the directives of the PC come from the board.

Jorgensen stated the new Land Use Plan should contain a list of all businesses in Torch Lake since the last Master Plan. She also stated that the survey reported incorrect acreage for the airport, and the township waterfront amount decreased. Grobbel explained that the exactness in numbers such as this are not reliable - it is a Land Cover, not Land Use survey. It speaks to how the land is used, not to who owns it - it is an Aerial Photo Interpretation. Grobbel also stated that the report was made available months ago and on several occasions asked this group for comments. Jorgensen stated that it would have been nice to recognize the new businesses formally. Grobbel informed her that the board made the budgetary decision NOT to invest in researching or reporting every section proposed.

**8. New Business**

None

**9.  Concerns of the Planning Commission**

Kulka stated he emailed the Planning Commission fiscal year 217-2018; April 1, 2017 to March 31, 2018 report and it was a good year with many topics covered.

**10.  Public Commentary**

Kulka asked for public comment - the audience member stood and stated the following question: (referring to proposed fencing ordinance 2.27)

“Is a hedge considered a fence?

Grobbel - NO - Grobbel read from the proposed ordinance that vegetative screens were not considered fences

**11 Adjournment - 8:16pm**

With nothing further, a motion was made by Petersen to adjourn, the motion was seconded by Shoemaker, final comments were asked by Kulka and a vote was taken to adjourn, passing 6/0.