PENINSULA TOWNSHIP

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Planning Commission
Regular Meeting
May 7, 2026, 7:00 p.m.
Township Hall
Minutes

1. **Call to Order by Beard at 7:00 p.m.**
2. **Pledge**
3. **Roll Call – Present:** Alexander, Beard, Eckstein, Hornberger, Shanafelt, Shipman; **Absent/Excused:** Hall; **Staff Present:** Sara Kopriva, Township Planner of Record
4. **Approve Agenda**

Motion by Shanafelt to approve the agenda as written, seconded by Eckstein. **Motion Passes**

5. **Brief Citizen Comments (for non-agenda items only): none**
6. **Communications:** 1) Acme Township is holding a public hearing on their Master Plan.
7. **Conflict of Interest:** none declared
8. **Approval of Minutes**
   a. **Approval of Meeting Minutes: April 9, 2026**

Motion by Hornberger to approve minutes as amended to reflect Shipman's attendance in place of Hornberger, seconded by Alexander. **Motion Passes**

9. **Business**
   a. **Zoning Amendment #207 to conditionally rezone parcel ID #28-11-009-029-10 from R1-A/R1-C to R-1C**

Kopriva recaps Zoning Amendment No. 207, a request to conditionally rezone parcels from R1A and R1C to entirely R1C, including proposed deed restrictions limiting disturbance on slopes greater than 20% and restricting the property to four lots. Explains the rezoning must be evaluated based on all permitted district uses, not solely the proposed development. Discussion: whether the property should remain partially or entirely zoned R1A due to steep slopes and hillside characteristics. Concerns are raised regarding precedent, density, duplex potential, slope stability, stormwater management, vegetation preservation, and enforcement of deed restrictions. PC questions whether similar density could be achieved under R1A zoning.

Applicant Suzanne Schulz presents additional information regarding surrounding zoning, slope protection, stormwater management, lot configuration, driveway access, shoreline limitations, and tree studies. States the proposal attempts to balance development rights with slope and vegetation protections through deed restrictions.

Discussion: regarding future lot splits, shoreline access, and whether future owners could alter vegetation despite restrictions; whether deed restrictions should include replanting requirements or additional setback protections related to steep slopes. Beard explains the PC may only consider voluntary conditions offered by the applicant and cannot impose additional conditions on a conditional rezoning request. Schulz requests the

request be tabled allowing her time to consult with her client about adding an additional condition to the rezoning.

Motion by Shipman to table item, seconded by Shanafelt. **Motion Passes**

b. Zoning Amendment #208 Signage

Discussion: regarding proposed sign ordinance amendments. Kopriva reviews changes from prior drafts and summarizes differences between the current ordinance and the proposed content-neutral language required following recent court decisions. Also: limits on temporary and seasonal signage, clarification of total square footage allowances, and possible impacts on scenic byway standards.

PC discusses terminology revisions involving pedestrian versus non-motorized paths, signs attached to trees, monument and pole sign definitions, incidental signs within farm operations, and the extent to which signs not visible from public rights-of-way should be regulated or require permits. PC also addresses flag poles, illumination standards, dark sky considerations, and placement of sign definitions within the ordinance structure. Focuses on feather flags, seasonal sign timeframes, maintenance standards for deteriorated signage, and concerns that cumulative sign allowances could unintentionally permit excessive signage at farm stands. PC requests additional review and revisions before forwarding the ordinance amendments to the Township Board and notes the recently extended sign enforcement moratorium allows additional time for refinement.

Motion by Hornberger to remove Business Item 9a from the table and return to discussion, seconded by Shipman. **Motion Passes**

Additional proposed conditions offered by applicant incorporating recommendations from the tree and slope studies, including an eight-foot setback from slopes greater than 20%, preservation of vegetation within protected areas, retention of existing stumps for slope stability, and replacement requirements for removed vegetation using native species. The revised language is incorporated into the applicant's formal offer of conditions.

Discussion continues regarding steep slope protections, vegetation preservation, water runoff concerns, and deficiencies within the Township's existing ordinances related to hillside protection. PC members express appreciation for the applicant's willingness to incorporate additional protections and acknowledge the proposal provides greater safeguards than would otherwise exist under current zoning regulations. Concerns are also expressed regarding precedent, future development impacts, and whether slope protections should instead be addressed comprehensively through ordinance amendments rather than individual rezoning requests.

Motion by Shanafelt to recommend approval by the Town Board of the conditional rezoning of parcel ID #28-11-009-029-10 from R1-A/R1-C to R-1C, seconded by Alexander.

Roll Call Vote: Alexander: yes; Beard: yes; Eckstein: no; Hornberger: no; Shipman: yes; Shanafelt: yes;

Motion Passes by Majority Vote

c. Zoning Amendment #209 Short Term Rentals

Kopriva reviews proposed revisions to Zoning Amendment No. 209 regarding short-term rentals, including updated consecutive-day language and definitions used in other communities. Discussion focuses on enforcement concerns raised by ordinance enforcement staff, particularly language prohibiting advertising of short-term rentals. Kopriva explains the Township attorney advises that regulating advertising raises First Amendment concerns and would require additional findings and justification to support enforcement.

Discussion continues regarding difficulties proving violations, documenting rental durations of fewer than 30

days, and identifying violations through complaints or online advertisements. Consensus is reached to remove the proposed prohibition on advertising from the ordinance amendment while retaining the remaining clarifying language.

Motion by Eckstein to recommend approval by the Town Board of Zoning Amendment No. 209 regarding short-term rentals, as amended, seconded by Shanafelt.
Roll Call Vote: Alexander: yes; Beard: yes; Eckstein: yes; Hornberger: yes; Shipman: yes; Shanafelt: yes;
Motion Passes Unanimously

d. Zoning Amendment #210 Special Use Process

Kopriva explains a clean editable version from McKenna was not available in time for inclusion in the packet, though revisions discussed during the prior month's public hearing continue to be incorporated. PC requests both clean and redlined versions be distributed in advance of the June meeting for further review and editing.

e. Ex Parte Memo/Discussion

Prepared by Township attorney Chris Patterson, the memorandum expands upon prior discussions regarding ex parte communications, including how to identify, avoid, and disclose such communications during PC proceedings. Discussion emphasizes the importance of transparency, disclosure of asymmetrical information, avoidance of conflicts or the appearance of conflicts, and maintaining fair and unbiased decision-making processes. PC members express appreciation for the memorandum and describe it as a useful ethical and procedural resource for current and future Planning Commissioners, as well as other Township officials. Discussion includes the value of compiling similar governance resources into onboarding materials for future members.

10. Reports and Updates - Verbal

- **a. Agricultural Advisory Committee (Beard):** reports on the upcoming agritourism summit, recent committee discussions, and anticipated recommendations regarding farm stays.
- **b. Township Board (Alexander):** updates include recent developments in pending litigation and insurance matters involving the Township.
- **c. Non-Motorized Plan (Shipman):** updates on the non-motorized planning process, public survey participation, and recent public engagement meetings.

11. Brief Public Comments (Please keep comments to 3 minutes or less): none

12. Other Matters or Comments by Planning Commission Members

Discussion turns to PC workload, coordination with advisory committees, and the possibility of scheduling occasional special meetings to address increasing zoning and ordinance revision work. Discussion includes concerns regarding lengthy meetings, staff capacity, improving communication and handoff procedures between committees, and the importance of addressing questions prior to meetings to improve efficiency. Appreciation is expressed for information provided by the Agricultural Advisory Committee regarding signage discussions.

13. Adjournment

Motion by Alexander to adjourn, seconded by Shipman. **Motion Passes**

Meeting adjourned at 9:18 p.m.