**TORCH LAKE TOWNSHIP**

**ZONING BOARD OF APPEALS (ZBA)**

**SPECIAL MEETING DRAFT MINUTES**

**Wednesday, December 7, 2022 at 6:00 PM**

**Community Services Building**

**Members Present:** K. Graves, C. Impellizzeri, L. Andersen (Chair), K. Woodward

**Alternates Present:**  R. Service (in for D. Nussdorfer)

**Absent:** D. Nussdorfer

**Others:** None

**Recording Secretary:** Veronica Beitner

**Audience:** 2

**A. CALL TO ORDER** at 6:02 pm by Chair L. Andersen followed by the Pledge of Allegiance and Roll Call.

**B. APPROVAL OF AGENDA** – (M/S) Motion to approve as presented by L. Andersen/C. Impellizzeri. Passes 5-0

**C. APPROVAL OF NOVEMBER 16, 2022 MEETING MINUTES:** (M/S) K. Woodward/K. Graves motion to approve with Corrections. Passes 5-0. Corrections include: G. Hearing of Case, 1B: “wade into” correct to “weigh in”. G(D) last sentence should be removed and changed to “Rita Service (ZBA member) asked Applicant’s attorney as to what was actually built: a patio, a helipad or a landing pad as all three terms were used interchangeably in their legal brief. Applicant’s rep stated that permission was granted for it to be used as a patio but can be used as all three. Additionally, Applicant’s rep stated that they are not contending tht the township was only notified of its intended use as a patio. G(E) correct name “Lucio” to Lucido with address correction to 11720 Easy Street, Kewadin and not 1120 East Street. Add to first sentence “as couldn’t hear his patient”. Add to second sentence “Further he states it disrupts natural peace in this rural area and natural wildlife (loons, bald eagles). Add “Bothersome with flying over his house at 95 feet”. Add to Deb Graber comments to read “there were no restrictions in regards to ground level patios.” Dave Holland comments add “lives approximately 2000’ from helicopter pad.” Bill Stridiron comments should end with “Observed a neighbor’s property being circled 3 times after takeoff.” Lee Scott additional remark added to final comments should read “Observed circling as apparently for entertainment purposes vs. mode of transportation.” Casey Wiggins name misspelled and corrected to add “s”. Address to read 131 NW Torch Lake Drive. Remove 2nd and 3rd sentence and replace with “As a pilot, he is aware of FAA rules of flying safely. Several ordinances but one in particular states one must be greater than 500’ above any congested area. As there are multiple residential properties, feels area is congested. Flying under 500’ is a FAA violation. He personally witnessed several aggressive takeoffs & landings & noted that if that behavior occurred at Traverse City Airport, the pilot would have received a call from the tower. States that not only is there a general use issue but a safety issue. Noted that there are good policies & procedures that any CFI would ascertain are not being followed.” G2 Finding of Facts first sentence wording practiced should read “practice”. Second sentence add comma’s after words “accepted and conventional”. G3 second sentence should read “Therefore, the Helicopter landing pad does not qualify as a permitted or special use…” Miscellaneous Business (H) should reflect vote “Passes 5-0.”

**D. CONFLICT OF INTEREST:** None

**E. PUBLIC COMMENT:** B. Spencer spoke to MTA coaching recording of comments to maintain brevity; however, he agrees with the addition of details that would better reflect any discussion in court.

**F. COMMUNICATION(S):** None

**G. MISCELLANEOUS BUSINESS:**

1. ZBA Bylaw Amendment – Per Chair L. Andersen, one-word change on page 4 to reflect meeting time change from 7:00 pm to 6:00 pm. (M/S) L. Andersen/K. Graves Motion to approve the Bylaws with the change from 7:00 pm to 6:00 pm. Roll Call Vote: K. Graves – yes, C. Impellizzeri – yes, L. Andersen – yes, K. Woodward – yes, R. Service – yes. Passes 5-0.

**H. ADJOURNMENT:** (M/S) L. Andersen/C. Impellizzeri motion to adjourn the meeting at 6:30 pm. Passes 5-0.

Minutes Respectfully submitted by Veronica Beitner and subject to approval at the next scheduled meeting.