

PENINSULA TOWNSHIP

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PENINSULA TOWNSHIP PLANNING COMMISSION MINUTES

February 22, 2024

7:00 p.m.

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

2. **Pledge**

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

4. **Approve Agenda:**

Moved by Hornberger to approve agenda, as presented, seconded by Beard

approved unanimously

5. **Brief Citizen Comments (For Non-Agenda Items Only)**

Curt Peterson, 1356 Buchan Drive: commented on the procedure to adopt Amendment #204; an email was sent that outlines the proper procedure. He stated that in accordance with Michigan Zoning Statutes, there is a sequence to follow according to the Michigan Zoning Enabling Act. The planning commission has made a change since the public hearing, and what will go to the township board will be illegal. The procedure is wrong. Peterson gave an example. Asked the commission to follow the correct legal procedure.

Hall: Peterson's comments were taken seriously; an opinion was received by the township's legal counsel and the planning commission's process complies with the law.

6. **Conflict of Interest:** None

7. **Consent Agenda:**

a. Approval of Meeting Minutes: Planning Commission Regular Meeting January 22, 2024.

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

approved unanimously

8. **Business:**

a. Special Use Permit (SUP) #132 – Bowers Harbor Vineyards, Amendment #1 –Public Hearing
2896 Bowers Harbor Road, Traverse City, MI 49686

Cram: summarized the background of SUP #132, found in the packet under Draft Findings of Fact and Conditions, SUP #132, Amendment #1-Background and Information.

Shanafelt: all acres were included to get close to the fifty acres, today it is legally nonconforming. Single-family residences are allowed as a use by right.

Alexander. this is for the house only.

Cram: discussed the addition to the home.

Hornberger: if this was not a part of the SUP, they would not need to be here.

Hall: approved plan

Cram: the site plan is specific to the additions to the single-family home. There will be a more detailed plan for the township board. Read a letter from Cathy O'Connor, 3159 Ogidaki Trail into the public record dated February 12, 2024.

Dear Peninsula Township Planning and Zoning Department, I am in full support of Erica and Spencer Stegenga's house addition. It is my understanding that this project was originally approved in 2019 and now for some reason, it appears to be stalled. I sincerely hope this is not some form of retaliation towards them and the fact that they own one of the best wineries on the peninsula.

Marc McKellar, Kuhn Rogers, 4033 Eastern Sky Drive, Traverse City: this process has gone well. A plan was set to isolate the house, so both parties are clear. There is a typo on page 6, C-1 should be corrected to A-1. The cash bond covers the plantings.

Hall: Regarding the updated site plan, the attorney mentioned rights for the future, it will be worked on before it goes to the township board.

Hall closed the regular meeting and opened the public hearing.

Hall: called for public comment, no comment was made.

Hall closed the public hearing and opened the regular meeting.

Beard moved to recommend approval of Special Use Permit (SUP) #132, amendment #1 for Bowers Harbor Vineyard subject to the seven conditions contained in the Staff Report, with the change in language for #3: the applicant shall provide a cash bond to the Township in the amount of the cost of the 60 trees before a land use permit for the home can be issued. The Township shall refund the applicant the cash bond in full within 15 days of receipt of evidence of planting of the trees and #6: the site shall be developed consistent with an updated final plan to be approved by the township board and with the information contained in the application and packet materials. The applicants shall be subject to all other verbal or written representations and commitments of record for the approval of Special Use Permit #132, Amendment #1. Any future changes to the use of the property require the approval of an amendment to Special Use Permit #132, seconded by Alexander.

Roll Call: Hall: yes, Hornberger: yes, Beard: yes, Shanafelt: yes, Alexander: yes
approved unanimously

b. Proposed Zoning Ordinance Amendment #204 Related to Building Height-Continued discussion and possible recommendation

Cram: thanked the study group for their work. The public hearing was held on January 22, 2024. Showed Zoning Ordinance Amendment No. 204 on the screen, included in the packet. Reviewed the amended definitions, diagram, and the Schedule of Regulations and explained the changed language. If the planning commission is comfortable it could go to the township board where another public hearing will be held.

Hall: would like to take public comment.

Beyea: public comment is appropriate.

Hall: called for comment, but there was none.

Hornberger: does this include barns?

Cram: there is currently an exemption, and there is a process that can be followed.

Shanafelt: this is simple and clear.

Cram: thanked Ellis Wills Begley for his assistance with diagrams.

Beard: clarified that on the diagram, 42.1 feet and 36.4 feet will be removed and option 1 will be deleted.

Moved by Beard to recommend that Zoning Ordinance Amendment #204 related to Building Height, be forwarded to the township board for approval with the revisions noted in the

diagram removing the dimensions of 42.1' and 36.4' and removing the phrase option 1, seconded by Hornberger.

Roll Call: Hall: yes, Hornberger: yes, Beard: yes, Shanafelt: yes, Alexander: yes
approved unanimously

9. Reports and Updates:

a. Master Plan Adoption

Cram: working with Beckett and Raeder on the master plan. Have reviewed planning commission comments received by February 12. A red-lined version of recommended edits will be available at the March meeting. Many of the action items have been accomplished since the draft was released. The official zoning district map is from 1972; past planners created an electronic version, but it was never officially adopted. Proposing to remove the zoning district map for now and will look to review, revise, and officially adopt an electronic version of the zoning district map in the future. The future land use map is also under review and the philosophy of how it was developed will be discussed at the March meeting.

b. Shoreline Regulations Study Group Update

Cram: thirteen diverse members have met three times. The next meeting is on February 26, 2024, at the library. The issues currently being addressed are single waterfront ownership. We hope to bring a draft of proposed amendments forward in April.

10. Public Comments:

Todd Wilson, 782 Neatawanta Road: nice to see progress.

11. Other Matters or Comments:

Shanafelt: the prep work was very good.

12. Adjournment: at 8:05 p.m.

Moved by Alexander to adjourn, seconded by Beard

approved by consensus