

MINUTES
LONG LAKE TOWNSHIP PLANNING COMMISSION
LONG LAKE TOWNSHIP HALL
8870 NORTH LONG LAKE ROAD
TRAVERSE CITY, MI 49685
TUESDAY, MAY 24, 2011 (REGULAR MEETING)

1. CALL TO ORDER – 6:03 P.M.

2. ROLL CALL – Present at the meeting were commission members Verschaeve, Marsh, Tobin, Cuthbert, Humitz and Hoffman. Witkop arrived at 6:50 pm. Also in attendance were the Township Planner, the Zoning Administrator and the Recording Secretary.

3. APPROVAL OF AGENDA – Moved by Hoffman supported by Verschaeve to approve the agenda as presented. Motion carried.

4. CONFLICT OF INTEREST STATEMENT (Declare and cite agenda item.) – Commission member Tobin stated a possible conflict of interest on item 8A, proposal to amend the ordinance regarding lot coverage rates, because she is on the Long Lake Association Board of Directors and they have written a letter regarding this issue. After checking the definition of conflict of interest the commission did not consider this a conflict of interest because commission member Tobin did not make her position on this issue known to the Long Lake Association Board of Directors.

5. APPROVAL OF MINUTES: APRIL 26, 2011 (REGULAR MEETING) – Moved by Tobin supported by Humitz to approve the minutes with the following changes:

1. Page 2 item number 3 should read “commissioners”.
2. Number 13 item D should be a period at the end instead of a slash.
3. Number 14, letter from Dennis Wiand to be read into the record.

Motion carried.

6. BRIEF PUBLIC COMMENT (Any person may speak for up to 3 minutes.) – Ron Albers, 1730 Birch Lane stated that the Township Board giving a directive to the Planning Commission on an item that requires a Public Hearing takes the thinking away from the Planning Commission. He also stated that serious consideration should be given to the public input, that the board’s directive seems to be inconsistent with the process, and that the directive needs to be rescinded.

The commission explained that the decision on lot coverage rates has not been made yet, that is what the public hearing tonight is about. Staff also explained that the Township Board is authorized by law to initiate a change in the zoning ordinance.

7. POSTPONED BUSINESS: None

8. PUBLIC HEARINGS:

A) ZOA 05-11-02, A PROPOSAL TO AMEND ZONING ORDINANCE #109 SECTION 2.6 SCHEDULE OF DISTRICT REGULATIONS FOR PRIMARY STRUCTURES; SECTION 7.2 USES AND STANDARDS; 7.3 DISTRICT REGULATIONS; SECTION 8.2 USES AND STANDARDS; 8.3 DISTRICT REGULATIONS; SECTION 9.2 USES AND STANDARDS; 9.3 DISTRICT REGULATIONS; SECTION 10.2 USES AND STANDARDS; 10.3 DISTRICT REGULATIONS; SECTION 12.2 USES AND STANDARDS; 12.3 DISTRICT REGULATIONS TO REMOVE MAXIMUM LOT COVERAGE STANDARDS.

OPEN PUBLIC HEARING: 7:10 PM

1) PRESENTATION BY STAFF & RECOMMENDATION BY PLANNER – Sickterman gave a history of current regulations and coverage rates in each of the districts.

2) QUESTION/DISCUSSION BY COMMISSIONERS – There was discussion regarding water quality, using a sliding scale, the Master Plan, environmental issues, impervious surfaces, other ordinances and letting the setbacks govern the size of the home.

3) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes) **7:20 PM**

Ron Kennedy, 2786 Crescent Shores, stated that the state does not allow his association to regulate anything. Leaving it up to the associates or doing away with lot coverage rates is a cop out.

Dennis Wiand, 2932 Crescent Shores, also stated that doing away with lot coverage rates is a cop out, it is the job of the township to do this.

John Tobin, 2415 Long Lake Rd., stated that the township should not be too motivated by the threat of a lawsuit.

Ron Albers, 1730 Birch Lane, apologized for misinterpreting the minutes and likes the public hearing process. He stated that the township ought to have lot coverage rates.

Chuck Mehney, 7201 Open Meadow, stated that the township should err on the side of the property owner.

Tanya Ward, 500 W. Long Lake stated that the township should do the build out impervious coverage analysis of the entire township using the current regulations.

Jo Marie Marks, 9336 Lawrence Dr., does not know if having the Long Lake Association enforce deed restrictions would work, because not every one lake front owner is an Association member.

4) CLOSE PUBLIC HEARING TO PUBLIC COMMENT – **7:35 PM**

5) DELIBERATION BY COMMISSIONERS - There was further discussion regarding the lot coverage rates in the Lake Residential District and what is reasonable in that district. Commission member Hoffman stated that this is another layer of government. Moved by Marsh supported by Verschaeve to continue this discussion for one half hour. Motion carried.

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

Moved by Humitz supported by Marsh to recommend denial of proposed amendment ZOA 05-11-02, with the condition that the Planning Commission continue to look at appropriate lot coverage rates throughout the township. The reason for this motion is due to lack of public support for removal of lot coverage rates. Motion passed with a 6-1 vote.

B) ZOA 05-11-03 A PROPOSAL TO AMEND ZONING ORDINANCE #109 SECTION 3.21 TO ADD DEFINITIONS RELATED TO TEMPORARY USES AND TO ADD A SECTION 4.26, TEMPORARY LAND USE PERMITS, TO REGULATE TEMPORARY LAND USES.

OPEN PUBLIC HEARING: 8:14 PM

1) PRESENTATION BY STAFF & RECOMMENDATION BY PLANNER – Sickterman gave examples of what uses would require a permit and which would not.

2) QUESTION/DISCUSSION BY COMMISSIONERS

3) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes) **8:19 pm** There was no public comment.

4) CLOSE PUBLIC HEARING TO PUBLIC COMMENT – **8:19 PM**

5) DELIBERATION BY COMMISSIONERS – There was discussion regarding time limits.

6) 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 Tobin to approve ZOA05-11-03 as presented. Motion carried unanimously.

9. PENDING BUSINESS

A) DISCUSSION ON MEDICAL MARIJUANA Moved by Hoffman supported by Witkop to not go on with pending or new business. Motion carried.

10. NEW BUSINESS: None

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

12. REPORTS

A) PLANNERS MOMENTS – postponed

B) PLANNER – Report submitted. Sickterman asked the commission if they would like to continue with Planner's Moments or look at other options.

C) ZONING ADMINISTRATOR – Report submitted.

D) TOWNSHIP BOARD REPRESENTATIVE – Hoffman reported on the Fire Department ISO rating and the possible reduction in homeowners insurance due to the rating. She also reported that there will be fireworks on July 2, 2011 as long as all permits come in and that there will be a Memorial Day service Friday, May 27 at Linnwood Cemetery at 12:00pm/

E) ZONING BOARD OF APPEALS REPRESENTATIVE – Humitz reported that the Zoning Board of Appeals denied a variance for Wilhelm Landscaping and approved a setback variance at the May meeting.

13. CORRESPONDENCE – There was none.

14. COMMISSIONERS COMMENTS – Commission member Witkop apologized for being late.

15. ADJOURNMENT – Moved by Witkop supported by Tobin to adjourn at 8:35 pm. Motion carried.

JOY TOBIN, SECRETARY
LONG LAKE TOWNSHIP PLANNING COMMISSION

SARA KOPRIVA, ACTING RECORDING SECRETARY
LONG LAKE TOWNSHIP PLANNING COMMISSION

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