TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Torch Lake Township

Planning Commission Meeting

Community Service Building

APPROVED Minutes 7-0 WITH CORRECTION

March 10, 2020

**Present:**  Kulka, Stridiron, Shoemaker, Petersen, Jorgensen

**Absent:**  Hawkins, Carleton

**Others:**    Graber

**Audience:**  3

**Recording Secretary:** J. Petersen

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

Meeting called to order at 7:02 pm by Kulka.

**2. Call to Order Public Hearing**

Meeting called to order at 7:02 pm by Kulka.

**3. Summarization of the Procedures and Rules**

Kulka reviewed the rules and procedure of the public hearing and summarized the topics to be discussed

Kulka called for Public Comment

Bob Spencer spoke regarding the proposed lighting ordinance -

Spencer asked the commissioners to consider lighting as a police power ordinance as opposed to a zoning ordinance. He stated zoning ordinances are for use and uses of land, police power ordinances regulate the kinds of activities above the land. Zoning ordinances stay with the land. Petersen stated Police power ordinances can come and go and are NOT grandfathered in.

Graber stated the ordinance can be both zoning and Police power. Spencer also spoke about the proposed ordinance of commercial zone- Outdoor events - Spencer discouraged the rewriting of Section 12.03A, as there may be unintended problems created by the re-write… is that the language you really want?

**Proposed Zoning Ordinance Topics:**

 **4A Chapter 2 - Section 2.28 Lighting**

 **4B Chapter 12 - Commercial Zone (outdoor events)**

Kulka asked for public commentary and there was none

**5. Close Public Hearing 7:20pm**

**6. Break**

**7. Public Commentary**

Kulka asked for public commentary and there was none

**8. Consideration of Agenda**

Motion by Petersen to approve the agenda, motion seconded by Stridiron. Kulka called for further discussion and vote; passing 5/0.

**9. Approval of Minutes**

Corrections as follows: #1 6C Millar left the law firm Swogger, Bruce and Millar and joined the law firm of Parker Harvey. #2 ALS = Advanced Life Support. #3 The group discussed changing American Flag to USA flag no action was taken. Petersen made a motion to approve the draft meeting minutes from February 11, 2020 with changes. Shoemaker seconded the motion, Kulka called for discussion and a vote; passing 5/0.

**10. On-Going Reports**

**10A Zoning Administrator’s Report**

Graber distributed an updated *Checklist for February 2020* and TLT 2020 Land Use Permits spreadsheet through Permit #2020-10, Land Division App # (none) and ZBA Appeals ZBA 2020-1. Violations, civil infractions, enforcement, court cases, pending court cases, complaints, on-going permit status, and current zoning applications were summarized.

**10B PC Representative on ZBA Report**

Shoemaker summarized last month’s ZBA meeting and variance request heard.

**10C TLT Board Representative on PC Report**

Petersen summarized the activities of the board; the board is working on 2020 budgets, next meeting is Thursday and the annual meeting will be next Tuesday March 17.

**11. Correspondence, Meetings, Training Announcements**

Kulka encouraged commissioners to attend training in April - see him or Windiate to sign up and for more info

**12. Unfinished Business**

 **12A Residential Lighting**

The commissioners discussed the proposed lighting ordinance and discussed pros and cons of zoning ordinance vs police power ordinance. Dual zoning was discussed as well as enforcement and timing and consulting with the twp atty.

Motion by Petersen to send proposed lighting ordinance, section 2.28 to Antrim County Planning Commission for review and also to twp atty Millar for review and advice on leaving lighting a zoning ordinance or making it a dual zoning and police power ordinance and any comments he may have. Motion seconded by Stridiron. Kulka called for discussion - Jorgensen stated Petersen’s motion should be to APPROVE and send. Petersen amended his motion to include “approve”. Motion seconded by Stridiron. Kulka called for discussion and vote; passing 5/0

 **12B Commercial Zone - Chapter XII**

The commissioners discussed the proposed revision, specifically consistent and thorough wording. Motion by Kulka to approve dnd send proposed revision of zoning ordinance for Commercial Zone to Antrim County Planning Commission for review. Motion seconded by Stridiron. Kulka called for further discussion and vote; passing 5/0

**13. New Business -**

Graber and Kulka will draft a letter to the board asking for guidance and twp atty consultation regarding the duality of the police power and zoning ordinances for lighting

**14. Concerns of the Planning Commission**

**14A. Concerns of the PC Chair**

Kullka sent an email regarding last year’s activities and asked the commissioners for comments. Kulka will send it to the board.

Budget request, annual report of previous year’s activities and the calendar year meeting schedule of the Planning Commission will all be turned in to the board by Kulka.

**14B Concerns of PC Members**

Jorgensen stated her concerns with the PC being too strict and imposing too many limitations and restrictions.

Stridiron stated his concern about approving short term rentals and “preventing blatant abuse of the special use permitted.” Stridiron stated he voted NO on approving the schoolhouse for permitting short term rental because it goes with the property, and even though the applicant promised they’d not obtain permission and then sell this property - it’s been listed for sale with an open house held last Saturday.

**15. Public Commentary**

Kulka called for public comments and none were given.

**16.**  **Adjournment 8:34pm**

With nothing further, a motion was made by Petersen to adjourn, the motion was seconded by Kulka. Kulka called for further discussion and vote passing 5/0 .