

**APPROVED
EMPIRE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES**

May 21, 2024

The Empire Township Planning Commission held a regular meeting on Tuesday, May 21, 2024. The meeting was held at the Empire Township Hall.

CALL TO ORDER: Duane Shugart, Chairman, called the meeting to order at 7:00 p.m.

ROLL CALL:

Members Present: Duane Shugart, Dale DeJager, Micah Deegan, Larry Krawczak

Members Absent: Tom Petersen

Staff Present: Dana Boomer, Recording Secretary; Tim Cypher, Zoning Administrator

Motion by Deegan, second by DeJager to excuse Petersen from the meeting. All in favor, motion carried.

APPROVAL OF AGENDA: The PC briefly discussed the agenda. **Motion by Deegan, second by Krawczak to approve the agenda as presented. All in favor, motion carried.**

ANY CONFLICT OF INTEREST – None

APPROVAL OF MINUTES: The PC briefly discussed the minutes of the April 16, 2024 regular meeting. **Motion by Deegan, second by DeJager to approve the April 16, 2024 Regular Meeting Minutes as presented. All in favor, motion carried.**

COMMUNICATIONS: Cypher stated that one email was received from a resident regarding the Glen Lake Manor project; that will be discussed during that portion of the agenda.

PUBLIC COMMENT: None

ZONING ADMINISTRATOR'S REPORT: Cypher had previously distributed his monthly reports for April 2024. He summarized the ZA business for the month. **Motion by Krawczak, second by Deegan to acknowledge receipt of the April 2024 written reports. All in favor, motion carried.**

NEW BUSINESS

- **Glen Lake Manor Application** – Cypher stated that an updated application and plans were submitted in late April, and have been provided to the PC. He summarized the history of the application process, and the updated documentation that has been provided. He has deemed the application complete, but stated that additional information may come up during the course of the PC discussion and public hearing.

Sarah Bourgeois presented for the applicant. For the most part, the application is a re-start to move forward with the requirements for the project. She reminded the PC that the township attorney determined that the use of the building had not been abandoned. The applicant is looking to run the Manor as a boutique hotel, and they have distributed a PowerPoint addressing the intent

of the project. They have gone through the site plan checklist and provided all available documentation, although they have not yet received replies from all other necessary agencies. The correspondence received by Cypher addressed the need for screening of the parking area to remove the ability for headlights to shine onto neighboring properties. Bourgeois stated that the parking area would be screened. They have been working closely with the Health Department to receive approval. There is a substantial amount of structural repair and site work that needs to be completed to the building.

Shugart stated that another public hearing will be necessary to receive public input, due to the major changes to the project application. Tonight is for a question and answer session between the PC and the applicant, and to determine whether it is appropriate to set a public hearing. He opened the floor to the PC for questions for the applicant.

DeJager stated he was impressed with the number of inspections that have taken place and the quality and consistency of the new site plans. Regarding the PowerPoint presentation, he asked whether it was anticipated for this to be a public restaurant. The applicant replied “yes”, for up to 50 guests. DeJager stated that the presentation talked about contracted private events and guests of the hotel. Rife stated they may need to reword this, as the restaurant will be open to the public, not just to hotel guests and private events. DeJager stated that another question would be the statement that amplified music would be used until 10 pm, and asked whether that would be inside or outside. Susan Rife stated that she thinks that 10 pm outside during the summer is reasonable, as it is still light outside and there are still many people out on the lake at that time. They plan to be good neighbors, and not blare music – this cannot be said of the numerous AirBnB rentals nearby. Bourgeois stated that it had been asked how long a “season” was – she said that she would consider the current season spring. DeJager says that the public comment email asked about how long a season was, and he questioned whether sound and events should be regulated on a per-season basis. The PC discussed regulations for sound and how to enforce those regulations. DeJager asked about the proposed market. Rife stated that these are three connected rooms that would be used as essentially a gift store with convenience items for guests. Bourgeois stated that the general layout of the restaurant is staying the same.

Shugart stated that there has not been a previous market in that location, and so is this a new thing for the building? Rife stated that there have been small items for sale in the past, but having a multi-room market is new for the current plans for the building. Deegan stated that he thinks the purpose of the market needs to be clarified as to what will be there – the description currently says “limited groceries”, while Rife is describing it was more of a snack shop with limited travel-needs items, that would be open to both the public and the lodging and event guests. DeJager asked about the dock use – Rife stated that the dock and beach would be for the use of the owners and registered guests, including bringing kayaks onto the beach and mooring boats at the dock. Cypher stated that this may require a permit from EGLE to use the dock for the use of guests, and suggested checking with EGLE. DeJager stated that the previous discussion was that only the owner could use the dock, and asked whether this was being changed. Rife was unsure as to whether the dock would only be used by herself, or else by guests and friends. Cypher reiterated a need to check with EGLE on whether the dock could be used by guests. Rife asked about whether guests would be allowed to launch kayaks, paddleboards, etc. from the beach? The PC said this had not been previously discussed. The PC continued a discussion of allowable usage of the waterfront, and determined that EGLE would likely be the determiner of who is allowed to use the dock and beach.

Deegan asked about the liquor license – there is a bar in the drawings and asked what the hours of operation would be. Rife stated that it would likely be open the same hours as the restaurant, and

the hours have not been firmly established – the Liquor Control Commission requires them to be open five days a week, at least five hours per day to maintain the license. Deegan also stated that more discussion is needed on the amplified music, as he can see issues with amplified music until 10 pm at some times of year. More definition is needed on what a season constitutes for the purposes of number of events. Deegan asked about the septic system – Bourgeois stated that the septic system is being completely redesigned, and is in the same general area.

DeJager stated he would like to see additional information related to acoustic versus amplified music and the definitions of seasons and events before the presentation to the public at the public hearing. Krawczak asked whether the lodging or the restaurant will be the main focus. Rife stated that the restaurant will be grab and go, café style. Krawczak stated that from the PowerPoint it appears that the lodging will be the main focus, which is a new focus for the Manor – it's not a continuation of an existing service, it's a new business, and that concerns him. Bourgeois stated that this goes back to the determination of the township attorney that the lodging use was not abandoned. She said that the current special use permit issued over 20 years ago allowed for the commercial kitchen – the lodging has always been an intent for the building's current use. The intent of the structure was never abandoned, and now they are asking for the lodging to be formally included in the special use permit.

Shugart asked about the load calculations not matching the site plan. Bourgeois stated they have adjusted the occupancy limits to fit the size of the building, versus maxing them out to those occupancy limits allowed by the load calculations. Shugart stated that he is concerned that the parking area is gravel versus asphalt or concrete, both for snow removal and handicapped patrons. Bourgeois stated that the gravel is allowed. Shugart stated he would like to see at least the handicapped spots be asphalted. He appreciates that time that has been taken with the proposals for lighting and barriers between the applicant property and neighboring properties. Shugart stated he is concerned regarding the site lines entering or exiting the property from M-22, and the lack of shoulder. He would like to see this addressed. Bourgeois stated that the visual clearance and standing water will be addressed in the civil engineering work.

The PC and applicants discussed the flow paths and site plans for the property, as well as the design of the new septic system. Shugart stated that the trash receptacle area does not appear to be big enough to accommodate both trash and recycling containers.

Cypher stated that regarding seasons and music, it would be inappropriate to have amplified music outside until 10 pm in the winter. He asked for the applicants to provide a schedule with the determinations of seasons and the requested allowances for outside amplified and acoustic music and event numbers and types. Cypher stated that it would be nice to have an answer from EGLE regarding the dockage and bench use prior to the public hearing. Krawczak asked whether there were any site plans for the lake side of the property. Cypher stated that there were no plans provided for that side of the lake. Rife stated that there is currently a fire pit and dock on the lake side of the property. Bourgeois stated that they will add the lake side of the property to the site plan. Cypher asked whether there was enough parking to cover restaurant guests, bar guests, lodging guests, and have these be all on-site and not along-side M-22. Shugart stated that there are currently 43 parking places for guests and 7 for employees, to cover a 50-seat restaurant, bar and hotel. The PC discussed whether there was space for overflow parking beyond the current allowance, and discussed the Zoning Ordinance requirements for parking – parking calculations are given in the site plans, and meet Zoning Ordinance requirements. The PC and applicant discussed fencing and landscaping.

DeJager moved to schedule a public hearing for the Glen Lake Manor project at the June 18 regular meeting. Deegan seconded. All in favor, motion carried.

This will likely be held at the Township Hall – Deegan and Shugart will confirm the location.

- **Sign Ordinance** – A draft sign ordinance was presented to be discussed by the Planning Commission. The Township Board has stated their intent to keep this as a police power ordinance, which means that the Planning Commission will recommend a document for approval to the Township Board. The PC extensively discussed the proposed sign ordinance, specifically illuminated lights, sign sizes and municipal civil infractions. Changes were made to the draft document. The PC tabled the discussion until the June meeting – the revised ordinance will be distributed for review prior to that meeting. The PC will consider other potential changes prior to the next meeting, focusing mainly on appropriate sign size, nuisance signs, and sign lighting.
- **Pleasure of the Board** – The PC briefly discussed the potential for special meetings in July and August, with the number of things currently on the agenda. These can and will be set as needed. The PC briefly discussed the remaining items needed or desired for the Glen Lake Manor project, focusing mainly on the necessary EGLE correspondence and the need for the lakefront side of the property to be added to the application and site plans.

OLD BUSINESS:

- **Zoning Ordinance Review** – No discussion was held on this item.

PUBLIC COMMENT: None

BOARD COMMENT: None

ADJOURNMENT: **Motion** by Krawczak to adjourn at 9:29 pm, Deegan seconded. With no objection, Shugart adjourned the meeting.

Respectfully Submitted,

Dana Boomer
Recording Secretary