TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Zoning Board of Appeals

APPROVED Minutes AS PREPARED 5-0

August 9, 2017

**Present:**    Barr, Spencer, Jakubiak, Bretz, Cook, Sumerix

**Absent:** Houghton

**Others:**    Martel

**Audience:** None

**Recording:** J. Petersen

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

    Meeting called to order at 7:03 pm by Dave Barr

**2.    Approval of Agenda;**

    Motion by Bretz to approve 8.9.17 agenda, seconded by Cook; passed 5-0.

**3.    Approval of June 14, 2017 ZBA Meeting minutes**

**Changes:**

* Paragraph 4 (RE: Bucklew / Petrillo) After third sentence the following is to be inserted “*Spencer asked Vey about the use of the updated guidelines for site diagrams approved by the ZBA last fall.  Vey said he is familiar with them and is using them with people seeking zoning permits*.”
* Outline #7 (Report from Township Supervisor):  Replace with the following:

            “*Bob Spencer will be serving the township as a deputy supervisor with no township board voting rights during the absence of Alan Martel.  He asked the ZBA members to vote on whether they felt a conflict of interest would exist if he continued to serve as a voting member of the ZBA.  MTA and township attorneys felt no conflict of interest would exist because a deputy supervisor cannot vote on any board matter.  After discussion, motion by Barr to allow Bob Spencer to continue to serve as a voting member of the ZBA during his service as the township’s deputy supervisor, seconded by Houghton; passed 4/0 with Spencer abstaining.”*

* Motion by Bretz to approve 6.14.17 minutes with the above two changes, seconded by Jakubiak; passed 5-0. (Sumerix not yet present)

**Approval of May 9, 2017 Combined meeting minutes**

Motion by Spencer to approve 5.9.17 minutes, seconded by Barr; passed 5-0.

**4.      Discussion of Bucklew / Petrillo Matter:**

    History of the issue was outlined by Spencer in a timeline type presentation.  The most recent documents were shared with the group and consisted of a zoning permit dated 7/20/17 and a project bid from Bailey Construction to the Bucklew / Petrillos dated 7/3/17.  Discussion of appealing or requesting rescindment of the zoning permit dated 7/20/17 ensued.  Spencer read correspondences from TLT to the Bucklew / Petrillo group, specifically the letter outlining what they (Bucklew / Petrillo) needed to do, along with their options, before the zoning permit would be granted.  Spencer noted several requirements were not yet met and that a permit had been granted.   Barr stated that if the shed is moved out of the setback and is detached from the deck then they are in compliance.   Barr also stated the issue of rescinding or appealing the zoning permit is a township board action.  If the board appeals, the ZBA will be involved, otherwise no action is needed by the ZBA.   Martel stated that the township granted this permit which is needed for the contractor to obtain building permit to complete the project.  Alan stated he believes the shed is to be moved to compliance, and the deck will be allowed under the old ordinance setback.  However, he will need to confirm with the contractor about this as well as provide the contractor with the new survey and updated setbacks.  Alan will also confer with Todd Millar (TLT attorney) and move forward based on his recommendation.

**5.  Norton Bretz: Update on matters of interest from the Planning Commission**

Bretz reported the Planning Commission is reviewing the master plan, and in doing so has had Chris Grobbel compile a survey to solicit public input.  He encouraged everyone to participate and advise neighbors in the township to take the survey.

    Bretz also said that he reported to the PC at their last meeting 8.8.17 the role of the zoning board of appeals, what it does, and how it comes into play.  Bretz stated when a variance is granted it is granted for a specific property only and the variance follows the property regardless of any future changes in said property’s ownership.

**6.  Additional Zoning Administrator report**

    Martel stated a resignation had been given by the township Zoning Administrator Josh Vey and as of midnight 8.8.17 Vey is no longer an employee of the township.

**7.  Report from Township Supervisor**

Martel announced 8.17.17 will be the DNR open house presentation for the 200’ Torch Lake frontage located north of McLaughlin Rd.  All are encouraged to attend and voice an opinion.

    Public Input sessions with Chris Grobbel are scheduled 8/23/17 6pm and 9/9/17 9am at TLT for the master plan revision and survey.

    Martel also stated that the most of the zoning books are outdated and all members should bring their books up to date and can bring them to the township offices for assistance.

**8.  Misc. Administrative matters**

Barr has contacted the presenters from the seminar he attended, and has arranged for the township to send members of the ZBA and its supporting staff to special ZBA training to be done in house.  Three dates were selected as tentative proposed dates of the 2.5 - 3-hour training session.  Barr will update the group when a date is selected.  Martel stated he would like to announce this to the board and invite them to attend.

**9.  Comments/Concerns of the Public**

    Barr asked for public comment and none was given

**10.  Adjournment;**

8:47 pm motion to adjourn by Spencer; Second by Jakubiak passed 5/0