

**PENINSULA TOWNSHIP
PLANNING COMMISSION RESCHEDULED MEETING
13235 Center Road
Traverse City, MI 49686
April 30, 2018, 7:00 p.m.
Minutes**

(This meeting was rescheduled from the April 16, 2018, Regular Meeting due to weather.)

1. Call to Order Called to order by Alan Couture at 7:00 pm

2. Pledge

3. Roll Call Present: Couture, Peters, Serocki, Wunsch, Shipman, Elliott, Hornberger

4. Approve Agenda

Elliott requested that items 7.d.3 and 7.d.4—the Planner’s reports be removed from the agenda since Gordon Hayward’s contract with the Township as acting Planner has expired as of last Thursday. She requested Hayward to sit in the audience since he is no longer employed by the Township. Hayward responded that he has been hired on an hourly basis with the Township after his contract expired. Hornberger stated that he is then employed in the Planning Department. Hayward followed with a request that the Planner’s Reports be removed from the agenda. Elliott moved that the Planning Commission (PC) remove the two reports in the consent agenda from the agenda; Peters seconded the motion. Roll call. Passed unam

Serocki noted that two of the PC minutes (3-14-2018 and 3-22-2018) in the consent agenda have typographic, grammar, and other errors, and requested that they be moved down to the Business section for discussion as item “8d”. Peters seconds. Roll call. Passed unam

5. Brief Citizen Comments

Harold David Edmondson, 12414 Center Road. He expressed concern over irregularities occurring in the recording of minutes at the PC/TB joint meetings. He specifically addressed the March 22, 2018, 1 pm meeting, which he and several other residents attended. [Editor’s note: the only item listed on the agenda for this meeting was “Winery Ordinance Amendment”.] He and others attended the meeting there was nothing to suggest what this information was going to entail. He stated that the meeting was called by the planner, not a commissioner. The agenda item asked the joint PC/TB committee to amend Ordinance 139, in response to a request for more processing and storage capabilities from Black Star Farms. [Editor’s Note: Black Star’s current processing/storage building is 20,000 sq. feet because of use by right; the request involved increasing the indoor storage facility an additional 8500 sq. feet. Currently, the maximum storage allowed under the Ordinance 139 is 6,000 sq. feet]. Discussion on the request focused on whether a variance or amendment would be the most appropriate because of the implication for other Farm Processing Facilities and how a change might be accommodated. The meeting was adjourned and the public left with the sense that more study would be needed on the

issue. There was no discussion or decision before adjourning to send an amendment to Ordinance 139 to the PC for consideration at the April 16 regular meeting, nor was there any discussion on using acreage to determine scale of building. [Editor's note: The April 16, 2018 PC regular meeting agenda shows the following:

“Item 8c: Planner Report - Proposed Ordinance Amendment to Farm Processing Facility”.

This agenda again was set by the Hayward. However, the April 16, 2018 PC regular meeting was cancelled due to weather. The item next appeared as an amendment to the April 18, 2018, PC Zoning Ordinance Rewrite Committee agenda, which was again set by the Planner (Hayward)]. Edmondson's concern is that paragraphs #4, 5, and 6, as presented in the 3/22/2018 Joint PC/TB committee minutes, were not discussed in the open part of the 3/22/2018 meeting, but rather after the meeting was adjourned and the public left.

Couture thanked Edmondson for his comments and asked if there were any more comments from the audience. None.

6. Conflict of Interest None

7. Consent Agenda

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

- a. Reports and Announcements
- b. Correspondence (as provided)
- c. Approval of Meeting Minutes
 1. Joint Township Board/Planning Commission Working Committee: 03-14-18; 03-22-18
 2. Zoning Ordinance Rewrite Committee: 03-12-18; 03-20-18; 04-02-18; 04-05-18; 04-12-18; 04-18-18
 3. Planning Commission Regular Meeting 03-19-18
 4. Approve Year End Report
- d. Reports and Updates
 1. Township Board
 2. Zoning Board of Appeals
 3. Planner Report - Proposed Ordinance Amendment to Farm Processing Facility
 4. Planner Report - Proposed Ordinance Amendment to Farm Processing Facility based on Active Agriculture

Serocki requested 3-24-2018 Joint TB/PC Meeting and 3-19-2018 Regular PC meeting be removed from the consent agenda and placed on the Business agenda as Item “8.d”.

Wunsch reported no Town Board report.

Serocki reported that ZBA denied a driveway placement due to set-back requirements, and that the Old Mission Inn asked to apply for a liquor license based on historic precedent.

Peters moved to approve the amended consent agenda; Wunsch seconded. Roll Call. **Passed unam**

8. Business

a. Review Zoning Ordinance Rewrite Committee Article 12

Peters reported on the Ordinance Rewrite Committee work by stating that the hyperlink that McKenna is using, is creating problems whenever something is altered by changing the numbering system. This causes confusion as one moves from one version of the ordinance rewrite to another version of the ordinance rewrite (e.g., rewrite #2 versus rewrite #3). She has tried to correct the numbering system to date, but it is still creating problems. Peters asked the other commissioners for feedback on the content of the current rewrite of Articles 10-12. Elliott expressed her inability to keep the versions in order. Couture explained that tonight's meeting was intended for discussion purposes among the PC members on the progress and products coming out of the rewrite committee. Peters stated that the ordinance rewrite needs to be completed before it goes to the TB. She sees the steps as: 1) McKenna needs to revise this latest version; 2) before the PC has a public meeting on the new ordinance language; and 3) before it goes to the TB. Serocki asked how the rest of the PC feels about the way the rewrite is going. Elliott wanted to know how many more times the PC can go back to McKenna for a rewrite. Peters asked Hayward to respond to that question, since he and Christina met with Patrick Sloan of McKenna last week, without any PC members present. Deeren said that McKenna was committed to completing a good document. Couture asked Wunsch how the TB would react to receiving a draft of the ordinance rewrite. Wunsch stated that there would be mixed reactions from the various TB members based on personalities. He advised the PC to begin aligning the TB to the probable review process that the PC wants them to take when reviewing. He thinks it would be wise to prepare them for a final review. Elliott asked if the revisions are reflecting the changes that the rewrite committee desires when the revision goes to McKenna and then returns. Elliott gave the example of the language in the "building height" section of the ordinance, which does not reflect what was desired for the ordinance language for the PC. Serocki agreed by referring to the 3rd revision's definition of building height, which was much clearer in intent. Shipman suggested giving the TB a "large picture" overview of the ordinance rewrite until a final version is complete. Wunsch said a "highlights" summary would be best for the TB at this point, rather than a detailed report. Elliott asked the PC about the most appropriate presentation format to use with the TB. What does the PC want to present as an informational session with the Board? Wunsch said we should propose a process to the TB that allows input, but keeps the discussion above the detail level.

Couture asked if the PC still wanted to discuss the other business items. That is:

- "b. Review Zoning Ordinance Rewrite Committee Article 11
- c. Review Zoning Ordinance Rewrite Committee Article 10"

Peters said she would appreciate hearing what the other members of the PC think of the three article rewrites.

The discussion among PC members appeared to suggest that there was consensus on Article 11's wording.

Couture moved to Article 10 on "signs". Several PC members thought the tables in this section were too complex. Peters also noted that the names applied to the signs changed between versions and that consistency in sign naming was needed. Serocki concurred, especially if a graphic of the sign was missing.

Couture then moved to the new Business Item "D"—meeting minutes of March 19, 2018 Planning Commission Regular Meeting and the March 22, 2018 Joint PC/TB Meeting).

Wunsch said the problem was that he circled back on the Farm Processing discussion, after both the short-term rentals and the staff assignments were discussed. The problem was that the meeting has already adjourned. As chair, he failed to prevent the discussion from circling back.

Peters said that the information from the Zoning Ordinance Rewrite Committee and the PC/TB Joint Committee meetings are notes, not minutes.

Wunsch said he was not sure how to remedy the minutes of the meeting at this point.

Hornberger stated that the committee cannot change what was done. She moved to approve the notes of 3-22-2018 as submitted; she stated that just because it was out of order, does not mean that it did not happen. Can't undo it. We should approve them.

Wunsch would like the PC to approve the minutes, contingent upon a follow up discussion at a later meeting.

Shipman reminded the PC that the minutes of this meeting will stand as a correction to the earlier meeting.

Couture called the question to approve the minutes/notes of the 3-22-2018 meeting with or without an amendment.

Hornberger accepts the proviso to the motion by Wunsch; seconded by Shipman. Roll call. **Passed unam**

Couture directs the attention of the Commission to the minutes of the March 14, 2018 PC/TB Joint meeting, which were approved at the March 19, 2018 Regular Planning Commission Meeting. Peters confirms that the March 14, 2018 minutes were part of the PC minutes that was amended and approved on March 19, 2018, at the Regular Planning Commission meeting.

Serocki then proceeds to identify other errors in the minutes of the March 19, 2018 PC Regular meeting:
Page 2, 1/3 of the way down—“Elliott moves to amend the agenda; Hornberger seconds”. **Passed unam**
“Hornberger moves to approve agenda; Serocki seconds.” **Passed unam**

Pg. 2, Ordinance Amendment #194 which is listed in the text, should be #196.
Pg. 2, “zoning ordinances” need capitalization throughout the minutes.

Pg. 3 “article 13” needs to be capitalized

Add “we [can] talk about it later”

Under Peters, “section 13” needs to be changed to “Article 13”

Change “...to make it make easier” to “...to make it easier”

Pg. 5 eliminate “**is** for a variance”

Discussion on rental, “price should be piece”

Scenario

- | | | |
|------------|-----------|------------|
| a. Country | should be | a. B&B |
| b. B&B | | b. Country |

line with “not limit” should be “no limit”

Paragraph 2. “request in application for [site] not **sit** request was different from a discrete variance.”

Pg. 13 under Events, last sentence should read “...no mention of size **or** parking”

Pg. 14 B&B is known as a “chateau”

Pg. 15 “...wanted was a **reward**”

Deeren title--not the “Director of Zoning” but rather the “Zoning Administrator”

Peters/Hornberger approved minutes as amended. **Passed unam**

These were the corrections provided by Serocki that need to be in the March 19 minutes for the regular meeting of the PC.

9. Citizen Comments

Harold David Edmondson, 12414 Center Road, spoke again and expressed his frustration concerning the Commission’s inability to grasp the significance of conducting business on an agenda item after it was already discussed at a meeting and the public interested in that item disperses because they think discourse on the item is complete. It is his impression that the minutes/notes of the March 22, 2018, Joint Town Board/Planning Commission meeting contain information that was not part of the public discourse, specifically, paragraph 4, when the topic of the winery amendment was discussed. He considers it a violation of the state rules for conducting public meetings.

10. Board Comments

Shipman thanked the Ordinance Rewrite Committee for their work.

Couture thanked the audience for their participation.

11. Adjournment

The meeting adjourned at 8:40 pm.