

# Little Traverse Township Planning Commission

Tuesday, January 2, 2024

**FILE COPY**

## Minutes

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

**Roll Call:** Present: Martie Van Berlo - Chip Radle - Joe Chattaway & Tom Fairbairn

Absent: Shirley Snyder

Also present: Bill Dohm, Ken Lane, Tom, Jacki and Greg Gallagher, Paul Kaly and Patricia Schanski (*see attachment page 5*)

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

**Minutes:** Upon review of the minutes of the regular meeting of October 3, 2023, a **motion** was offered by Mr. Radle to approve as presented. A second was offered by Mr. Fairbairn. 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. Ms. Schanski questioned the purpose and procedures for the scheduled public hearing.

**7:05 pm:** Chairman Van Berlo opened the meeting to a public hearing on the following:

**Case #B-04-2023:** Conduct a public hearing and review a site plan on an application by Tom Gallagher for a **CONDITIONAL USE AUTHORIZED BY SPECIAL PERMIT**, for a contractor's office and equipment/machinery storage yard at 643 West Conway Rd., further described in tax parcels #24-08-16-15-200-025 and #24-08-16-15-200-026, on those portions of the property located in the B-2 Zoning District. Provisions for 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**.

Chairman Van Berlo asked Planning Consultant Ken Lane to introduce the site plan (*see attachment page 7*) and report his case memo of fact finding dated 12.19.2023, (*see attachment pages 8-19*),

Mr. Lane advised that a public notice had been posted and published in compliance with MCL 125.3843(1) and PA 267 of 1976 as amended, (*see attachment pages 6*) Mr. Lane went over his

memo. Mr. Lane stated that there were several Zoning Ordinance standards within his memo that he did not make a finding on. He suggested that the Planning Commission discuss those items with the applicant (*see attachment pages 8-19*).

Chairman Van Berlo asked Mr. Gallagher if he had anything to add to, or respond to Mr. Lane's presentation.

Mr. Gallagher responded to each point of the memo presentation that a finding was not made on with a written document titled "DISCUSS-ION POINTS FOR SPECIAL USE PERMIT , Case B-04-2023, (*see attachment pages 20-& 21*).

Chairman Van Berlo then asked for public comments.

Mr. Kaly advised where his house was relative to the proposed project, and asked whether the portions of the subject properties zoned FF-1 will be rezoned to commercial.

Mr. Lane responded that although a rezoning decision is for the Planning Commission and the Township Board, a rezoning to commercial was unlikely due to the Township Master Plan.

Mr. Kaly asked if there was any plan to develop the portions of the properties zoned FF-1.

Mr. Gallagher responded he has no development plans for those areas.

Ms. Schanski asked questions about continuing the concrete processing. Mr. Gallagher responded that it would continue on about the same level as last year. Ms. Schanski was concerned about the investment in her property being diminished due to the influence of this expanded operation. She stated the noise from the operation is likely to keep potential home buyers away.

Mr. Gallagher responded that he would let the neighbors know the next time any concrete processing is planned and that such work generally occurs once or twice every few years.

Chairman Van Berlo asked for final public comments: He asked the Planning Commission and staff if they had any comments.

Chairman Van Berlo asked Mr. Gallagher to go through his written documents and address each of the standards left undetermined in Mr. Lane's analysis memo.

Mr. Gallagher went through each item with the Planning Commission. He added that the proposed buildings will not exceed 30' in height and that the topsoil pile currently located close to West Conway Road will be moved back about 100' into the center of the property. He added that the current driveway used in the gravel operation would be eliminated and the two paved driveways depicted on the submitted site plan would be used going forward.

Chairman Van Berlo asked Mr. Lane "would the gravel operation be allowed to continue as a nonconforming use even if the Planning Commission did not approve the requested special use permits".

# Little Traverse Township Planning Commission

Mr. Lane responded yes, it would be allowed to continue but could not be expanded.

Chairman Van Berlo and Mr. Radle suggested that the approval of the special use permit requests will create improvements for the gravel operation that will be beneficial to surrounding property owners.

There was considerable discussion between Planning Commission members and Tom Gallagher regarding the responses contained in the "DISCUSSION POINTS" document.

Mr. Dohm brought up concern about mud and dirt being dragged onto West Conway Rd. from the site. Mr. Gallagher responded that most of the onsite traffic routes would be paved. That should cut down on tracking debris. Mr. Dohm commented that this location would improve the traffic flow on West Conway Rd. because the current site caused heavy equipment to pull the hill coming out of McBride Park at a very slow rate. Traffic slow down at the new site would be improved considerably.

**7:36 pm:** Chairman Van Berlo closed the public hearing.

Concerns raised by the Planning Commission were the lack of height missing on the site plan, and combining both parcels into the site plan. Mr. Lane advised that stipulations could be included in an approval motion, if one was offered.

Following discussion, Mr. Radle made the following **motion:**

Based on the responses provided by the applicant as listed in his "DISCUSSION POINTS" document and the analysis provided in the Township Planner's memo, I make a motion to approve Case #B-04-2023, Thomas Gallagher, for special use approval and site plan review for a contractors yard and sand & gravel extraction operation at 643 and 707 West Conway Road in Little Traverse Township, tax parcels 2-08-16-15-200-025 and 24-08-16-15-200-026, as shown in the submitted application materials and on the site plan dated October 17, 2023, because the applicable standards of the Little Traverse Township Zoning Ordinance have been met, conditioned on the applicant combining the two parcels to meet the uses as depicted on the site plan and that maximum building height restrictions of the Township Zoning ordinance of 30 ft. be complied with.

Following a second by Mr. Fairbairn, the following roll call vote was taken on the motion:

Mr. Van Berlo - Yes  
Mr. Radle - Yes  
Mr. Fairbairn - Yes  
Mr. Chattaway - Yes  
Mrs. Snyder - Absent

Chairman Van Berlo declared the resolution adopted.

**8:13 pm:**

Mr. Lane presented a tentative meeting schedule resolution for calendar year 2024. It was noted that the December 2024 date should be the 4<sup>th</sup>. A motion from Mr. Chattaway, and a second by Mr. Radle was approved by a unanimous voice vote. (see attachment page 24).

Mr. Lane then presented a tentative zoning ordinance review schedule. (see attached pages 22-23).

Mr. Lane then presented a draft Planning Commission Annual Report, (see attached page 25-27).

**Open Discussion for issues not on the agenda:**

- a. **Correspondence:** Beckett & Raeder September newsletter.
- b. **Planning Consultant Lane:** Nothing further.
- c. **Planning Commission Members:** Mr. Chattaway wanted to know about a joint PC meeting with the Twp. Board. Mr. Dohm thought a joint meeting would be more productive later in the year, after the PC had come to a consensus on zoning ordinance amendments it was working on.

Mr. Chattaway inquired about the currency of the Township Recreation Plan.

Mr. Dohm responded that he would have to check and would advise.

- d. **Township Board Members:** Nothing further.

The next meeting will be held Tuesday, February 6, 2024 at 7:00 pm.

**Adjourn:** There being no further business to be brought before the commission, Chairman Van Berlo adjourned the meeting at 8:25 pm.

Respectfully Submitted,

William P. Dohm  
Supervisor

Date Approved

Secretary

2-6-24  
  
Tom Fairbairn