

**PENINSULA TOWNSHIP**

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**PENINSULA TOWNSHIP PLANNING COMMISSION MINUTES**

September 18, 2023, 7:00 p.m.

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

**2. Pledge**

**3. Roll Call: Present: Shanafelt, Hall, Alexander, Beard; Absent: Dloski, Hornberger, Shipman;  
Also present: Jenn Cram, Director of Planning and Zoning, Chris Patterson, Fahey  
Schultz Burzych Rhodes, and Beth Chan, Recording Secretary**

**4. Approve Agenda:**

Moved by Alexander to approve the agenda, seconded by Beard

**approved by consensus**

**5. Brief Citizen Comments (For Non-Agenda Items Only): None**

**6. Conflict of Interest: None**

**7. Consent Agenda:**

a. Approval of Meeting Minutes: Planning Commission Regular Meeting August, 2023  
**Beard**: Correction to read bright lights should be motion activated or on timers, strike  
dimmers.

**Moved by Shanafelt to approve the consent agenda as amended, seconded by  
Alexander**

**approved by consensus**

**8. Business:**

a. **Special Use Permit (SUP)-Peninsula Shores Planned Unit Development (PUD) #123  
Amendment #4-Public Hearing (Waters Edge Drive and Shoreline Court)**

**Cram**: the applicant has requested a fourth amendment; draft findings of fact and  
conditions are in the packet. The requested changes are lot line adjustments to Units 25-  
29 and 41, the addition of one development site proposed as Unit 42, and a proposed  
sanitary easement for Unit 42. Introduced on August 21, 2023. Engineering and fire are  
reviewing the application but official comments have not been received. Public  
comment has been received in two letters and an email is in the packet. Several citizens  
called or came in to review the plans. The application meets the conditions of 8.1.3 (1)

and 8.3.1 (3) and the PUD requirements under section 8.3 planned unit developments. This application meets the conditions for sections 8.1 and 8.3. Called for a discussion of section 8.1.3 (1) (b) not to be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole. Showed slide of aerial views of Units twenty-five through twenty-nine, Unit forty-one, and the proposed Unit forty-two.

**Discussion**

**Alexander:** remarked that the builder could move the proposed residences away from the bluff without adding a lot.

**Cram:** adjusting units twenty-five through twenty-nine helps meet the sixty-five percent open space.

**Kyle O’Grady, 901 S. Garfield Road, Suite 202, Traverse City:** staff represented the request correctly, looking forward to hearing public opinion.

**Moved by Shanafelt to close the regular meeting and open the public hearing, seconded by Alexander. approved by consensus**

**Scott Thomas, 15594 Waters Edge Drive:** has lived in the development for one year. He has reviewed the online plans and does not object to the addition of another lot.

**Tim Ash, 15582 Waters Edge Drive:** approve of what the O’Gradys are proposing, appreciates the sixty-five percent open space.

**Moved by Beard to close the public hearing and open the regular meeting, seconded by Alexander approved by consensus**

**Cram:** Returned to the discussion of 8.1.3 (1) (b) Not to be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole. The original PUD was approved with forty-one units of residential development and 65% open space. The first part of the standard has been met as they are proposing another lot for a single-family residence within a development with other single-family residences . But, is it a substantial improvement to property in the immediate vicinity and to the community as a whole? Forty-one units with 65% open space was deemed to be a substantial improvement compared to fifty-five units with no open space in the original proposal. A single household generates on average ten vehicle trips (leaving = one trip and coming back to your house = another trip) a day; this is an approximately 2.4 percent increase in vehicle trips for the development and community. Also, Unit forty-two would be on the common septic system and Unit twenty-five would have an individual on-site septic system. Thus, adding an additional unit of development on an on-site septic system. There will be an increase in noise, lighting, etc, as well with the additional unit of

development. Is this an improvement to the property in the immediate vicinity and community as a whole?

**Shanafelt:** The change in the lot lines on the bluff is a substantial improvement but does not have a direct relationship to the additional lot and do not believe it meets the standard.

**Alexander:** Agreed with Shanafelt, the lot line change on the bluff is responsible. But the lots are smaller and next to a large home. Do not see this as a substantial improvement.

**Beard:** Pulling the lot lines from the bluff is only a few feet. Expressed concern the homeowners will bleed beyond the lot lines to the edge of the bluff, perhaps beyond the platted lot line.

**Kyle O'Grady:** Deferring to the permitting process, a site plan is submitted that must meet the township's zoning ordinance.

#### **Discussion of open space and homeowners' lot lines**

**Hall:** expressed substantial improvement determined with the PUD project as it was originally approved. This requirement should not be applied to amendments. Gave an example of a road.

**Patterson:** it depends on the amendments. Looking at the project in the beginning, and now looking at a forty-two-unit development with a lot line adjustment. Discussed the amendment as proposed with respect to 8.1.3 (1) (b).

#### **Discussion of substantial improvement because of the nature of the first approval**

**Cram:** would like to hear from the applicant

**O'Grady:** to summarize, looking at adding an additional lot and changing lot lines to accommodate this. Adding another house improves the community as a whole.

**Shanafelt:** why was this not in the original proposal?

**O'Grady:** amendments are brought forward by the developer; learning happens during the development.

#### **Discussion**

**Cram:** The township engineer at Gordie Fraiser and Chief Gilstorff will provide comments for the next meeting. The Planning Commission does not have to take formal action on the evening of the public hearing.

### **9. Reports and Updates: Special Use Permit (SUP)-Peninsula Shores Planned Unit Development (PUD) #123 Amendment #3-Condition of Approval #2/Evergreen Plantings (Waters Edge Drive and Shoreline Court)**

**Cram:** condition number two has been met; the revised landscape plan is in the packet. The Land Use Permit has been issued.

**Shanafelt:** disagrees, the smaller trees will not thrive

**Cram:** they have met the condition of approval as drafted.

**Shanafelt:** asked who is responsible for the trees if they die.

**Cram:** the Homeowners Association and/or the developer.

#### **Discussion**

**10. Public Comments:**

**Nancy R. Heller, 3091 Blue Water Drive:** need more clarification about community, in the way it is used; is it the development or the community of the township residents?

**11. Other Matters or Comments by Planning Commission Members:**

**Cram:** the election of officers will occur during the October planning commission meeting. Looking at a special joint meeting between the township board and the planning commission on October 24, 2023, to discuss building height.

**12. Adjournment: 8:12 p.m.**

**Moved by Shanafelt to adjourn, seconded by Alexander approved by consensus**