

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

June 25, 2024

The Empire Township Planning Commission held a special meeting on Tuesday, June 25, 2024. The meeting was held at the Glen Lake Community Library.

CALL TO ORDER: Duane Shugart, Chairman, called the meeting to order at 6:00 p.m.

ROLL CALL:

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

Members Absent: None

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

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

COMMUNICATIONS: Cypher received communications regarding the Manor, which will be addressed during the pertinent agenda section.

PUBLIC COMMENT: None

OLD BUSINESS

- **Glen Lake Manor Application** – Shugart summarized the history of the application. He thanked Boomer for her work on preparing for the special meeting. The PC continued the discussion of the Findings of Fact for the Glen Lake Manor, which had been updated to version 2 since the meeting on June 18. The PC began the discussion on page 4 with a discussion of letters from applicable agencies, then moved to a discussion of the communication from EGLE and the use of the lakefront. The dockage and moorage will be private use only, not for use of customers. The PC discussed how to prevent customers using the dock for grab-and-go food service – it was suggested that signage be used. The PC extensively discussed the use of the lake front by customers, including potential issues with unattended fires, road safety, and alcohol usage. It was determined that customers could use the lake front for swimming and bonfires within a single defined fire ring, with Manor staff responsible for assuring that fires are attended and are extinguished properly.

The PC then began an extensive discussion of parking, traffic, and noise, which appeared to be the primary concerns of the public hearing and letters received. DeJager stated that there appears to be a general consensus that use of the Manor be allowed to resume, but there appears to be concern specifically regarding the market and events, which heavily drive the concerns regarding parking, traffic, and noise. DeJager believes that the way to address these is by limiting attendance and limiting the noise allowed outside. He would recommend that there be no amplified music allowed outside until there is a baseline noise study completed by the applicant. Regarding traffic, the number of people at an event should be restricted. Parking on M-22 should be discouraged, although it cannot be prohibited. He feels that the events should be limited to the

number of people who can be in the building, minus lodging guests. The market is a separate topic to be addressed, as there has not historically been a marketplace there. The PC needs to discuss how to keep a marketplace from adding to the maximum traffic load. Limiting the hours of the market would alleviate this possibility if done by either closing the market entirely during the heavy load times of the restaurant and events, or by limiting the market to guests only during heavy load times.

Deegan stated that a definition of the events is needed, to define what types of events are proposed. The PC and staff extensively discussed the maximum number of people allowed on the property. A condition was set that private events must be associated with the rental of the dining room, lounge, or both, and no public usage of the rented rooms will be allowed during the time of the event. Occupancy limits will be 50 for the dining room and 20 for the lounge/beverage center. The discussion then moved to number of events. The applicant is proposing 12 events per season, with four seasons, for a total of 48 events per year. The PC extensively discussed number and types of events, including the differences between indoor and outdoor events and their impact on the neighbors.

The PC also began an extensive discussion of outside public events, which are separate from the private contracted events. A condition was set that there will be a total property occupancy load of 137. A condition was set to limit the number of primarily outside events exceeding 20 people to four per season, with four seasons per year defined as spring (May 1 to the day before Memorial Day), summer (Memorial Day to Labor Day), fall (the day after Labor Day to October 31), and winter (November 1 to April 30). A condition was set that there will be no outside amplification of music or voice. If a sound study is performed to determine a baseline for background noise, the applicant can request a modification of the SUP to allow for reasonable outside amplification of music or voice. The porch is considered “outside” for the purposes of events and amplification. The lakefront may be used for events as long as there is no amplification of music or voice. It was determined that there will be no restriction on inside events.

A discussion between the PC and staff was held regarding Section 6.7 – Standards for Approval for Site Plan Review by the Planning Commission. Parking spaces will be required as per the requirements of the Zoning Ordinance. The applicant will reconfirm with MDOT regarding requirements for clear line of site/vegetation trimming or removal at the entrance/exit and the shoulder (or lack thereof)/entrance/exits to the property. The PC discussed screening of the property from neighboring properties. A condition was set that if vegetative screening is damaged, destroyed, or dies, it must be replaced in a timely fashion.

Section 6.11, Performance Guarantee, was discussed. The applicant was requested to put together a line-item cost summary of the project. This will be reviewed by the Zoning Administrator and Township Attorney and the ZA will make a recommendation to the Planning Commission for the determination of a performance guarantee.

The PC then moved to a discussion of the construction timeline. The timeline will commence when land use and building permits have been issued, and the Zoning Administrator will have discretion to adjust the construction timeline in a reasonable fashion. The PC discussed that the applicant statement had not covered Section 6.16.A.5.b-d – the PC had no concerns on these issues.

DeJager then started the discussion of Section 6.17 on page 10, stating that the market is a completely new use. There is traffic associated with a small store, and might be substantial when

added to the traffic from the restaurant or an event. Cypher stated that hours of operation could be limited, and traffic and parking should be discussed. DeJager stated that while the current applicant sees it as only for small travel and convenience items, there is nothing saying it couldn't be expanded into a mini-mart by a future owner. The PC discussed the hours of operation. It was determined that the market must close to the public before the restaurant opens for the dinner hour. Guests of other areas of the property could use the market at any time. The PC discussed whether they were allowed to prohibit packaged liquor sales from the market. Cypher and the applicant will look into the current license and ability of the PC to restrict packaged liquor sales. No other restrictions were placed on items sold by the market.

The PC moved to a discussion of Section 6.18 – Conditions and Safeguards. No conditions were placed for Section 6.18. The PC discussed pertinent sections of Article 7 – Residential District. This proposed use is located in the residential district, which is the reason for many of the conditions set on the Special Use Permit. No additional conditions were placed. Article 13 – Non-Conforming Uses or Structures was discussed. It was determined that the non-conforming building is being enlarged to add staircases and an elevator, per Building Code requirements. This was noted by the Planning Commission, with no further conditions placed. Replacement of portions of existing non-conforming structures will also be required, per the Building Code Office.

See attached for written correspondence as received since the public hearing – this was read into the record at the meeting.

The PC and staff discussed the process moving forward. Cypher and Boomer will finalize the findings of fact with the conditions as set tonight. Cypher recommended a legal review of the final draft of the Findings of Fact prior to another PC meeting. There is no regularly scheduled meeting until September. It was determined that Cypher will share the final draft of the Findings of Fact with the attorney, as well as working with Sarah Bourgeois on the requirements for a performance guarantee. Once the legal opinion is received, a special meeting will be set for the Planning Commission to finalize the approval with conditions. The PC discussed potential meeting dates – a meeting was tentatively set for 7 pm on Thursday, July 18, likely at the Glen Lake Library. This is subject to change based on attorney and meeting location availability.

PUBLIC COMMENT: None

BOARD COMMENT: None

ADJOURNMENT: **Motion** by Krawczak to adjourn at 8:44 pm, Deegan seconded. With no objection, Shugart adjourned the meeting.

Respectfully Submitted,

Dana Boomer
Recording Secretary

Good Morning Tim,

I see that there is a special meeting for the Manor tomorrow. I know there will be a lot to discuss. I think our concerns boil down to how to mitigate noise and traffic for the non conforming use. I think the event function is actually a new use (other than lodging and restaurant). The event is more like an assembly use in the building code.

I would prefer not to have outdoor amplified music. I think there needs to be some more specific guidelines as to number of events over what period of time. Screening between our property and the manor should be addressed in some way. Thank you for bringing our concerns to the attention of the planning commission.

Michael Decoster AIA, LEED AP BD+C

Principal

TO: Members of the Planning Commission, Empire Township
Tim Cypher, Empire Township Zoning Administrator

FROM: Sharon L. Geisler

Resident

7291 W. Glenmere Rd

Empire Township

COPY: David Geisler

I wanted to take a moment to thank you all for the way, in which you conducted the Public Hearing Meeting, on June 18, 2024, re the Special Use designation request from Susan and Rob Rife. (aka Glen Lake Manor)

From the Commissions opening comments to and thru the questions and public commentary all of you did a great job listening and explaining the ‘how and the why.’ The integrity of the process was clearly visible. Especially, where a particular situation or reason might not have been evident but relevant.

Thank you all for the hard but necessary work done for the entire Township’s continued success in this special place on earth.

Respectfully and sincerely,

Sharon L. Geisler