

**WEST TRAVERSE TOWNSHIP
SPECIAL BOARD MEETING
Tuesday, July 12, 2022
6:00 PM**

Supervisor Bartlett called the meeting to order at 6:00

Roll Call: Green, Mooradian, Hollingsworth, Bairadi, Bartlett

Visitors: Paul Mooradian, Amy Peters, John Riggs, Dawson Moore, Eric Blesi, Kelsey Offield, Jeff Ford, Kate

The Pledge of Allegiance was recited by all.

Approve Agenda & Additional Items: All yes.

Public Comments:

Approve minutes of Regular Meeting on June 7, 2022: Bartlett added that he was absent for the June 7, 2022 meeting due to COVID-19. **Hollingsworth made a motion to approve with the one addition. Mooradian seconds the motion. All yes.**

Approve minutes of the Special Meeting on June 21, 2022: Green states that minutes are incomplete, and he cannot support them. Green recalls Carolyn Sanford spoke during the public comment period and expressed her concern on behalf of the Heritage Committee about the traffic flow up to Pond Hill Farm. Green states Sanford's comments were important and should be included in the minutes. Green states he also recalls Dawson Moore providing comments regarding the competence of the township attorney Mr. Wuster and needs to be included. Green also stated that Debra Monroe's comments about her displeasure with the Planning Commission process and needs to be added. Hollingsworth had a correction in the motion on page 3 under category "n" that it should also include that the "trail is not part of the township". Bartlett had a correction on page 3 under category "k". Baiardi states that in the "public comments" you capture the main thing, you do not put all the public comments in there. Green states in this case he feels that it is appropriate. Hollingsworth states that the public comments that were made in the special meeting should be added into the minutes. **Green made a motion for the minutes to be corrected and complete with the public comments and brought back for township boards approval. Mooradian seconds the motion.**

Review correspondence not included below:

Thorne Swift report: Riggs gave his report.

Action Items:

- a. Consideration of PC recommendation for Harbor Point request: Bartlett states that he provided information in everyone's packet. Green states he was at the Planning Commission meeting, and he isn't sure if all the avenues were considered. Green

states that the planner and the zoning administrator thought other avenues could have been considered. Green states he would like Harbor Point to come back from the planning commission after reconsideration and another attempt to see if there is a way where both parties can be happy. Green states at this point in time he does not want to vote to override the recommendation of the planning commission, instead he would like the planning commission to take another look at it. Green continues that at this time he has no idea what the vote would be. Bartlett states that at the end of the day the board needs to either approve the PC denial based on the reasons given or adopt new language. Bartlett states he has picked out the major pieces of the planning commission motion that sited specific acts in the ordinance and the township enabling act and sent them to the planner, which is included in everyone's packet. Bartlett states there was enough comment from the planner that there was a difference of opinion on the questions the planning commission had with what acts were sited to deny. Bartlett says for example in the motion "Moore states the text amendment attempts to create different regulations within the same district, which section 201.2 forbids." Bartlett states Denise says, "overlay districts are in fact allowable by law." Bartlett states if you go through this point-by-point Denise says much of the same thing. Bartlett believes more work needs to be done on this. Mooradian agrees that more work needs to be done on it, and that Harbor Point isn't an isolated waterfront community, and there is the same problem with Idylwild and Forest Beach.

Mooradian states they are all non-conforming and feels this is going to be an ongoing problem because more people are moving to this community on a year-round basis. Mooradian states we should be hiring the consulting planner to study the residential non-conformities in the township to help figure out how to handle them, so we have a cohesive way to deal with all the non-conformities. Mooradian states we need a plan to work with everyone on this issue. Green states this makes Harbor Point the most unique waterfront property we have, because how it has been structured and how long it has been there. Hollingsworth states she with what Mooradian said, but Harbor Point is incorporated under the Summer Resort and Parks Association Act, whereas the other ones are not. Hollingsworth states that is why it makes it a little more unique.

Bartlett states we learned through the ZBA meeting that we have done some zoning approvals for Harbor Point, so they are used to doing it. Bartlett states we are in a position where we have an outfit that has been here before the township, that has been doing its own zoning which is unique to the township in that prospective. Bartlett states they have all of the interest to keep doing it. Bartlett states we have the ability to start that process and solve it. The board continues to go over Klines memo.

Bartlett states Harbor Point is charged legislatively through that act to control the erection of buildings in addition to the purity of air, purity of clean water, which is part of their obligation as an incorporated association. Bartlett states the other big thing that leads to deal with Harbor Point is the fact the county has been doing it for Bay View for years. Bartlett states that the municipality in Bay View can choose whether to enforce zoning on theirs. Mooradian states that is a true resort community, because there is no year-round residence in Bay View, but Harbor Point is being used year-round. The board reviews Bartlett's memo. Bartlett talks about putting together a committee to come up with something that can be presented to both boards and go

from there. Hollingsworth and Green both agree that this shouldn't be dragged out and should be done in a timely manner. Bartlett volunteers to be on the committee and asks the board if anyone would like to. Green volunteers. The board has agreed by consensus to form a committee. Blesi stands and says he understands Harbor Point has made this request, he asks if there is a way or someone that can be involved in the process. Blesi states Harbor Point does not have any year-round residence. Blesi *residents* states there was one resident whose husband passed, and Harbor Point is her legal residence, but she doesn't stay there year-round. Blesi states there was a lot of banter at the planning commission meeting about Harbor Point that wasn't true. Blesi continues that he would rather work with the board on the facts and not the rumors. Bartlett asks Blesi if he would be the one to volunteer. Blesi states he would be happy to do it and would ask permission. Blesi states they use Jessica Moore as a consulting architect and may ask if she will sit on Harbor Points side, because of the projects and consulting she has done for them. Bartlett states he will contact the planning commission chairman to figure out a date. Paul Mooradian states they can discuss it at the planning commission tomorrow night. Mooradian asks if they should amend the motion? Moore makes a statement in support of working with the planner to come up with new ideas on how to handle these types of properties. Moore continues that he does not believe it would be possible to do it with this application, he does not feel it to be appropriate. Moore states it would be like the planning commission would be building them a new application, based on all new concepts, and possible avenues. Moore believes doing that is not how the application process works.

Bartlett made a motion to postpone action on the recommendation from the planning commission relating to the Harbor Point application and form a committee of 2 board members, 1 planner, 2 planning commission members, and 1 representative with the planner of their choice from Harbor Point that will further investigate this issue in a timely manner. Green seconds the motion.

Roll call: Hollingsworth – yes, Mooradian – yes, Green – yes, Baiardi – no, Bartlett – yes

- b. Consideration of Cook property sale request: Bartlett discusses an email from Connie Smith expressing to purchase back between 2 and 5 acres, which would include the barn, garage barn, outhouses, and chicken coups that are on eastern end. Bartlett stated he told Smith he would bring it up to the township board. Bartlett states "we are under no obligation to sell it, it's our property. There are no strings attached to that, only if we turned it into a park, we would need to name it after one of the Cook's." Green states he is really opposed to selling that property right now and he does not really know when. Green states "I don't know what our plan is yet for the township hall; and what part of that property we may need for parking or other ancillary properties. Green states if it was for sale it would have to be surveyed, *bid* possibly a sealed ~~bit~~ auction utilizing the attorney, advertised, etc. Green states there is no sense of urgency to sell it. Hollingsworth states the township has owned the property for 23 years and nothing has been done with it. Hollingsworth states "I say we either do something with the property or get rid of it." Green agrees with Hollingsworth. Mooradian states that if it were ever for sale that it would be courteous of the township to sell it back to the Cook family. Mooradian states in her

opinion now would not be the right time to sell it. **Green makes a motion that property is not for sale at this time and to thank Connie Smith for her inquiry. Mooradian seconds the motion. 4-1 all pass.**

- c. Zoom meeting discussion – Slifka request: Bartlett is in favor of utilizing zoom during meetings for people that cannot be physically there. Green says he spoke with the HS city manager about what the township would need to do it, which is a camera, cable, and a \$150 annual fee. Green is in favor of having zoom calls included in the meeting. **Green makes a motion to move research zoom meetings and bring a plan back to the township. Bartlett seconds the motion. 4-1 all pass.** *on*
- d. Meeting Overflow policy: Bartlett reviews a suggestion from the planner based on the large public turnout for a special meeting regarding Pond Hill Farm. Bartlett states the planner suggested the board come up with a policy for this. Bartlett feels the way it ended up working out was good and a framework for what can be done in the future. Green states the school was very accommodating. Bartlett states he doesn't think there needs to be a written policy. **All yes by consensus.** *2022*
- e. Consider Mileage reimbursement increase from \$.585 to \$.625 effective July 1, ~~2002~~: **Bartlett states he thinks we should increase the allowance on that based on the federal guidelines. Hollingsworth seconds the motion. All yes.**
- f. MML Resolution: **Bartlett made a motion that West Traverse Township authorizes its vote to be cast for the trustees endorsed by the nominating committee for the Michigan Municipal League Workers Compensation Fund, term begins October 1, 2022 and trustees elected will serve for 4 years. Hollingsworth seconds the motion.**
Roll call: Green – yes, Hollingsworth – yes, Baiardi – yes, Mooradian – yes, Bartlett – yes
- g. Road Fund Budget amendment: **Mooradian made a motion to increase the road fund expenditure account 2446001 to \$95,000 to allow for increased cost in road construction repair for 2022 to 2023. Green seconds the motion.**
Roll call: Hollingsworth – yes, Green – yes, Mooradian – yes, Baiardi – yes, Bartlett – yes

Reports & Updates:

- a. Clerk - none *Treasurer*
- b. Treasurer – ~~Treasure~~ gave her report.
- c. Planning Commission – Paul Mooradian gave his report.
- d. Zoning Administrator – The board reviewed the zoning administrators report. Hollingsworth asked what the process is while there is no zoning administrator? Baiardi said that it is being handled. The board voiced their concerns of having no zoning administrator.
- e. Recreation/Thorne Swift Committee – none
- f. Supervisor – Bartlett discusses a desktop printer for Amy. Bartlett states she has requested she has a printer close to her desk, so she can quickly make copies of tax bills and other things to make her more efficient. Baiardi states there is already a printer in the office in proximity. Bartlett says she could be more efficient if the printer was at her desk. **Green made a motion for approval of the printer for the township secretary. Hollingsworth seconds the motion.** *have*

Roll call: Mooradian – yes, Green – yes, Hollingsworth – yes, Baiardi – no, Bartlett – yes

Bartlett discusses the traffic issue with Pond Hill, the level the planning commission has worked on and whatever happens as they go down the road the traffic is going to be an issue. The Heritage Highway people feel it's an issue. Bartlett wonders if it would be wise to be proactive and hire a company to do a traffic study during their fall festival to determine the number of cars going to Pond Hill Farm versus just traveling the Tunnel of Trees. Mooradian recalls talking about getting the other townships to see if they wanted to do it as well. Bartlett stated it would be good to have data. Hollingsworth doesn't know if it will be beneficial because Pond Hill benefits from the leaf lookers. Green agrees. Bartlett states he will investigate cost and come back to the board.

Approve payables & payroll – **Green made a motion for approval as submitted. Bartlett seconds the motion. All yes.**

Public comments: Moore reiterated his approach to Harbor Point; he feels there should be some compromise on the zoning. Moore states his issue is entirely procedural. Moore feels that Bartlett could have brought this to the planner and to the planning commission a year ago to come up with a solution, but instead has worked behind the scenes with the township attorney to create this application and it is an extremely problematic application. Moore states "that is the reason we have wasted a year, and I am very concerned with the motion you made tonight is going to be another quagmire and possibly waste more time for the applicant." Moore is concerned how it will be handled procedurally. Moore states it seems crazy to form a committee after an application has been deliberated and voted on, and then to change the application. Moore feels there was not proper procedure being followed. Paul Mooradian states that Harbor Point is only unique because it is a shareholder versus a tax holder, but it does not change the fact that it is non-conforming. Whether they are a summer resort or not. Mooradian states it should be broader than that just Harbor Point because there have been other associations. Mooradian states that Moore's comments are correct because he has communication of Bartlett's question to Kline after the June 8th planning commission meeting which is not private or confidential. Mooradian states that Bartlett's questions to Kline were incomplete because Bartlett omitted some questions he asked Kline, and he also omitted the answers. Mooradian states that Bartlett has not put the attorneys' comments on the questions he had on the questionnaire. Mooradian adds to the minutes from Bartlett: Question from Jim Bartlett to the Planner and the Attorney "Mooradian states the actual text amendment that was drafted by the township attorney ~~was drafted by township attorney~~ and the township planner." Kline's answer to that question "Let's clarify this, the township planner was not really involved in coming up with a solution of how to handle Harbor Point. I was given by instructions the supervisor with the township attorney on what this amendment should effectively accomplish to remove oversight of zoning for the township and allowing an internal committee to oversee themselves, so that is what I vote. My contribution in terms of adding to the requested amendment was to include the fact that all other reviews, i.e., site plan review would be done by the township through the normal process. If I had written the amendment to solve the problem at Harbor Point, my solution would have been to take a look at actual on the ground setbacks at Harbor Point and create a sub district or new district that matched that. Then the zoning approval process would be the same as any other residence in the township." Mooradian states that Bartlett omitted that from the report he gave the township board. Mooradian states that in 2003

the Harbor Point Association built a new ^{grounds} ~~ground~~ committee, so it has not been around forever. Mooradian states they also know that it was in 2005 under Bob Sanfords guidance that there is no written agreement, no minutes, township approval of this, no communication, or record of it. Mooradian states those are some additional facts that need to be transparent to everyone. Bartlett states there is another side to the story. Bartlett states he has emails from Kline that paint a different picture. Annie Mooradian states that it was omitted and does not want to be kept from anything. Annie Mooradian believes there needs to be more transparency. Bartlett states he has emails from Kline that are opposite of that. Hollingsworth states from the special meeting she only sees comments from Mooradian and Moore. Hollingsworth felt that Moore and Mooradian thoroughly did their research on Pond Hill Farm. Green feels the supervisors idea of a committee for Harbor Point is a good idea, so everyone can get together and come up with a solution involving all of the parties. Bartlett states as a result from the planners comments, he did leave out that piece because he didn't feel it germane to what was going on. Bartlett continues that the board has known what happened. Bartlett states he has emails to support his position and ~~_____~~ ^{crex} Mooradian has emails to support his position, but he states that's not the ~~crux~~ ^{crux} of the matter. ^{dealt} Bartlett states that Klines comment, which ~~dealt~~ ^{dealt} with the number of reasons why it was denied at the planning commission are in that email. Bartlett states they explain to him that the research was not done, and that went through the planning commission in 1 meeting, but Pond Hill took years. Bartlett states that the comment from the zoning administrator at the time said he was very surprised that there was no deliberation at that meeting; that it was just the motion that came. ^{Kristi} Bartlett stated that ~~Christy~~ ^{Kristi} pointed out it really came from a small percentage of the planning commission. Bartlett states there is no deliberation in those minutes, which bothers him more than anything with this whole thing. Bartlett states based on what the planner has said and the committee formation was her suggestion. Bartlett states that the committee is a good thing,

Next Regular Meeting – Tuesday, August 9, 2022 at 6:00 pm

Board Comments: None

Supervisor Bartlett adjourned the meeting at 7:47 p.m.

Respectfully Submitted by:

~~Board~~
~~Cindy Baiardi, Clerk~~

Transcribed by:
Paige Fisher

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Proposed: July 12, 2022

Accepted: ^{Aug. 9, 2022 w/corrections - not edited by Clerk}