

MINUTES  
LONG LAKE TOWNSHIP PLANNING COMMISSION  
LONG LAKE TOWNSHIP HALL  
8870 NORTH LONG LAKE ROAD  
TRAVERSE CITY, MI 49685

REGULAR MEETING

TUESDAY, DECEMBER 28, 2010

1. CALL TO ORDER: The meeting was called to order by Chairman Cuthbert at 6:00 p.m. at the Long Lake Township Hall.

The Pledge of Allegiance was recited

2. ROLL CALL: Commissioners Bob Verschaeve, Mike Witkop, Michelle Marsh, Joy Tobin, Pam Cuthbert, Mark Humitz and Carol Hoffman were in attendance.

Township staff present was Leslie Sickterman, Township Planner, Sara Kopriva, Zoning Administrator, and Lynette Ferman, Recording Secretary.

There were nine members of the public present.

3. APPROVAL OF AGENDA: Moved by Witkop supported by Hoffman to approve the Agenda as presented. Motion carried.

4. CONFLICT OF INTEREST STATEMENT (Declare and cite agenda item.): None stated.

5. APPROVAL OF MINUTES: Moved by Witkop, supported by Hoffman, to approve the Minutes of the November 23, 2010 Regular meeting with the following changes: Correct the spelling of Verschaeve by adding a "c" wherever it is spelled incorrectly within the Minutes, and on Page 4, the Community Police Officer's last day is December 31, 2010. Motion carried.

6. BRIEF PUBLIC COMMENT (Any person may speak for up to 3 minutes.): There was no public comment.

7. POSTPONED BUSINESS

A) TERRY MARTIN (OWNER), 6010 E. TRAVERSE HWY., TRAVERSE CITY, MI 49684, WILHELM LANDSCAPES (APPLICANT), 6243 EAST M-72, WILLIAMSBURG, MI 49690. PURPOSE: CLU 11-10-03 AND SPR 11-10-05, REQUEST FOR A CONDITIONAL LAND USE APPROVAL AND A SITE PLAN REVIEW TO ALLOW THE INSTALLATION AND OPERATION OF A LANDSCAPE NURSERY BUSINESS WITHIN A GB-GENERAL BUSINESS DISTRICT, AS PER THE REQUIREMENT OF ARTICLE 17 – GB-GENERAL BUSINESS DISTRICT, SECTION 17.2.4, CONDITIONAL USES, ARTICLE 19 – CONDITIONAL LAND USES, SECTION 19.39, OPEN AIR BUSINESS AND

STORAGE, AND ARTICLE 24 – SITE PLAN REVIEW, OF THE LONG LAKE TOWNSHIP ZONING ORDINANCE #109. PROPERTY DESCRIPTION: PROPERTY ID. NO. 28-08-002-003-22, THE W 340.5 FT OF NW FRL ¼ OF NW FRL ¼ SEC 2 T27N R12W, PROPERTY ADDRESS SAME AS OWNER ABOVE. THIS PARCEL IS LOCATED IN A GB-GENERAL BUSINESS DISTRICT.

**THIS HEARING WAS CLOSED TO PUBLIC COMMENT AT 6:18 P.M. ON NOVEMBER 23, 2010.**

1) RESUME DELIBERATION BY COMMISSIONERS

The Township Planner reviewed the request and stated that the applicant has provided all of the previously missing information. The Soil Erosion Permit for the berm has been obtained and the applicant has received approval from MDOT and Grand Traverse Rural Fire. The Planner recommends approval with the following conditions:

- A. Outdoor storage to be limited as follows:
  - Materials to be limited to sand, gravel, mulch, topsoil, and compost and to be stored exclusively in the concrete bins shown on the site plan.
  - No hazardous materials including fertilizers, gasoline, or pesticides to be stored anywhere on site.
  - Boulders may be stored south of, and behind, the storage bins.
  - Trucks and equipment associated with this use shall be stored in the proposed gravel parking area in front of the storage bins only, or inside a building.
  - Outdoor storage of any kind is limited to the areas described above, and outside of the required setbacks (100' front setback and 20' side setback).
- B. The nursery shown on the site plan shall be for the use of this business exclusively; no retail sales of nursery materials shall be permitted.
- C. Grading on the site shall remain as is at the time of this approval. No changes in grade are proposed for the creation of the proposed gravel parking area, the nursery, and the outdoor storage area. The applicant has indicated that all work has been completed in the buffer area.
- D. Any change in use, except for the addition of lawn maintenance services, shall require Township approval. Lawn maintenance shall not include spraying of fertilizers, herbicides or pesticides without specific approval by the Township.
- E. The proposed gravel parking lot to be maintained with a dust free surface material.
- F. The sign was installed without a permit and does not meet setback requirements. The applicant shall remove the sign or begin the process for

an after-the-fact variance request within 30 days of final action by the Planning Commission.

- 2) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND/OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDINGS OF FACT, CONDITIONS AND RECOMMENDATIONS.

There was discussion regarding the pond that is located on the property and the use of chemicals, the dumpster, the possible future expansion of the business to include snow removal and where the snow removal equipment would be stored, that temporary retail sales of annual flowers would not be permitted under this conditional use approval, and the closing/adjournment of the Public Hearing at the last meeting.

The Commission added the following conditions:

- G. Limits of the outdoor storage area for equipment must be shown on the Site Plan.
- H. The dumpster must be placed on a concrete base.

Moved by Tobin supported by Marsh to approve with conditions A through H stated above, based on the Findings of Fact in the Staff Report. (see attached) Motion carried.

## 8. PUBLIC HEARINGS

- A) ZOA 12-10-02 – AN ORDINANCE TO AMEND SECTION 3.15 DEFINITIONS – N; SECTION 12.3 DISTRICT REGULATIONS [LAKE RESIDENTIAL DISTRICT]; SECTION 9.5 DISTRICT REGULATIONS [NATURAL LAKEFRONT DISTRICT]. THE AMENDMENT IS INTENDED TO REFINE AND CLARIFY THE REGULATIONS RELATING TO LAKEFRONT STANDARDS INCLUDING CHANGES TO STANDARDS FOR WATERSIDE DECKS IN THE LAKE RESIDENTIAL DISTRICT, DOCKS IN THE NATURAL LAKEFRONT DISTRICT, AND BUFFER STRIPS IN THE NATURAL LAKEFRONT DISTRICT.

**OPEN PUBLIC HEARING:** Hearing was opened at 6:07 pm.

- 1) PRESENTATION OF REQUEST, AS RECEIVED BY STAFF

The Township Planner reviewed the revisions and how it affects the Natural Lakefront District and Lake Residential District.

- 2) REVIEW AND RECOMMENDATION BY PLANNER
- 3) COMMENTS AND EXPLANATIONS BY APPLICANT
- 4) QUESTION/DISCUSSION BY COMMISSIONERS

Discussion regarding glass walls on decks

- 5) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes)

Bob Flannery, 1671 N. South Long Lake Rd., stated that he is a strong advocate of buffer strips to help prevent pollution in the lakes. He urges the Planning Commission to support this Amendment and implement it as soon as possible.

- 6) CLOSE PUBLIC HEARING TO PUBLIC COMMENT at 6:08 pm
- 7) DELIBERATION BY COMMISSIONERS
- 8) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND/OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDINGS OF FACT, CONDITIONS AND RECOMMENDATIONS.

Moved by Marsh supported by Humitz to recommend approval of the amendment with minor changes, to the Township Board. Motion carried.

- B) ZOA 12-10-03 – AN ORDINANCE TO AMEND SECTION 3.5 DEFINITIONS – D; SECTION 19.35 [CONDITIONAL USE STANDARDS FOR A] VETERINARY ESTABLISHMENT; SECTION 2.7 TABLE OF USES; SECTION 15.2 USES AND STANDARDS [LOCAL BUSINESS DISTRICT]; AND SECTION 16.2 USES AND STANDARDS [GENERAL BUSINESS DISTRICT]. THE AMENDMENT IS INTENDED TO ALLOW BOARDING OF ANIMALS AS AN ACCESSORY USE TO A VETERINARY ESTABLISHMENT AND TO MAKE ALL VETERINARY ESTABLISHMENTS PERMITTED BY CONDITIONAL USE APPROVAL ONLY.

**OPEN PUBLIC HEARING:** Hearing was opened at 6:18 pm.

- 1) PRESENTATION OF REQUEST, AS RECEIVED BY STAFF

The Township Planner explained that the new Zoning Ordinance does not allow boarding as an accessory use for a Veterinary Clinic. This Amendment would make a Veterinary Clinic a Conditional Use where kenneling of non-patient animals may be permitted.

- 2) REVIEW AND RECOMMENDATION BY PLANNER

The Township Planner stated that there is a proposed outdoor area contemplated for the expansion for Long Lake Veterinary Clinic. She stated that there would only be one dog outdoors at a time and that the dog will be double leashed. There was discussion about how this proposal would be impacted by the proposed change.

- 3) COMMENTS AND EXPLANATIONS BY APPLICANT Jeff LaCrosse, owner of Long Lake Veterinary stated that the Clinic is AHA certified, and the dogs have to be double leashed. They are very conscientious of the neighbors

and the noise, so they are using ICF in the construction of the outside walls, which is three times quieter than conventional construction. Each run will have a glass door and there will be acoustical tile in the ceiling.

- 4) QUESTION/DISCUSSION BY COMMISSIONERS
- 5) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes)

There was no public comment.

- 6) CLOSE PUBLIC HEARING TO PUBLIC COMMENT AT 6:28 PM
- 7) DELIBERATION BY COMMISSIONERS
- 8) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND/OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDINGS OF FACT, CONDITIONS AND RECOMMENDATIONS.

Moved by Witkop, supported by Tobin, to recommend approval to the Township Board. Motion carried.

- C) ZOA 12-10-04 – AN ORDINANCE TO AMEND THE ZONING MAP. THE PURPOSE IS TO RECEIVE PUBLIC COMMENTS REGARDING A PROPOSED REZONING, APPLICATION ZOA 12-10-04, TO REZONE FROM LAKE RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THE FOLLOWING PARCELS, ALL IN SETTLER'S COVE SUBDIVISION NUMBER 1 AND 2, LOCATED IN SECTION 33 T27N R12W, LONG LAKE TOWNSHIP, GRAND TRAVERSE COUNTY, ARE THE SUBJECT OF THIS 28-08-330-01-00, 9027 N. TOTTENHAM DR.; 28-08-330-002-00, 9047 N. TOTTENHAM DR.; 28-08-330-003-00, 9069 N. TOTTENHAM DR.; 28-08-330-004-00, 9077 N. TOTTENHAM DR.; 28-08-330-004-00, 9093 N. TOTTENHAM DR.; 28-08-330-005-00, 9093 N. TOTTENHAM DR.; 28-08-330-006-00, 9105 N. TOTTENHAM DR.; 28-08-330-007-00, 9238 E. TOTTENHAM DR.; 28-08-330-008-00, 9220 E. TOTTENHAM DR.; 28-08-330-009-00, 9198 E. TOTTENHAM DR.; 28-08-330-010-00, 9164 SETTLERS LN.; 28-08-330-011-00, 9177 S. TOTTENHAM DR.; 28-08-330-012-00, 9191 E. TOTTENHAM DR.; 28-08-330-014-00, 9225 E. TOTTENHAM DR.; 28-08-330-015-00, 9086 N. TOTTENHAM DR.; 28-08-330-016-00, 9074 N. TOTTENHAM DR.; 28-08-330-017-00, 9062 N. TOTTENHAM DR.; 28-08-330-018-00, 9050 N. TOTTENHAM DR.; 28-08-330-019-00, 9028 N. TOTTENHAM DR.; 28-08-330-021-00, 208 W. LONG LAKE RD.; 28-08-330-022-00, 194 W. LONG LAKE RD.; 28-08-330-023-00, 186 W. LONG LAKE RD.; 28-08-330-024-00, 176 W. LONG LAKE RD.; 28-08-330-025-00, 9043 S. TOTTENHAM DR.; 28-08-330-026-00, 9055 S. TOTTENHAM DR.; 28-08-330-027-00, 9067 S. TOTTENHAM DR.; 28-08-330-028-00, 9087 S. TOTTENHAM DR.; 28-08-030-00, 9131 SETTLERS LN.; 28-08-031-00, 9080 S. TOTTENHAM DR.; 28-08-330-032-00, 9070 S. TOTTENHAM DR.; 28-08-330-033-00, 9058 S. TOTTENHAM DR.; 28-08-330-034-00, 9040 S. TOTTENHAM DR.; 28-08-330-035-00, 142 W.

LONG LAKE RD.; 28-08-330-036-00, 136 W. LONG LAKE RD.; 28-08-330-037-00, 9025 LAWRENCE DR.; 28-08-330-038-00, 9059 LAWRENCE DR.; 28-08-330-039-00, 9071 LAWRENCE DR.; 28-08-330-040-00, 9083 LAWRENCE DR.; 28-08-330-041-00, 9111 SETTLERS LN.; 28-08-330-042-00, 9095 LAWRENCE DR.; 28-08-330-042-00, 9095 LAWRENCE DR.; 28-08-331-001-00, 9112 LAWRENCE DR.; 28-08-331-002-00, 9088 LAWRENCE DR.; 28-08-331-003-00, 9068 LAWRENCE DR.; 28-08-331-004-00, 9020 LAWRENCE DR.

**OPEN PUBLIC HEARING:** The public hearing was opened at 7:17 pm

1) PRESENTATION OF REQUEST, AS RECEIVED BY STAFF

The Township Planner explained that after the last meeting she reviewed the Zoning Ordinance and feels that there are properties in Settler's Cove that should be rezoned to Low Density Residential.

2) REVIEW AND RECOMMENDATION BY PLANNER

The Planner stated that notices were sent to all properties in Settler's Cove informing them of the possible rezoning.

3) COMMENTS AND EXPLANATIONS BY APPLICANT

4) QUESTION/DISCUSSION BY COMMISSIONERS

5) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to minutes)

Bob Francis, Mike Staff and Mary Miller all spoke in favor of the rezoning. The Commission also received letters from Todd Endreson in favor of the rezoning.

6) CLOSE PUBLIC HEARING TO PUBLIC COMMENT at 7:20 pm

7) DELIBERATION BY COMMISSIONERS

8) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND/OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDINGS OF FACT, CONDITIONS AND RECOMMENDATIONS.

Moved by Witkop, supported by Marsh, to recommend rezoning to the Township Board. Motion carried.

9. PENDING BUSINESS: None

10. NEW BUSINESS: None

11. PUBLIC COMMENT (Any person may speak for up to 3 minutes) There was none.

12. REPORTS

- A) PLANNERS MOMENTS: Master Plan process and content.
- B) PLANNER: The Planner's report was received. She also stated that she will have a draft of the Planning Commission's Annual Report for review, that the Recreation Plan will be coming to the Planning Commission next month, and that County Planning is looking at revisions to their Master Plan and will be putting together a data book and asking for input from Township Planning Commissions. She also stated that TCAPS has invited the Township to tour the renovations to Long Lake Elementary.
- C) ZONING ADMINISTRATOR: The Zoning Administrator's report was received. She also stated that she is working on an Administrative Review for the Lawson Oil Building.
- D) TOWNSHIP BOARD REPRESENTATIVE: Township Board Representative Hoffman reported on the Holiday Open House, the 24/7 staffing of the Fire Department, and stated that the Community Police Officer's last day is December 31, 2010.
- E) ZONING BOARD OF APPEALS REPRESENTATIVE - Humitz reported that the Board approved a variance for Long Lake Grocery. He also stated that the lot coverage area came up and that the ZBA is interested in resolving this issue.

13. CORRESPONDENCE: There was no correspondence.

14. COMMISSIONERS COMMENTS: Commissioner Humitz inquired about the Village Center Plan and Commissioner Marsh spoke regarding Site Plan requirements.

15. ADJOURNMENT

Moved by Verschaeve, supported by Hoffman, to adjourn at 8:06 pm.

JOY TOBIN, SECRETARY  
LONG LAKE TOWNSHIP PLANNING COMMISSION

LYNETTE FERMAN, RECORDING SECRETARY  
LONG LAKE TOWNSHIP PLANNING COMMISSION

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND/OR CORRECTION  
PRIOR TO THEIR ADOPTION.