

## PENINSULA TOWNSHIP

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### PENINSULA TOWNSHIP PLANNING COMMISSION MEETING MINUTES

#### VIA ZOOM FORMAT

February 22, 2021

Corrected on 3/16/2021 by Beth Chan

1. **Call to Order: 7:00 p.m. by Hall**

2. **Pledge**

3. **Roll Call:**

Present via Zoom: Hornberger, Hall, Dloski, Couture, Oosterhouse, Wunsch; absent: Shipman; also present: Mielnik, Deeren, Attorney Meihn

**Hall:** The meeting is being conducted virtually because of COVID-19 and all of the members of the planning commission reside in Peninsula Township.

**Roll Call:** All reside in Peninsula Township

4. **Review for Conflict of Interest:** None

5. **Brief Public Comments:**

*Led by Jim Muratzki, LIAA/TACM, acting as Zoom facilitator for public comment.*

**Kurt Peterson, 1356 Buchan Drive, Traverse City:** Referred to the zoning rewrite draft that put aside the controversial items expressed during the past three public hearings. Right now the current rental of a home in R-1A is less than thirty days. Please make sure when the committee goes back to consideration, it goes back into R-1A, not in the other zoning zones. Right now the draft 6.2.0 reads: *applies to all zones.*

**John Milliken, 7580 E. Shore Road, Traverse City, representing the Seven Hills project:** Refers to a letter in the January packet. To clarify, the developer will be removing buildings from the Seven Hills Development and adding more green space. No trees have been removed from the Seven Hills property by the developer.

**Jill Hammer, 10429 Warren Drive, Traverse City:** Refers to the corner lot definition on page 210, where lot types are defined, this needs clarification. On page 210, in part 80: the last sentence reads *a corner lot will have one front lot line as defined by the primary access*, and asking that it should read *have one front lot line as defined in accordance to pages 215 and 216.*

6. **Additions to Agenda/Approval:**

**Moved by Hornberger to approve agenda as presented, seconded by Dloski.**

**Roll Call:** Pass unan

7. **Consent Agenda:**

a. **Approval of Meeting Minutes: Planning commission Meeting, January 21, 2021**

**Hornberger:** One correction on page 2, under reports: change the word development to revision.

**Moved by Hornberger to accept consent agenda, as amended, seconded by Couture.**

**Roll Call:**

**Pass unan**

**Hall:** The date for the meeting minutes for this agenda reads January 21 and should read January 25.

**8. Reports:**

**A. Zoning Board of Appeals (Couture)**

**Couture:** The ZBA met last week and heard four cases for landowners with variance requests, some portions of the requests were approved. An issue discussed was a change for a definition of a lot.

**Discussion of ZBA requests.**

**9. Business Items:**

**a. Bella Vue PUD/SUP #137-Public Hearing Continuation/Discussion**

**Mielnik:** In the last meeting the planning commission voted to continue the public hearing. Planning commission members have made site visits.

**Hall closes the regular meeting and opens the public hearing.**

**Bill Smethels, 10547 Bluff Road, Traverse City:** Smethels shares a 200 feet property line with the proposed Bella Vue development. Concerned with the placement of the three housing units on the bluff. Questions how can it be done without moving substantial amounts of dirt. References the township board meeting requirements.

**Hall closes the public hearing and opens the regular meeting.**

**Mielnik:** No new information was received from the applicant. Refers to the memo in the packet regarding the two items. The township attorney will be consulted on the master deed for mechanisms for protection.

**Dan Leonard, 1256 Fairwood Drive, East Bay Township, Coldwater Development:** The issues are being addressed. The attorneys have put together a draft compilation with language. Tim Taylor, the arborist, is drafting a management plan to be included in the master deed and the bylaws. The architect/engineer is working on soil stabilization methods and has an updated two-dimensional map on the land balancing.

**Dloski:** When at the site, there was a discussion about defining the location of the vertical construction with the edge of the bluff to the building line. First, asking for measurements to the edge of the bluff; specifically, need a drawing with building elevations to the edge of the bluff. Secondly, asking for cut and fill elevations.

**Mielnik:** The description of cut and fill activity should be contained in the grading and stabilization plan with existing and proposed contours.

**Leonard:** It is helpful to have a base elevation with the distance from the edge of the steep slope to the building envelope.

**Hornberger:** Expressed several concerns after walking the site: the steep bluff and the trees holding up the bluff, and the name Bella Vue indicates a view (for example: marketing) which is only

available in the winter. How could this work and would the homeowners want to cut trees, expecting to look at the lake?

**Leonard:** This will be controlled. The legal documents will be in place. A fifty-foot setback will be maintained from the stabilized slope, with no intention of touching the vegetation.

**Mielnik:** The master deed and the management plan will address these concerns. Proposed management and replacement of diseased trees will need to be addressed in the management plan with respect to replacement. There are two kinds of open space: one on the western side and the other on the eastern side (steep slope). Both the legal instrument and the management plan will be important.

**Dloski:** Will the fifty-foot setback length make geotechnical sense?

**Leonard:** Will work with Jennifer Hodges once soil stabilization takes place; soil erosion measures will be followed.

**Discussion of soil erosion measures.**

**Mielnik:** The next step is a document of findings and conclusions. We have a tight deadline with the next planning commission meeting held on March 15<sup>th</sup>, the deadline is March 1<sup>st</sup>.

**Discussion of the timing of the next steps.**

**b. Seven Hills SUP #139**

**Mielnik:** This SUP was introduced in November, the public hearing was held, and no action was taken in January. The packet contains findings and conclusions. Conceptual approval has come from the health department, the road commission, the fire department, and Gourdie-Fraiser. The health department conditional approval has come in. The hotel has been removed from the plan. References the ten approval conditions in the packet.

**Jennifer Hodges:** Summarizes packet information for the parking and food service, lighting, and landscaping. Preliminary, the intent is there. Reviews preliminary ordinance compliance.

**Discussion of the conditions, concept, and intent.**

**Moved by Dloski to recommend approval of Seven Hills SUP #139 to the township board, subject to the terms and conditions in the staff review of February 22, 2021, specifically items 1-10 on pages 5-6 of the staff review and any other conditions that need to be met for final approval, seconded by Oosterhouse.**

**Hornberger:** Question to Jennifer Hodges, are you comfortable with the well and septic situation?

**Hodges:** The health department will enforce these conditions. The well needs to be type two.

**Mielnik:** There will be not be a land use permit issued until everything is met.

**Hall:** It is implied that it is approved, it is to be sent to the township board?

**Dloski:** The motion was to recommend approval to the township board.

**Roll call:**

**Pass unan**

**c. Zoning Ordinance Update**

**Mielnik:** Refers to the packet addition with the twenty-one issues with the proper edits, or statements to leave certain specific issues alone. Individuals with concerns have been contacted. Suggests preparing a new draft so the edits are clear and bring it to the March meeting.

**Oosterhouse:** Concerned with structure definitions: patio, sidewalk, pavers, and driveways. Questioned how can that be monitored, specifically landscape pavers.

**Deeren:** The definition of structure was left in, but does not count in the percentage of lot coverage.

**Oosterhouse:** Landscape pavers in a backyard will need a land use permit as they constitute a structure.

**Discussion of the definition of structure as it relates to landscaping.**

**Miehn:** Explains how definitions can vary and a land-use permit is to ensure the project is safe, in conformity, and meets requirements.

**Mielnik:** Will hold this issue out and look at it for the next meeting.

**Hall:** We will continue to receive comments on the zoning ordinance rewrite, the process is informal.

**d. Master Plan/Participate Old Mission**

**Mielnik:** *Participate Old Mission* has had 500 site visits and 175 registered participants in the first month. A dozen questions were asked and answered, and feedback is coming in on all issues, with non-motorized travel and traffic safety as an example. Explains steps forward. Suggests that an advisory committee assemble an outline of a document for the new master plan.

**Discussion**

**e. SUP Process-Discussion**

**Mielnik:** Has put together a set of documents to describe the special land use process. A draft is included in the packet. Briefly describes the draft documents. Requests the planning commission members come back with questions. Reviews the public hearing timeline.

**Discussion among planning commission members on the timing of public hearings for the SUP process.**

**10. Public Comments:**

**Bill Smethels, 10547 Bluff Road, Traverse City:** Commented on the timing of public hearings and that plans change in light of public hearings; different plans can come forward.

**Monnie Peters, 1425 Neahtawanta Road, Traverse City:** Commented that the Zoom format works well. Donna and Larry had excellent comments on Bella Vue. Followed up on the letter sent in with comments on the zoning rewrite. Finally, more discussion is needed on the **amount of** land needed for hotels.

**11. Other Matters or Comments by Planning Commission Members:** None

**12. Adjournment:**

Moved by Hornberger to adjourn, seconded by Dloski  
Adjournment at 8:30 p.m.

Pass unan