

WEST TRAVERSE TOWNSHIP
PUBLIC HEARING AND REGULAR PLANNING COMMISSION MEETING
MAY 13, 2020

Chairperson Mooradian called the meeting to order at 7:00 p.m. Meeting was conducted via telephone conferencing.

Roll Call: Wallin, Baiardi, Moore, Repasky, Uutinen, Varner, Mooradian.

Visitors: Bob Sandford, Dave White, Eve Lauer, Joe Graham, Beverly Osetek, Annie Mooradian.

Approve Agenda: Mooradian wanted to add: Discussion of Master Plan as B under Old Business.

Mooradian made a motion to approve the Agenda as submitted with the one addition under Old Business. Uutinen seconded the motion.

Vote: All yes.

Public Comments: Joe Graham suggested that this meeting on the Master Plan be held again when it is possible for people to attend the meeting in person. He felt that it is an important subject and people should be able to have a good discussion about it. Mooradian pointed out that the Planning Commission has been having detailed discussion about the Master Plan for over a year and a half. There have been prior Public Hearings on it as well as it has been discussed at the Township Board meetings. Beverly Osetek agreed with Graham's suggestion about another Public Hearing for the Master Plan in the future. Mooradian was cutting in and out on the phone, so it was difficult for some people to hear him.

Approve Minutes: **Baiardi made a motion to approve the meeting minutes of February 5, 2020 as presented with one change on Page 4: in the second sentence at the top of the page, change *Board of Review* to *Zoning Board of Appeals*. Uutinen seconded the motion.**

Vote: All yes.

Public Hearing on the Master Plan: Mooradian opened the Public Hearing on the Proposed West Traverse Township Master Plan 2020 at 7:15 p.m. The Public Hearing was advertised in the local paper.

Dave White stated that as per state law, the Planning Commission has received back the Master Plan after review by the various entities in Emmet County and the Emmet County Planning Commission. The Planning Commission is holding this Public Hearing, which is required, before it goes back to the Township Board for their consideration. The Master Plan has to be reviewed every five years.

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Joe Graham stated that after viewing the Future Land Use Map, it appears that there is a significant expansion of the Commercial/Industrial zone. He understands that it does not change the zoning, but it does open the door for future changes. He is opposed to that change because it would directly affect his property. He stated that when the Master Plan was discussed at the Board meeting, Supervisor Sandford voted no on the Plan and it appeared that it was directly related to the Future Land Use Map change. Graham agreed with him. He thinks that there are currently very good buffers between the Commercial area in West Traverse Township and the Residential area. Once the buffer is gone, it would create more conflict as it expands. He pointed out that there are currently several open spaces available in the Commercial area as well as in the adjacent Commercial area in the City of Harbor Springs. Mooradian pointed out that the Master Plan is supposed to look out at the next 20 years. It is just a conceptual possibility for future land use. Graham asked if someone could come to the Township and ask to change the zoning and point out that it is shown in the Future Land Use Map.

Beverly Osetek stated that she does not agree with the Future Land Use Map because where she lives is a stop gap to Commercial expansion. She said that it is a neighborhood. She will be asking the Township Board not to approve it and doesn't even want it on a piece of paper.

There were no other questions.

The Public Hearing was closed at 7:30 p.m.

OLD BUSINESS

Discussion of the Master Plan: Mooradian said that he understands how the property owners feel and they have valid comments. Wallin wondered if the Township really needs more commercial areas. The Township is a residential/farming community and he doesn't know if the conceptual Future Land Use Map with the expanding commercial area needs to be in there.

Varner is new to the Planning Commission. He does agree with Wallin in wanting to preserve the neighborhoods, but he would like to get a bit more educated on this. Uutinen empathizes with the property owners, but he feels that the conception of expanding the commercial area should stay on the Map. He thinks that when this was proposed, he felt that the Township was moving forward. Personally, he did not see the commercial district growing in that area because there is commercial property available. So, he said that he agrees with Wallin and he also does not feel that the Township needs any more commercial area. Moore empathizes with the property owners, also. He thinks that the Planning Commission has a mandate to look into the future. He agrees with most of the comments so far and he doesn't see much of a need for the expansion. It is hard to guess out a few decades. Repasky looks at it as what it is called, a Future Land Use Map. The responsibility of the Planning Commission is to provide direction. He said it is not an easy choice and there is no intent to offend anybody. He would like to stay

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with what is currently in the Master Plan as far as the Future Land Use Map. Baiardi agreed with Repasky as far as leaving the Map as is. There are no actual changes to anything. Mooradian agrees with Repasky and Baiardi. It follows the guidelines of the Zoning Act and how Master Plans work and what is supposed to be thought of while working through the process. Wallin wanted to clarify that he feels that if all the commercial property has not been used in five years, possibly it can be re-visited then.

Repasky made a motion that the Master Plan 2020, as written, be recommended to the Township Board for approval. Baiardi seconded the motion.

Roll Call Vote: Wallin – no, Repasky – yes, Uutinen – yes, Varner – yes, Baiardi – yes, Moore – no, Mooradian – yes.

Review Memo From Emmet County Planning Commission Regarding West Traverse Township Ordinance Amendments:

The Township Board gave conditional approval last night on Ordinance No. 1 provided the Planning Commission makes no substantive changes at this meeting. Mooradian reviewed the findings and suggestions of the Emmet County Planning Commission. There was one suggestion that was agreed upon to make a change to the following sentence to read: “**AGRI-TOURISM BUSINESS.** Farms which engage in agriculturally- related tourism operations. Other uses may be considered as deemed appropriate by the Planning Commission.”

Moore made a motion to recommend Ordinance No. 1 of 2020, the amendments of Section 202, Section 305, Section 306:2 Section 309:2, Section 310:2 and Section 733, to allow Commercial Event Facilities in the A-1/A-1-A, C-1 and I-1; to allow Agri-Tourism in the A-1/A-1-A District; and to provide for standards for Commercial Event Facilities with the following change: Strike *including but not limited to* and add *Other uses may be considered as deemed appropriate by the Planning Commission*. The change was based on the Emmet County Planning Commission’s recommendation. Uutinen seconded the motion.

Roll Call Vote: Baiardi – yes, Varner – yes, Moore – yes, Uutinen – yes, Repasky – yes, Wallin – yes, Mooradian – yes.

The Township Board did not give conditional approval for Ordinance No. 2, so after discussion at this meeting, it will be voted on and sent back to the Board for their review. The Emmet County Planning Commission and Township Board’s response to this Ordinance was that it was too restrictive as far as solar not being allowed in the front yard. There was a suggestion to allow, under certain circumstances, the use of the front yard when the side or rear yards cannot be utilized. Mooradian stated that if that change was acceptable, then possibly it should follow the same as the side yard and rear yard which requires a Special Use Permit. If a setback of

250 ft front yard setback was used and a Special Use Permit added, the walls and roof would have to be talked about as to whether those would fall under a Special Use Permit, also. He said that when we prohibited solar in the front yard, we made the concession not to require a Special Use Permit for installations on a building. Because we are now considering allowing solar in the front yard, should we now also consider making building installations require a Special Use Permit. There was discussion as to the fact that some people would not have enough property to be eligible for the 250 ft setback, so they should be allowed to put solar on their house with no Special Use. All other standards would still have to be met. Uutinen thought that the 250 ft setback would be fine as long as the neighbors were informed of the use and it went through the Special Use process. Varner and Wallin agreed with Uutinen. Moore wanted to verify that the original amendment stated that solar placement on the house did not need a Special Use, but the side and rear yard placement would need one. Annie Mooradian agreed that even with the 250 ft setback in the front yard, the neighbors should still be able to have a say in the project as well as it would need the Special Use Permit. Someone with an open field in their front yard could want to put in solar panels and they would not be shielded at all. Eve Lauer thanked the Planning Commission for listening to the Township Board and what they had to say. She also appreciates what the Planning Commission has put into this process. Dave White thinks that this would be a good compromise.

Repasky made a motion to recommend Ordinance No.2 of 2020, an ordinance to amend Section 202, Section 305 and Section 734, to provide standards for solar energy with the following changes: Under Yard Location and Setbacks, strike *ground-mounted or pole-mounted accessory solar energy panels shall not be located in the front yard*. Replace that sentence with *Ground-mounted or pole-mounted accessory solar energy panels shall be allowed in the front yard with a minimum setback of 250 ft in all districts*.

Uutinen seconded the motion.

Roll Call Vote: Wallin – yes, Repasky – yes, Uutinen – yes, Moore – yes, Varner – yes, Baiardi – no, Mooradian – yes.

The Emmet County Planning Commission did not have any suggestions when reviewing Ordinance No. 3. The Township Board had some concerns regarding the non-rigid materials for accessory buildings and sent the Ordinance back to the Planning Commission for further discussion. The Planning Commission had a lot of discussion regarding the accessory building materials in their review of the Ordinance before it was sent to the Township Board. Some of their examples were a pallet shed, sawhorses, 2x4 and tarps. Mooradian pointed out that when a building gets to 200 sq. ft. or more, it becomes a building code issue and that was one of the reasons that the Planning Commission felt that it was not right to allow the non-rigid material. The building code defines non-rigid materials as temporary structures. Mooradian feels that the

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building code and the Township codes back up the temporary structure definition. Repasky said that he doesn't feel that it is a bad thing for someone to put up a temporary structure, but also said that he has seen a lot of structures put up that are not maintained. If these temporary structures were allowed, enforcement would most likely be an issue. Also, how do you define temporary? Moore had comments regarding the suggestion that non-rigid would be easier for people who could not afford to build a regular accessory building. That would also apply to tarps, semi-trailers, etc. He thinks the Ordinance should stay the way it is. Uutinen said that he is satisfied with the way the Ordinance is written. Wallin said that he was not necessarily in favor of soft structures, but if it was under 200 sq. ft, it might be alright. Varner also wanted to know what is temporary and how do you enforce it. Also, the structure would need to have sides on it. He likes where the Ordinance is right now. Baiardi is good with the Ordinance as it is. Mooradian agreed that he likes it as is, also. Joe Graham thinks that what he is hearing is that non-rigid siding is an acceptable structure, but it seems like there is a lot more concern about appearance, but hopefully this would be covered under blight. He thinks that it is a very restrictive ordinance. He said that making it allowable in a side or rear yard would take care of the visual issues. Annie Mooradian stated that the non-rigid structures do not apply to farm activities. She wanted to know what the safety is with these types of structures, especially with snow loads and high winds. Dave White said that some of these structures are safe, but not all because of how they are built. He said the issue usually arrives after the first winter.

Moore made a motion to recommend Ordinance No. 3 2020 to the Township Board, an ordinance to amend Section 202 and Section 407 as written. Uutinen seconded the motion.

Roll Call Vote: Uutinen – yes, Moore – yes, Varner – yes, Baiardi – yes, Repasky – yes, Wallin – yes, Mooradian – yes.

Zoning Administrator's Report: Dave White presented his written report.

Township Board Representative: Baiardi thanked everyone who came out to vote.

Planning Commission Comments: Mooradian stated that the Planning Commission will hopefully be discussing more about training at the June meeting. There was discussion about having a Special Meeting to discuss an application for a Site Plan Review.

Public Comments: Joe Graham appreciates being able to listen to the discussions at the Planning Commission, especially the Master Plan. Annie Mooradian said thank you to the Planning Commission. She did not realize how much they put into each and every item. She told Graham that he needs to understand that there would never be a change to his property, as far as zoning, as long as he owns it.

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The next regularly scheduled meeting will be June 10, 2020 at 7:00 p.m.
There will be a Special Meeting for a Site Plan Review on May 27, 2020 at 7:00 p.m.

Adjourn: **Wallin made a motion to adjourn.**
The meeting was adjourned at 9:08 p.m.

Submitted by:

Dawson Moore, Secretary

Transcribed by:
Susan Matsko
Township Secretary

Proposed: May 13, 2020
Approved: June 17, 2020