

APPROVED

**LELAND TOWNSHIP PLANNING COMMISSION**

Ross Satterwhite, Chairperson – term expires 8/25

Skip Telgard, Secretary – term expires 8/25

Sam Simpson – term expires 12/24

Clint Mitchell, Township Board Rep – term expires 12/24

Lee Cory, ZBA Rep – term expires 12/26

**PLANNING COMMISSION MEETING  
Wednesday, August 7, 2024; 5:30 p.m.  
Leland Township Library/Munnecke Room  
203 E Cedar Street, Leland, MI 49654**

**MEETING MINUTES**

- I. Call to Order – Pledge of Allegiance  
In attendance – Commissioners: Satterwhite, Mitchell, Cory, Simpson, Telgard  
ZA Cypher, Recording Secretary Bufka  
Public: 9 attendees  
Meeting called to order at 5:29 p.m. with the pledge of allegiance
- II. Approval of Agenda (additions/subtractions)  
Cory moves to accept as is, Mitchell seconds the motion, all in attendance vote aye, the agenda is approved.
- III. Declaration of Potential Conflicts of Interest – no conflicts were declared
- IV. Approval of Minutes: June 5, 2024 – Satterwhite moves to approve the meeting minutes as is after confirming that the PC members had no comment, Simpson seconds the motion, all vote aye and the June meeting minutes are approved.
- V. Correspondence – ZA Cypher reports that the only correspondence received was related to the Master Plan (MP) discussion and that information has already passed on to the PC members.
- VI. Public Comment - (limited to three minutes per person unless extended by Chair)  
Satterwhite explains that anyone making a comment should state their name and where they are from. He also clarifies that there will be comments after the Master Plan discussion.  
Keith Ashley – commends the ZBA and PC about the result of PDU and judge’s ruling  
Lynn Telgard – does not agree with Ashley and feels the PC should consider different Zoning classification  
Doug VanDyke – appreciate effort and time put into the Master Plan. As a lake association member of the board, they appreciate the consideration to their comments about addressing lake quality.
- VII. Reports:
  1. Township Board representative
  2. ZBA representative
  3. ZA Cypher – there will be a hearing on August 27th for a dimensional variance because of a setback on the property.
- VIII. New Business
  1. Public Hearing – Leland Master Plan
    - a) Motion to open public hearing – Mitchell moves to open the public hearing, Telgard seconds, all vote aye and the public hearing is open

b) Public comment

Satterwhite: Modifications to library and fire chief suggestions were provided to the PC along with input from Township Supervisor Susan Och. These are written comments provided and what will be reviewed tonight.

Telgard asks how many people have seen the changes to 6.1 Preservation of Township Character– he thinks it’s important for everyone to see. He notes that it hasn’t been discussed at a single meeting. Satterwhite clarifies that another public hearing could take place. ZA Cypher confirms. Satterwhite asks for Public Comments before they discuss the documentation that was distributed via email. He also clarifies that the Master Plan is more broad than the Zoning Ordinance (ZO). The ZO is what governs.

Kathy Dawkins: She hopes that comments will be allowed as they review the MP.

Keith Ashley: 2 paragraphs were submitted (6.1A and 6.1B) to supplement 6.1. Ashley discusses character as it came up in the Petersen case. He felt that they used boilerplate language and he hopes that the PC will consider what they submitted. He was also pleased to see mixed use seen in section 8. He says there are different characteristics between Lake Leelanau and Leland and is pleased that that is seen in the MP.

Lynn Telgard: She disagrees with Satterwhite about MP and ZO – she thinks Petersen got shut down because of the MP. C1, C2, R3 – C1 can’t have multiple families. She feels that single family takes precedence above commercial zoning. Telgard also believes zoning districts need to work together and it needs to be clear to everyone as it is spelled out in the MP. She doesn’t think it’s clear how the districts work together. She believes that every town has that issue, but it’s a unique situation and businesses are getting to be more and more seasonal each year. She expresses concerns about property values, businesses being able to stay open year round, lack of employees and employee housing and for these reasons she feels the PC needs to balance the focus on both residential and commercial. She owns a multi family lot but her neighbors are all residential, and she is concerned that she may not be able to do what she wants with her lot.

Steve Mikowski from Lake Leelanau: found some parcels on the map identified as public land and would like clarification as to what that means. (Page 39 of MP shows gray areas and they are noted as public land.) He asks what’s on the public land. Satterwhite states that the top is Clay Cliffs and Telgard states that the bottom is Provemont Pond. Page 65 has a headline that reads “The Natural Resources Goals” and he is confused about that headline. One of the statements is related to sewer system upgrades and expansion and he finds it an odd statement as he understands that the EPA provided \$4M in money for the sewer with the stipulation that it not be used for sewer induced development. He feels that the Township “stole the property from the people” for the sewer system and treatment facility and that the Township owes the people an explanation about the area.

No other requests to speak, the Public comments get closed.

c) Close public hearing

d) Comment from PC members – Satterwhite begins by reading the fire chief’s comments, section 5.4 and his suggestions. Ross doesn’t find it controversial. Mitchell wonders whether or not the 10 part time firefighters are set in stone, or if it’s just what they have now. Satterwhite suggests they accept the language as is all agree. That language will be integrated into the MP.

Library comments from Mark Morton – Satterwhite doesn’t have any issues with the suggested changes. The PC reviews the email and all are in agreement that library verbiage should go into the MP.

## APPROVED

The PC then switches to comments provided by Township Supervisor Susan Och.

- 1) Page 11 reference to be verified by ZA Cypher
- 2) Section 4.2.1 references wetlands in the definition of wetlands. The PC discusses and decides to leave it as is written.
- 3) Section 4.2.5 omits Provemont Pond, the PC discusses and agrees to add this reference to the section of the MP. PC also asks ZA Cypher to update map where it says "cherry orchard" on the map on page 40 and change it to "agricultural".
- 4) Section 5.6 needs to be updated with actual waste disposal companies (ZA Cypher) and PC agrees to add the recycling side of the waste disposal options.
- 5) Section 5.7 – PC agrees to integrate changes and also to reference that the Harbor has hosted the wine festival (discussion initiated by Simpson).
- 6) The PC discussed the recommended suggestions but agreed to leave the language as is.
- 7) The PC agrees to add the word "as" in the first sentence of Section 8.6.
- 8) 8.6B talks about an overlay district, the PC discusses and adds an 8.6.C to expand on what has been done for Fishtown.
- 9) The PC discusses the recommendation to add tax information to the MP but decide not to make changes

Satterwhite hands out Residential Character paragraphs with some changes and the PC reads through his document. Satterwhite clarifies that he's trying to keep a balance between how things are zoned. He understands that people are concerned about the character of the community. You can slide a rule either way. Wants to make further changes to the language. The PC discusses the language, words like Shall vs. Should. Discussing 6.1B, the word subordinate. Satterwhite discusses ruling language and whether it could be integrated into the MP. PC discusses MP quoted and used a lot, but not from a legal standpoint. (ZO is the legal document) Telgard is uncomfortable about saying predominantly residential area, feels that a Village is a mix of things. The PC discusses that the Village is not defined by official boundaries. Satterwhite updates 6.1A and 6.1B for integration into the MP. Cory asks about STR and whether that topic should be added. Satterwhite clarifies that the state is regulating it, so it got tabled by the PC and Township Council. ZA Cypher: clarifies that the bill is proposing to enable Townships to enact their own limits/enforcement/fee collection, etc. Cory thinks STR's are a huge issue, Satterwhite agrees and says the PC can reopen the topic. Cypher: there is a housing issue, this could be a window of opportunity. Townships can set limits, enforce, etc. this is what's being proposed. Satterwhite asks to table to next meeting. Wants an update on state proposal from ZA Cypher added to the next agenda.

Master Plan updates required:

ZA Cypher to add everything missing from section 9. Nothing substantial changes Buka and Cypher to make changes and send back to PC in redline version. PC to discuss at next meeting and decide if it's ready to forward to County.

Mitchell motions to close Public Hearing, Telgard seconds the motion, all vote aye and the public hearing is closed.

### IX. Old Business

1. Status/update from ZA Cypher on review of Dune Bird SLU compliance  
Dune Bird withdrew any desire to land commercial helicopters at their facility, but they still have the right to fly a personal helicopter.

### X. Other Business (as required)

## APPROVED

1. Discuss alternate date for January 1, 2025 meeting  
Satterwhite suggests moving it to Jan 2<sup>nd</sup> at 4:30, Mitchell seconds and all vote aye – the January meeting is moved to January 2, 2025.
  
- XI. Zoning Administrator Comment – thanks PC for time and efforts on MP, and tells them a job well done.
  
- XII. Planning Commission Comment - None
  
- XIII. Public Comment - (limited to three minutes per person unless extended by chair)  
Lynn Telgard: states that she is concerned that commercial is characterized by surrounding neighbors. Her properties are surrounded by residences. She has issue with the fact that everyone else's comments are allowed (Susan Och, Fire Chief, Library input) for consideration and she and others cannot give input that they consider important and relevant.  
Keith Ashley: States that he feels public comment is a form of written comment for consideration. He feels that written comments are just for consideration and that the PC can decide whether or not to take them into account with what is being done. Ashley references the people that showed up to oppose a large building that was out of place in the Village.  
Kathy Dawkins: thanks Tim and PC and attorney who was involved with the PUD ruling. The work done before it got to the ZBA made it easier for the ZBA.
  
- XIV. Adjournment  
Mitchell motions to adjourn the meeting, Cory seconds, all vote aye and the meeting is adjourned at 7:17 pm.