

Torch Lake Township Planning Commission (PC)

Regular Meeting Agenda

Monday, February 17, 2025

7:00 PM

Community Services Building, Torch Lake Township, Michigan

Please turn off cell phones.

Public Hearing/Public Comment Rules:

Fill out comment card at the back of the room if you wish to speak. Turn into the secretary.

Each member of the public will be given 3 minutes to address the Planning Commission.

Comments should be directed at the Chair.

Please no clapping or cheering.

1. Call to Order
2. Pledge of Allegiance
3. Consideration of Agenda
4. Conflict of Interest
5. Approval of Meeting Minutes from October 28, 2024
6. Public Comment on Agenda Items other than Public Hearing
7. Correspondence
8. Unfinished Business
9. New Business
 - a. Election of Officers
 - b. Meeting Calendar
 - c. Annual Report
 - d. Bylaw Review
10. On-Going Reports
 1. Zoning Administrator's Report
 2. PC Representative to ZBA Report
 3. TLT Board Representative on PC Report

11. Public Comment

12. Concerns of Commission

- A. Chair
- B. Members
- C. Consultant

13. Adjournment

TORCH LAKE TOWNSHIP
ANTRIM COUNTY, MICHIGAN
Planning Commission Meeting
Community Service Building
Draft Meeting Minutes
October 28, 2024

Present: Clarke, Walker, Ellison-Coats, Graves, Carleton,

Absent: Merchant (excused)

Others: S. Kopriva

Audience: 4-5

Recording Secretary: J. Petersen

1. Call to Order Regular Meeting:

Meeting called to order at 7:01 by Graves

2. Pledge of Allegiance - *Recited*

3. Consideration of Agenda:

M/S to approve agenda; Clarke/Carleton Vote 5/0

4. Conflict of Interest - *None*

5. Approval of Minutes of August 26, 2024

Sent back to recording secretary to add details regarding public comments made - approve at next meeting

6. Public Comment on Agenda Items - *none*

7. Correspondence

Kopriva reported all correspondence received

8. Unfinished Business

None - SUP 2024-01 Randall Storage Application was withdrawn

9. New Business

a. Master Plan Discussion

The commissioners and Kopriva discussed proposed questions for the survey process. Kopriva asked the commissioners to look specifically for questions about policies and broader questions or concerns, rather than Wordsmithing the document. This survey is only one component of the whole Master Plan Process, some things are better dealt with at an open house. The commissioners and Kopriva reviewed the outline prepared by Kopriva. Surveys to go out late winter, early spring. Then the open house is scheduled. Beckett & Raeder will facilitate this process. They discussed the general timeline presented by Kopriva. Kopriva will send out a reminder email prior to the survey being published to see if anyone has anything else to add.

10. On Going Reports

- 1. Zoning Administrator Report** - as emailed at the beginning of October - Kopriva updated the PC regarding current enforcement issues. PC will now be a 5 member board going forward. (after the election). The reason is due to attendance - not enough quorum.
- 2. PC Representative to ZBA** - Next meeting 11.20.24 for organizational meeting
- 3. TLT Board Representative on PC Report** - Merchant (absent)

11. Public Comment -

Public comment was heard

12. Concerns of Commission

1. **Chair - none**
2. **Members -** Walker would like twp to develop a recreational plan
3. **Consultant -** Upcoming meetings 11.25.24 Monday - same week as Thanksgiving and December meeting might be an issue for attendance. No applications are pending.
Master Plan Timeline: Feb 2025 survey open, March-August - chapter review, May = open house, Nov/Dec start 63 day public review period and Feb/Mar 2026 - public hearing and adoption. Will discuss parks and rec with Bob Cook.
4. **13. Adjournment 8:06pm**

M/S Clarke / Carleton Vote: 5/0

Next Meeting: 11.25.24

Torch Lake Township Planning Commission Annual Report 2024

Meetings

Under State Law, the Planning Commission is required to have four meetings a year. In 2024, the Planning Commission met six times.

Meetings were held in March, April, May, June, August, and October.

Membership

In 2024, the membership of the Planning Commission changed from seven (7) members to five (5) members. The Township Board approved an amendment to the Planning Commission Ordinance updating this number in the Fall of 2024. The ordinance requires a 63 day wait period before it became effective so no meetings were held with the new membership in 2024.

Applications

The Planning Commission reviewed three applications in 2024. One conceptual review for the Enclaves Development near the corner of M88 and US31 and two special use applications. One for a Self Storage Facility on US31 and a Short Term Rental on M88. The Enclaves never submitted a formal application, the self storage facility withdrew their application, and the short term rental was approved.

Zoning Ordinance

In 2024, the Planning Commission completed their review of the draft zoning ordinance and held a public hearing in June. Following review by the Township Board, the new zoning ordinance was adopted and effective in September.

Master Plan

The Planning Commission began discussion about updating the Master Plan in 2025. Preliminary survey questions were drafted and discussed. In 2025, the Planning Commission is requesting funds to develop a master plan and park & recreation plan for the Township.

Torch Lake Township Planning Commission Bylaws adopted April 11, 2023

These Bylaws are adopted by the Torch Lake Township Planning Commission to facilitate performance of its duties as described in P.A. 33 Of 2008, as amended, being the Michigan Planning Enabling Act (M.C.L. 125.3801 et seq.), hereinafter "the Planning Act".

These Bylaws are also adopted to facilitate performance of its duties for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et seq.) hereinafter 'the Zoning Act'.

SECTION 1: Officers

- A. **Selection and Tenure** - At the first regular meeting following October 31 of each year, the Planning Commission (referred to as the Commission) shall select from its membership a Chairperson, Vice- Chairperson, and Secretary. All officers shall serve a term of three years, or until the successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office. The Torch Lake Township (referred to as the Township) board representative shall not be eligible for selection as an officer.
- B. **Chairperson** - The Chairperson shall preside at all meetings and public hearings, appoint committees, and perform such other duties as may be ordered by the Commission. The Chairperson when present may have the Vice-Chairperson preside at a meeting and/or public hearing for training purposes. The Chairperson may cancel scheduled regular or special meetings and public hearings.
- C. **Vice-Chairperson** - The Vice-Chairperson shall act in the capacity of the Chairperson in his/her absence. In absence of the Secretary, the Vice-Chairperson will perform the Secretary's duties unless a commissioner is temporarily authorized by the Chair to perform the Secretary duties.
- D. **Secretary** - The Secretary shall execute documents in the name of the Commission, perform the duties listed below and other duties as the Commission may determine.

1. Minutes - In absence of the Recording Secretary, the Secretary shall be responsible for creating a permanent record of the minutes of that meeting of the Commission and deliver those minutes to the Township clerk. The Township clerk is responsible for maintaining the minutes in the Township permanent records. The minutes shall contain a brief synopsis of the meeting, including a complete statement of each motion and record of votes, conditions or recommendations made on any action along with a record of attendance. The Township clerk shall confirm that the minutes sent by the Recording Secretary or Secretary for the previous meeting will not be changed in that next meeting minutes except for typographical errors or known statement of factual error e.g. a Commission member was absent and minutes stated the member was in attendance. If the previous meeting's minutes need clarification or additional input is wanted and passed by the Commission, these passed motions should go into the current meeting minutes and not change or be added to the minutes of the previous meeting.
2. Correspondence - The Secretary shall be responsible for issuing formal correspondence with other groups or persons as directed by the Commission except where routinely completed by the Township zoning administrator for the Commission. Note, the Township zoning administrator performs many services for the Commission such as getting the Commission meeting notice posted, correspondences to the Antrim County Planning Commission on any Commission-proposed Zoning Ordinance change and forwarding of the next Commission's agenda to the Commissioners. Any communications, petitions, reports, or other materials received by the Secretary shall be brought to the attention of the Commission.
3. Attendance - The Secretary shall be responsible for preparing an attendance record for Commission members at each Commission meeting, collecting the signature of the Chairperson or Vice- Chairperson, and delivering the attendance record to the Township clerk. The official minutes of the meeting can be used as the attendance record for Commission members and used in any report.

4. Recording Secretary - The Recording Secretary, who may be the Township clerk or hired by the Township clerk, is responsible for minutes and process as stated in above Number 1. Minutes.
- E. **Township Board Representative**-The Township Board Representative shall present the recommendations of the Commission to the Township board and shall keep the Commission informed as to the actions of the Township board, which impact or affect the Commission.
- F. **Zoning Board of Appeals Representative** - The Commission's Representative to the Township Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Commission and update the Zoning Board of Appeals on actions by the Commission that relate to the functions and duties of the Zoning Board of Appeals.
- G. **Recording Secretary** - The Recording Secretary, who may be the Township clerk or hired by the Township clerk, is responsible for minutes and process as stated in above Number 1. Minutes.
- H. **Vacancies/Succession** - In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the un- expired term, and the Commission shall select a successor to the office of Vice-Chairperson for the un-expired term. In the event the office of Vice-Chairperson becomes vacant, the Secretary shall succeed to this office for the un-expired term, and the Commission shall select a successor to the office of Secretary for the un-expired term. In the event the office of Secretary becomes vacant, the Commission shall select a successor to the office of Secretary for the un-expired term.

SECTION 2: Meetings

- A. **Regular Meetings** - The Commission shall hold not less than four (4) regular meetings each year and at its first meeting of each calendar year shall by resolution determine the time and place of such meetings which shall include the date of its first meeting in the subsequent calendar year. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Commission shall, if possible, select an alternate meeting date in the same month as the originally scheduled meeting. Notice of schedule of regular meetings shall be posted by the Township zoning administrator within 10 days after the Commission's first meeting in each calendar year in accordance with the Michigan Open Meetings Act and the Township's policy. Rescheduling of a regular meeting shall be done only at a meeting of the Commission and notice of the rescheduled regular meeting shall be posted within three (3) days of that rescheduling in accordance with the Michigan Open Meetings Act and the township's policy.

- B. **Special Meetings** - Special meetings may be called by the Commission chairperson or upon written request to the secretary by at least two members of the Commission. Any fees must be paid before a special meeting may be scheduled. Notice of special meetings shall state the purpose, time and location of the special meeting, shall be given to members of the Commission, and shall be posted in accordance with the Michigan Open Meetings Act and the township's policy at least 48 hours prior to the meeting.
- C. **Open Meetings** - All meetings and minutes, records, documents, correspondence, and other materials of the Commission shall be open to the public for public inspection in accordance with the Michigan Freedom of Information Act, except as may otherwise be provided by law. The Township clerk shall be the office of record for the Commission.
- D. **Quorum**- Four (4) members of the seven (7) member Commission shall constitute a quorum for transacting business and taking official action. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the Open Meetings Act, or hold the meeting to accept public comment and otherwise discuss items on the agenda. No action shall be taken when a quorum is not present with the exception of calling the meeting to order, holding public hearings, accepting public comments, rescheduling, and adjourning the meeting to another date, time and/or location.
- E. **Voting** - An affirmative vote of the majority of the Commission membership is required to adopt any part of the Township Master Plan or amendments to the Plan (MCL 125.328). Unless required by statute, other actions or motions placed before the Commission may be adopted by a majority vote of the membership in attendance as long as a quorum is present. Voting shall be by voice vote. However, if the voice vote is not unanimous or if the motion is rejected, the dissenting Commissioner(s) should be noted in the minutes. All Commission members present shall vote on all matters except if a Commissioner(s) abstains because of a conflict of interest and the abstaining Commissioner(s) should be noted as abstained in the minutes. If the vote count is within one (1) vote to accept or reject or is tied, a roll count vote is required.
- F. **Agenda** - The Commission chairperson shall be responsible for preparing an agenda for Commission meetings. Public notices and agenda sending will be done by the Township Zoning Administrator. Agenda items may include the follow but shall be in any order determined appropriate by the Chair.
 - 1. **Call to Order Regular Meeting**
 - 2. **Consideration of Agenda**
 - 3. **Call to Order Public Hearing**

4. Summarization of the Procedures and Rules
5. Public Hearing will be on the following:
6. Close Public Hearing
7. Break (determined by the Chair)
8. Public Commentary
9. Approval of Minutes
10. On-going Reports
 - 10A. Zoning Administrator's Report
 - 10B. PC Representative on ZBA Report
 - 10C. TLT Board Representative on PC Report
11. Correspondence, Meetings, Training Announcements, etc.
12. New Business
13. Unfinished Business
14. Concerns of the Commission
15. Public Commentary
16. Adjournment

To ensure everyone has the opportunity to speak, the Commission's chairperson may limit the time permitted for each person to speak and may elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the chairperson has the discretion to permit additional comments.

All comments by the public, staff and Commission members shall be directed to the Commission chairperson. All comments shall be related to the subject for whom the public hearing was called, and unrelated comments shall be ruled out of order.

G. **Public Hearings** - All public hearings held by the Commission shall be held immediately preceding a meeting of the Commission. The following rules shall apply to public hearings held by the Commission:

1. Commission chairperson opens the public hearing and announces the subject.
2. Commission chairperson summarizes the procedures/rules to be followed during the hearing.
3. Applicant presents the main points of the subject.
4. Zoning administrator, planning consultant or other Township representatives speak as requested by the Commission chairperson.
5. Persons speaking in support of or in opposition to the subject are

recognized to speak.

6. Letters or other written communications received from the public are acknowledged by the Commission secretary and made part of the record.
7. Commission chairperson closes the public hearing.
8. The general guideline for the order of business for meetings shall be as follows:

To ensure everyone has the opportunity to speak, the Commission chairperson may limit the time permitted for each person to speak and may elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the chairperson has the discretion to permit additional comments.

All comments by the public, staff and Commission members shall be directed to the Commission chairperson. All comments shall be related to the subject for whom the public hearing was called, and unrelated comments shall be ruled out of order.

- I. **Rules of Order** - All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedures, as general guideline by Roberts Rules of Order.

SECTION 3: Duties of the Planning Commission

The Commission's basic function is to make and adopt a plan for the Township's land use development and to assure the township's zoning ordinance and its application reflects that plan. The Commission shall perform the following duties:

- A. Review and revise the Township's Master Plan as required under the Planning Act and consider and act upon petitions, staff, or township board requests for amendments to the Master Plan.
- B. Consider and act upon petitions, and staff, township board or Commission recommendations for amendments to the Township's Zoning Ordinance.
- C. Prepare an annual fiscal year report and budget request to the township board.
- D. Take such actions as are required by the Zoning Act.

- E. Review and act upon subdivision, Planned Unit Development (PUD), condominium proposals and required site plans including recommending appropriate action by the Township board as may be required.
- F. Attend training sessions, conferences, or meetings to enhance knowledge of planning and zoning issues and for which funds have been budgeted by the Township board.
- G. Commission member are strongly encouraged to take the Citizen Planner Program and complete it within a year of appointment to the Commission.
- H. Annually, each member is required to take at least one training workshop or course approved by the Commission chairperson. If a conflict occurs and the one required training workshop or course cannot be completed, at the discretion of the Commission chairperson, an extension can be granted.
- I. Failure to take the required training workshop or course can result in the Commission chairperson requesting the Township supervisor to invoke Section 5B.
- J. Perform other duties as requested by the Township's board and respond to questions and requests from any Township or Antrim County board or commission.
- K. Before the Commission meetings, all Commissioners are expected to have read and be prepared to discuss agenda items.

SECTION 4: Duties of the Zoning Administrator, Planning Consultant, and other Professionals

The Commission shall be assisted by the zoning administrator and planning consultant in performing its duties.

- A. The **zoning administrator** shall be responsible for the professional and administrative work in coordinating the functions of the Commission:
 - 1. Attend Commission meetings.
 - 2. Issue such notices as may be required by the Commission.
 - 3. Accept applications for matters subject to be reviewed by the Commission, ensure applications are complete, and forward application materials to the Commission at least one week prior to the meeting at which the matter is to be considered.
 - 4. Inform the Commission of administrative and enforcement actions taken on behalf of the township related to the zoning ordinance or other appropriate ordinance.
- B. The **Planning Consultant who is hired by the Township** shall:
 - 1. Attend Commission meetings in person or electronically when requested by the Commission.

2. Consult with the Commission chair, zoning administrator and Township supervisor concerning interpretation, procedural questions and other matters arising from the master plan or zoning ordinance.
3. Prepare amendments to the zoning ordinance as directed by the Commission.
4. Prepare and forward to the Township zoning administrator and Commission chairperson written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Commission.
5. Meet with applicants, their representatives and/or Township officials as directed by the Commission chairperson and/or Township supervisor.
6. Perform other duties as agreed upon with the Commission.
7. Complete all duties as stated in his/her contract with the Township.

Section 5: Absences, Removals, Resignations and Vacancies

- A. To be excused, members of the Commission shall notify the Commission chairperson or the Township zoning administrator when they intend to be absent from a meeting and the reason. Failure to make this notification prior to the meeting shall result in an unexcused absence. If the reason for missing the meeting was outside of the Commissioner's control, e.g. illness, flight delayed, family emergency, etc., the missed meeting will be excused. The determination of an excused absence is by the Commission chairperson whose decision can be appealed to the Township supervisor. After three unexcused absences per year, the information will be forwarded by the Commission chairperson to the Township supervisor who can decide to proceed or not proceed with B below.

SECTION 7: Incompatibility of Office

- A. If a member of the Commission is appointed to another office which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from that office.
- B. A state statute governs incompatibility of offices. However, municipalities with populations less than 25,000 persons are exempted with some otherwise incompatible offices being allowed. Each situation must be analyzed separately, and the Commission will seek legal advice should a potential incompatibility arise.

SECTION 8: Amendments

These bylaws may be amended at any meeting by a vote of four members of the Commission.

These bylaws as amended in their entirety have been adopted by the Torch Lake Township Planning Commission at its April 11, 2023 regular meeting. These bylaws replace the bylaws approved by the Commission on June 9, 2020.

**Torch Lake Township
February 2025
Zoning Report**

Complaints/Violations

Name	Date reported	Complainant	Location of Complaint/Violation	Action Taken	Details and Deadlines
Wilson	April 2021	pole building built before home, home never started	5505 Farrell Rd	court ordered build schedule	court ordered timeline, build is on schedule
Volkers	October 2023	unreg vehicles, shipping crates, blight, camper-no permit	Sugar Maple Ln	Zoom Court 7.8.24	Awaiting Court
Burrows	12.12.23	shed in setbacks	11782 West Pointe Rd	verdict 11.5.24	Awaiting Court

Zoning Board of Appeals

Permit Number	Date	Tax ID #	Property Address	Type of Development	Water-Front	Zone	Use	Owner Name	Contractor Name	Fee Paid	ISSUE
ZBA 2025-01	12.11.2024	575-008-00	4649 N. East Torch Lake Dr.	Appeal to Sec. 4.2.6 (G)	Yes		Res.	Loy		\$200.00	

Special Use Permits

Permit Number	Date	Tax ID #	Property Address	Type of Development	Water-Front	Zone	Use	Owner Name	Contractor Name	Fee Paid	ISSUE
None											

Land Combinations, Divisions and Lot Line Adjustments

Application Number	Date	Tax ID #	Property Address	Type	Water-Front	Zone	Use	Owner Name	STATUS	Fee Paid	Sent to Assessor/Treasurer/ZA
None											

Land Use Permits

Permit / Application Number	Date	Tax ID #	Property Address	Type of Development	Water-Front	Zone	Use	Owner Name	Contractor Name	Fee Paid	Permit Expiration date
2025-01	12/19/24	765-015-00	3076 Torch Point Ln	Detached Garage	Yes	R-1	Res	Ostrander	Pardee	\$150.00	
2025-02	1/2/25	313-046-60	3370 N US 31	Roof and Truss	Yes	R-1	Res	Allen	Alledn	\$150.00	1/28/2026
2025-03	1/28/25	700-032-00	Rose Ct.	New SF Dwelling	No	R-2	Res	Cullin	Cullin	\$150.00	2/7/2026
2025-04	1/29/25	107-025-00	11925 Pearl Ln.	Porch Addition	No	VR	Res.	Georgs	Pearl	\$150.00	
2025-05	1/29/2025	107-024-00	5959 M-88	Deck Addition	Yes	AG	Res.	Bretz	Pearl	\$150.00	
2025-06	1/29/2025	697-009-00	415 N. Golden Beach Dr.	Beach Rip rap	Yes	R-1	Res.	Carl	Zatlin	\$150.00	