TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Community Services Building

SPECIAL Planning Commission Meeting

APPROVED Minutes AS PRESENTED 6-0

June 23, 2021

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

**Absent:**

**Others:**    B. Cook (TLT Supervisor), Sara Kopriva (TLT Planner),

**Audience: 7**

**Recording Secretary:** J. Petersen

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

Meeting called to order at 7:00pm by Kulka

**2. 3. Pledge of Allegiance & Panel Introduction**

The Pledge of Allegiance was recited

Introduction of members present

**4.** **Public Commentary**

Robert Vermeer 8619 Sun Bay Ct Williamsburg, MI - spoke of the current mixed use zoning in Eastport and the need for his business. His office will consist of an office, shop and a bathroom. No lit parking, only about 2 vehicles will be there at one time. No Fed Ex or UPS will go there as he will have them sent to his home, as he won’t be at the M88 site all day every day. He spoke of his two adjoining lots; one is zoned Village Business and the other Village Residential, he explained why Village Business rezone is requested. All lots to west were zoned Village Business. He addressed the negative comments made by some of the neighbors, including the easement located on his lot - he will comply with the easement with no trouble, lighting, aesthetics etc. Before he purchased the building/lot it was overgrown and run down. He spoke of the type of equipment he would be having on the site (truck and trailer). He also told the group that he is a licensed contractor in Michigan, compliant with all building department licensing. He stated there will be no foot traffic and zero light pollution. His intent has always been to renovate the existing building and will not be adding additional structures. He stated he will not negatively impact the neighborhoods’s quality of life, rather improve an old broken down building.

Brian Agar 5911 N M-88 spoke against approving the request for rezone.

Sue Stridiron 5903 N M-88 spoke against approving the request for rezone.

Dave Taylor 5844 N M-88 spoke against approving the request for rezone.

Deb Graber - 1227 Beechnut spoke against approving the request for rezone.

Kulka called for correspondences to be read

Lora Carleton read letters received;

Herbert B. Ruggles 4931 NE Torch Lake Drive wrote against approving the request for rezone.

Connie and Dave Taylor 5744 N M-88 wrote against approving the request for rezone.

Jennifer Hebert 5917 N M-88 wrote against approving the request for rezone.

All written submissions are available in their entirety for review at the clerk’s office

**4. Purpose of the Special Meeting**

1. **Rezoning Request PCA 2021-02 for Lake Living Properties at 5884 N M-888 Hwy, Parcel #05-14-106-014-20**

Kulka explained the procedure for the Planning Commission

Kopriva explained the request and what the Planning Commission is to decide both now and what will be discussed at site plan review times. She instructed the commissioners what to consider and detailed 8 factors. She explained that the zoning maps are and have always been correct. She explained current zoning and explained that residential uses are allowed in the Village Business district and all lots to the west of the lot in question are zoned Village Business. She asked if the PC had any questions regarding the Master Plan.

1. **Discussion, questions**

The commissioners discussed the request and master plan and future land use plan. Questions were asked and discussed. In particular why was the last lot in the line of Village Business zoned parcels, which actually had a business, zoned Village Residential in the past? This remains unanswered. Budros/Carleton speculated it may have been inadvertently missed. All members were asked for opinions, comments and questions. The commissioners, using the 8 factors presented the following:

**Motion by Lora Carleton:** The applicant satisfies that the rezoning is consistent with the Master Plan and the Future Land Use map / Seconded by Budros. Kulka called for further discussion and vote 5/1 motion carried.

**Motion by C. Shoemaker**: The proposed rezoning is reasonably consistent with surrounding properties. Motion seconded by Hawkins. Kulka called for further discussion and vote 6/0 motion carried.

**Motion by C. Shoemaker:** There will be no adverse physical impacts on surrounding properties. Motion seconded by Carleton. Kulka called for further discussion and vote 5/1 motion carried.

**Motion by Bob Hawkins:** There will be no adverse effects on property values in the adjacent area. Motion seconded by L. Carleton; Kulka called for further discussion and vote 6/0

**Motion by J. Merchant** Rezoning will not create a deterrent to the improvement or development of adjacent properties in accordance with existing regulations. Motion seconded by B. Hawkins; Kulka called for further discussion and vote 5/1 motion carries

**Motion by C. Shoemaker** Rezoning does not grant special privilege to an individual property owner when contrasted with other property owners in the area or general public. Motion seconded by L. Carleton; Kulka called for further discussion and vote 6/0

**Motion by J. Merchant** There are no substantial reasons why the property cannot be used in accordance with present zoning classification. Motion seconded by C. Shoemaker **MOTION WITHDRAWN**

**Motion by J. Merchant** There are substantial reasons why the property cannot be used in accordance with present zoning classification. Motion seconded by C. Shoemaker . Kulka called for further comment and vote 1 yes, 4 no 1 abstain.

**Motion by Kulka** There are rules in the existing ordinance to provide a pathway for the property to be used as proposed without rezoning. Motion seconded by B. Hawkins. Kulka called for further discussion and vote 5/1

**Motion by L. Carleton** The site is adequately served by public facilities. Motion seconded by C. Shoemaker Kulka called for further comment and vote; 6/0

1. **PC Decision**

**Motion by Kulka** to deny the application for rezone, Reject the Village Business Request since Village Residential is the zoning to be used.

**\*\*Motion was NOT seconded.**

**Motion by J. Merchant to accept and approve**  PCA 2021-02 for Lake Living Services to rezone parcel number 05-14-106-014-20 at 5884 N M-88 Hwy from Village Residential to Village Business, Motion seconded by B Hawkins. Kulka called for further discussion and vote: 5/1 Motion Carried

Sara informed the commissioners and applicant that the approval will be sent on to the Antrim County Planning commission for the next available meeting to approve at the county level. Then on to the board of Trustees.

**6. Public Commentary**

Dave Taylor spoke to the commissioners against the rezone and gave his comments regarding not agreeing with the discussion and opinions of the commissioners.

Brian Agar spoke to the commissioners and thanked them for their time. He expressed disagreement with the commissioners.

Sue Stridiron says she questioned whether or not the commissioners actually did their job and said the commissioners acted without consideration.

**7. Adjournment at 9:18pm**

With nothing further, Kulka adjourned the meeting.