

Minutes

PENINSULA TOWNSHIP

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PENINSULA TOWNSHIP PLANNING COMMISSION MEETING MINUTES

May 17, 2021, 7:00 p.m.

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

2. **Pledge**

3. **Roll Call:**

Present: Hornberger, Hall, Dloski, Shipman, Alexander, Couture; Absent: Wunsch; Also present: Mielnik, Deeren, Attorney Meihn via phone

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

5. **Brief Public Comments:**

Monnie Peters, 1425 Neahtawanta Road, Traverse City: Poses a question about the update to the zoning ordinance, the website has pages with blue, are they the only additions that were made from the March version?

Mielnik: Yes.

Katie Grier, 12393 Bluff Road, Traverse City, Traverse City: Commented on the winery lawsuit. Felt it will undo thirty years of hard work by the township to strike a balance between residential, agriculture, and business, and it is a burden on the taxpayers. Supports the township and the use of the 2019 survey conducted by the township.

Deb Larimer, 3802 Blue Water Rd, Traverse City: Recently read the updated master plan and the meeting notes and felt that the township boards are on the right track and have followed the master plan. Commented on precedents that are set when changes are being made. Feels betrayed by the wineries and urged the township to hold strong to the master plan.

Michele Zebell, 2616 Bowers Harbor Road, Traverse City: Commented on the winery lawsuit: this is agricultural land and it needs to be held as such. Wineries are special use and it appears that the agriculture is minimized and the special use is optimized. Urges the township to follow the master plan.

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

Moved by Hornberger to approve the agenda as presented, seconded by Alexander.

pass unan

7. **Consent Agenda:**

a. Approval of Meeting Minutes: Planning Commission Meeting, April 19, 2021

Moved by Hall to accept the consent agenda, as presented, seconded by Dloski.

pass unan

8. **Reports:**

a. Zoning Board of Appeals (Couture)

Couture: Briefly summarized the three cases heard by the ZBA in April.

b. Master Plan Update (Shipman):

Shipman: Thanks Randy Mielnik for his efforts on the master plan update. Plans are underway to complete the document. In addition, the land use planning map has been discussed and a component will include GIS support from Gordie-Fraiser. The May 24, 2021 meeting will be pushed back. Also, looking at interim plans for moving projects along after Mielnik's retirement at the end of May. Finally, looking ahead to working with TART on the non-motorized trails with a committee consisting of parks committee member representative, Dave Murphy, township board member representatives, Becky Chown, and Isaiah Wunsch, citizen member, Todd Wilson and planning commission representative, Susie Shipman.

Moved by Dloski to formalize a non-motorized trail committee for non-motorized trails consisting of the following members: Murphy, Chown, Wunsch, Wilson, and Shipman, seconded by Alexander **pass unan**

Mielnik: The draft document is on the township website and will work on putting the twelve vision principles on *Participate Old Mission* to generate comment. Feedback is beginning to come in.

9. Business Items:

a. Kohler Rezoning A-1 to R-1C

Mielnik: There is an error in the notes; the property does not have frontage on Center Road.

Ted Kohler, 9600 Eastridge Drive, Traverse City: Owns the property at 9600 Eastridge Drive and it includes 5.370 acres (parcel # 11-017-023-10). There is an existing home on this property with frontage on Eastridge Drive. The property is zoned A-1 as shown on the attached image. Would like to rezone to divide the property to sell to neighbors. The property had four splits. Recently, neighbors have shown interest in buying pieces of his property. Is rezoning appropriate? Could easements work for this property? Eighteen parcels surround his five-acre property. Looking for solutions. Kohler discusses the details of his property and what he feels is possible.

Hall: What is the minimum residential lot size for R1-C and for A-1?

Deeren: R1-A is one acre and R1-C is 20,000 square feet. The property would need to be surveyed, meet land division qualifications, and a frontage requirement. If it does not meet these requirements, rezoning would not be possible. Suggests that Mr. Kohler develop a plan for land division, for frontage, and square feet for land division.

Mielnik: It is a non-conforming lot.

Deeren: There is work to do to see if it is in compliance.

Discussion of easements versus rezoning.

Deeren: There is a need to look at the Homestead Exemption.

Couture: A real estate attorney could provide information.

Dloski: What information does the new master plan provide?

Discussion

Shipman: There is nothing the planning commission can do at this point.

Hall: This is a complicated problem; suggests a civil engineering firm and a real estate attorney.

Discussion of Mr. Kohler formulating a plan with specific information.

Meihn: Concurs with discussion, Mr. Kohler should consult professionals and come up with a specific plan.

Discussion of Mr. Kohler's plan for his property.

b. Bonobo SUP #118 Amendment Update

Mielnik: The planning commission committee members are Hornberger, Hall, and Wunsch. They met on April 28, 2021, and again on May 6, 2021, with the applicant. Revisions were discussed. Attorney Meihn will give a legal opinion.

Couture: Question to Attorney Meihn: when looking at the standards in Section 8.1.3, paragraph 2, conditions and safeguards, does that section have anything to do with the Bonobo application? Will follow up with an e-mail.

A brief discussion of the standards to the application.

Todd Oosterhouse, 7700 Peninsula Drive, Traverse City: It was stated in the last meeting that an e-mail would be sent to him listing the information needed. It was to be sent out by May 10, 2021, and has not been received as of yet.

Discussion on follow-up.

c. Bella Vue PUD/SUP #137 Update

Mielnik: The application was discussed in April. The planning commission committee consists of Shipman and Dloski. Jennifer Hodges was in attendance for the meeting on May 3, 2021, and had a report. The applicant was going to provide soil borings and geotechnical information to ensure the stability of the slopes. The arborist report will be revised to match the main report. This will on the planning commission agenda in June.

Dloski: Bank stability was the concern; important to have the geotechnical study.

d. Zoning Ordinance Update

Shipman: Refers to the memo in the packet. The newest member needs to review the information. How to move forward?

Mielnik: The document has been reviewed with hyperlinks checked, the solar ordinance was incorporated and there are no outstanding issues.

Discussion

Shipman: Public input will not be stopped for the zoning ordinance update.

Hall: Has it been reviewed by the township attorney?

Mielnik: Yes, it has been reviewed by the township attorney and his firm.

Alexander: If the vote takes place tonight, will this be a draft?

Mielnik: The vote will recommend the document to the town board.

Discussion of a process to move forward.

Moved by Couture for the planning commission to recommend to the township for board approval of the revised zoning ordinance draft, dated May 17, 2021, seconded by Hornberger.

pass unan

e. SUP Process:

Mielnik: The document has been reviewed and some clarification has been added. The township relies on the SUP process and this document is useful to show the steps involved. The next step is to present it to the town board.

Alexander: Is this online or on paper, how is this available?

Deeren: It is for use by the staff.

Alexander: It would benefit the public, presents suggestions.

Dloski: We had discussed/mentioned a technical amendment for small changes in the SUP.

Discussion of amending the zoning ordinance.

Moved by Couture to recommend approval of the flowchart and checklist for the SUP process, to the township board for approval, dated May 12, 2021, seconded by Alexander.

pass unan

10. Public Comments:

Monnie Peters: Commented on the five-and-a-half-year history of the zoning ordinance.

11. Other Matters by Planning Commission Members:

Shipman: Thanks Randy Mielnik on behalf of the planning commission for his expertise and stewardship of the master plan upon his retirement.

12. Adjournment:

Moved by Dloski to adjourn, seconded by Couture.

pass unan

Adjournment at 8:15 p.m.

DRAFT