

Little Traverse Township Planning Commission

Tuesday, July 5, 2022 7:00 PM

Township Hall

Minutes

Chairman Van Berlo called the meeting to order at 7:00 PM.

Roll Call: Present: Martin Van Berlo - Tom Fairbairn - Joe Chattaway - Shirley Snyder & Chip Radle

Absent: None

Also present: Bill Dohm, Jake Myers, Consultant & 10 visitors counted. (*also see attachment page 5*).

Agenda: Chairman Van Berlo asked if there were any additions or deletions to the agenda. There were none. Upon a motion by Mr. Radle, with support by Mr. Chattaway, the agenda was unanimously approved as submitted by voice vote. (*see attachment page 6*)

Minutes: Upon review of the minutes of the regular meeting of June 7, 2022, a motion was offered by Mr. Chattaway to approve as submitted. Upon a second offered by Mr. Radle, the motion was unanimously approved by voice vote.

Public Comment: Chairman Van Berlo then opened the meeting to public comment for items not specifically listed on the agenda.

Mr. Ramey noted he is opposed to the Gallagher rezoning. Mr. Dohm advised the public comment section is for items not listed on the agenda, and that comment on those specific items could be taken when the item is brought forward by the Chairman.

Case #B-02 2022

Chairman Van Berlo introduced the case as a review of a revised site plan for Pure North Investments based on 6 criteria required by the Planning Commission at their previous review of the case on June 7, 2022. Consideration is for a CONDITIONAL USE AUTHORIZED BY SPECIAL PERMIT for commercial retail storage at 566 West Conway Rd. Consideration, and review of this case are found in the Little Traverse Township Zoning Ordinance, Article IX, Section 901, PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS, and Article XIII Sections 1304, CONDITIONAL USE AND APPROVAL USE REVIEW STANDARDS.

Mr. Chattaway advised he had a conflict of interest in the case, and asked to be recused. Without objection, Mr. Chattaway took a seat with visitors.

Chairman Van Berlo asked Mr. Myers to comment on the responses received to the following requirements requested at the previous meeting as follows:

1. #6 from the May meeting list of required submittals — Provide engineers written verification that the drainage plan shown will control site water and not create runoff onto neighboring properties or provide a design that will provide proper water control methods. The letter needs to be sealed and signed by the engineer of record.
2. The site plan shall include all existing buildings within 100 feet of the subject property, including the building on the neighboring property to the west.
3. Written information detailing control measures for air and water pollution, noise control and dust control.
4. Written support for the request to waive the requirements of 901.4 (d).
5. Type and planned location of machinery, vehicles and/or equipment to be stored on site.
6. All submittals shall be provided to the township well in advance of the next Planning Commission meeting so that sufficient time can be available for review of the submittals by the zoning consultant, the township supervisor and the planning commission.

Mr. Myers advised that the applicant had provided a revised site plan, and a copy had been distributed to the Board. He then described his fact findings on the 6 items listed above, (*copy on file*). Mr. Myers went through item by item and indicated that each one had been satisfactory.

Dave Russel, representing, Pure North Investments, made comments, further explaining several of the items.

Mr. Dohm advised that another copy of the road easement from M-119 had been delivered to the Twp. Hall to make sure the PC had it.

Chairman Van Berlo indicated he was satisfied with the responses, and made a **motion** to approve case #B-02-2022 to allow a conditional use authorized by special permit, as allowed by Article IX, Section 901, with a conditional waiver approval to allow outdoor storage areas in accordance with the approved site plan and the supporting documents. The conditions for the waiver approval include a stipulation that all outdoor storage of materials in the B-2 zone be in the bunkers and bins to be constructed along the north and west sides, or in containers or on pallets in the other areas designated for storage on the approved site plan. The storage shall be in the form of an orderly display of materials on site. All other performance features of Article IX, Section 901 4. (a-d) shall apply.

Upon a support by Mr. Radle, the motion was carried by unanimous roll call vote. Chairman Van Berlo declared the motion approved.

Mr. Chattaway then rejoined participation in the meeting.

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Case #B-04-2022

Chairman Van Berlo presented the case as an application by Tom Gallagher to rezone the following properties from FF-I FARM AND FOREST DISTRICTS to B-2 GENERAL BUSINESS DISTRICTS: Properties located at 643 and 707 West Conway Rd., further described in tax parcels #24-08-16-15-200-025 & 24-08-16-15-200-026. A Public Hearing is required. He asked Mr. Myers to present his fact finding on the case. The required public hearing had been held on June 7th. and this was a follow up review of the application.

Mr. Dohm advised that there was one letter received since the last meeting from Mr. & Mrs. George Ramey opposed to the rezoning based on 5 items listed, a copy of which had been distributed to the PC members, He entered it into the record, (attached page 7-8).

Mr. Meyers reiterated that this case is a rezoning issue at this point, and any reference to the applicant's intended use is not part tonight's consideration.

Mr. Dohm distributed a copy of the plat of Moonglow Trail which is currently zoned B-2 to a depth of 391 ft. from the Centerline of West Conway Rd. He indicated the subject properties of this application are currently depicted on the current master plan as proposed to be FF-1, except a proposal for B-2 on a plane extending westerly to the depth Moonglow Trail.

George Ramey and Patricia Schanski made comments against any rezoning inconsistent with the master plan.

Patricia Schanski, asked if the Township Noise Ordinance could stop the concrete grinding. Mr. Dohm explained that he had observed the noise when the plant was operating, and did not think the noise reached a level that would hold up as a violation.

Chairman Van Berlo offered three options as follows:

1. Approve the application as submitted.
2. Deny the application as submitted.
3. Approve a modified version of the area to be rezoned.
4. Following discussion, a **motion** was made by Mr. Chattaway to recommend to the Township Board to deny the Gallagher rezoning request, (*Case #B-04-2022*), because it is not consistent with the Township master plan. The master plan shows a B-2 district planned for that area to be only 391 ft. from the centerline of ^{West} Conway Rd. Also, the letters of concern we have received from neighboring property owners, urging us not to rezone, exhibit legitimate concerns.

Following a second on the motion by Mrs. Snyder, the motion was passed by the following roll call vote.

Mr. Radle, yea
Mr. Fairbairn yea
Mr. Chattaway yea
Mr. Van Berlo yea
Mrs. Snyder yea

Chairman Van Berlo declared the motion passed.

Master Plan Update Review

Following discussion, it was decided that an invitation be extended to the resort community to participate in discussion at the August 10th. meeting regarding concerns they may have. The required Public Hearing could then be held at a later time. This would provide an opportunity to focus on the resort area while seasonal residents are still here, but give time to further refine other areas before the final public hearing.

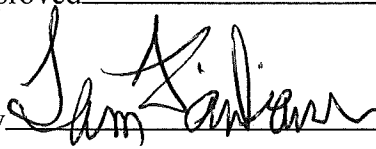
Open Discussion for issues not on the agenda:

- a. Correspondence: An application for Little Traverse Bay Humaine Society for site plan review has been received.
- b. Planning Commission Members: Chairman Van Berlo announced he would not be able to attend the August 3rd meeting, and requested it be moved to August 10th. . The commission agreed by consensus to move the meeting to August 10th.
- c. Township Board Members: The next scheduled PC meeting is August 3, 2022.

Adjourn: There being no further business to be brought before the commission, Chairman Van Berlo adjourned the meeting at 8:37 pm.

Respectfully Submitted,
William P.Dohm
Supervisor

Date Approved 8-10-22

Secretary 
Tom Fairbairn