

## 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 – term expires 12/26

### PLANNING COMMISSION MEETING

Wednesday, March 6, 2024; 5:30 p.m.

Leland Township Library/Munnecke Room

203 E Cedar Street, Leland, MI 49654

### MEETING MINUTES

I. Call to Order

Roll call: Ross Satterwhite, Sam Simpson, , Lee Cory – excused, , Clint Mitchell, Skip Telgard,  
Staff: ZA Tim Cypher, Andria Bufka Recording Secretary

The meeting was called to order by Ross Satterwhite at 5:30, and all in attendance said the Pledge of Allegiance

II. Approval of Agenda (additions/subtractions)

Telgard motions to approve agenda, Simpson seconds, all in attendance vote aye, the agenda is approved.

III. Declaration of Potential Conflicts of Interest - None

IV. Approval of Minutes: January 3, 2024 -

No comments on the minutes. Satterwhite moves to approve the minutes, Simpson seconds the motion, all in attendance approve the meeting minutes of 1/3/2024

V. Correspondence – Satterwhite none – Cypher – none

Gloria Garrett would like a Master Plan on behalf of Lake Leelanau Lake Association FOIA F1, ZA Cypher to send

VI. Public Comment - (limited to three minutes per person unless extended by chair)

Lynn Telgard: 1) Telgard expressed concern about 3 properties that she owns, one each in the C1, C2, and R3 zones. She is concerned that when she wants to build in the future she won't comply with zoning based on changes the board has been making. She also stated concern about non-conforming in the neighborhood and that she won't be able to develop if she wants to. 2) After reading what ZBA determined, Telgard asked for an explanation of why Lisa Siddell could build what she did in Lake Leelanau with multiple families on the 2<sup>nd</sup> floor.

Keith Ashley – Mr. Ashley made mention at January meeting about the committee working on rewriting the zoning ordinance. They are not ready yet for him to be able to present it yet. They are looking at character and building restrictions, but not looking at mixing whether there is commercial and residential. What they are proposing would dovetail into 6.1 in the ordinance. (p 78 of the ordinance) Anything they write up could go into the Master Plan.

Susan Walters – She stated that she is interested in residential character change. Wants to know how many were for or against this. Satterwhite clarifies there was no numerical tally. Discussion about single story dwelling.

Gloria Garrett – The Lake Association is in the process of finalizing a proposal based on zoning amendments for water quality. Not prepared to present now. Will present when the time is right. Would like to make proposals for amendments and the Master Plan regarding water quality. When

will Master Plan be wrapped up? When will zoning amendments be wrapped up? Satterwhite states that these will be completed sooner vs. later. Aspiration from Ross is to wrap up the Master Plan tonight. Gloria asks if she should present at the next meeting or later? Satterwhite states that we can put that on the agenda for the next meeting.

VII. Reports:

1. Township Board representative – nothing to report
2. ZBA representative – ZA Cypher – ZBA upheld the PC decision. Minutes have been approved and sent to Petersen's attorney. Satterwhite asked about the ZBA minutes and was advised that they are online by ZA Cypher. Cypher stated that a brief will be filed by both parties and this will go in front of a judge. There are no details yet about next steps or dates.

VIII. New Business – no new business

IX. Old Business

1. Residential Character Amendment

ZA Cypher: Sarah Kopriva put a lot of work into preparing her comments. Any changes that need to be made can be made on the fly. Changes shown in red to demonstrate old vs. new/suggested changes. We should answer section D.1.a-f. Simpson clarifies that this isn't the area that Telgard is concerned about.

Satterwhite: This amendment is the culmination of a long road. There have been two public hearings, and several comments from the public during the meetings that were considered. They've looked at various ways to provide some measure of protection. They've boiled it down and this is what it is, and we don't want to open it back up for more changes. He wants to get this close to finished soon. It reflects what we've talked about. Telgard: wants to know if each section meets the full criteria. Simpson – when he sees the numbers, that is what they talked about. An issue brought up by those with housing under development, wanted language that staged over years. Wants to make sure that people aren't caught off guard if they are in the middle of building. Satterwhite states the PC is recommending a change. It goes to the county PC and it comes back to the LTTC for comments. Ultimately, the Amendment would go to the Twp. Board and they can make changes, implement or reject, or the the public can file a referendum to put this on the ballot. Ross clarifies the rgw county PC are only making a recommendation, not making an actual change. ZA Cypher stated the Board will strongly consider their recommendation. Chris Bunbury - Last June this was supposed to be finalized. People want this done sooner than later. ZA Cypher: we have an amendment request. Satterwhite requests that ZA Cypher lead the PC through the discussion.

D.1 – a – homes have gotten larger, not to scale to adjoining properties. Simpson – if we accept the numbers as is, will it make a difference. Cypher: there may be differences between R1 and R3. Clint – height is a difference. We should break it down and have a comment for each type of property. Anything that's been built between when they started and now, it met the ordinance. Add a general statement. No one is currently violating the ordinance. Zoning permits have been issued that are compliant. Satterwhite notes that the size and scale are increasing. Other properties are disproportionate and that is driving these changes. There is a general overlay that too much size impacts the community. Telgard: I thought we had maximum coverage in R2? We do No, not for R2. Telgard: what is the criteria to go from a 5' to 8' on both sides? Mitchell states that 5' is not enough, and when it was 10' that was too much. Satterwhite clarifies that they are trying to keep the max as it is, not further expand. ZA Cypher clarifies that this is more about character. Homes are changing. People can still request variances. Separate comments for each question, by property type. Lump them, and clarify where there are differences.

A - R1 & R2 are done. R3 – setbacks were increased.

B – Satterwhite – if we deny a petition, the public won't accept that. End result is that the largest homes will be slightly reduced. True for all, except R2.

C – No impact – all agree

D – property value is hard to be definitive about

E – yes, it does. Came out in findings (scale, mass) – everyone is comfortable

F – Yes – all agree

Simpson wonders if examples will be put into the document, but they are not ready for that tonight. If this is adopted, could we put visual aids in later? Yes. Feels some of the dimensions are confusing. Wants to help so that others aren't confused. Satterwhite feels the dimensions are not up for interpretation. Mitchell comments that they should keep it less complicated or it could be too broad. ZA Cypher: is there anything else you'd like to add? Effective date – Satterwhite – we should give an effective date. Mitchell responds that it should be 180 days – so then it's been in planning for 2 years. ZA Cypher states that if they don't get it done in a year, they have to come back and then they are under new circumstances. Might take 3-4 months to get it through the process.

Satterwhite – someone make a motion to approve.

Mitchell – discussion to discourage 3 level homes. Telgard has a 3 level home. Lynn Telgard – a lot of homes today are not being built with an 8' ceiling, living rooms are 10-12' high. Their house – 1<sup>st</sup> and 2<sup>nd</sup> floor have higher than 8' ceilings. If you take that away that capability, it will take away the capability people have. Have they investigated the houses that are over 35'? How many homes are at 35' feet. Satterwhite – they don't know –thanks for the comment.

Mitchell – he has 9' ceilings on the 1<sup>st</sup> and 2<sup>nd</sup> floors. They are trying to discourage 3 full stories, not 2 ½ stories. Satterwhite reminds everyone that people have views that run the continuum. We have ground through this quite a bit, we have to stop relooking at it at every meeting. We need to finalize and move forward to township board and they'll decide or have a public hearing about it. We've gone through this several times, and need to move forward.

Mitchell moves to approve along with findings of fact and the effective date. Satterwhite seconds. All in attendance said aye, the motion is approved.

## 2. Draft Master Plan

Satterwhite points out that this has been going on for a long time. We've looked through this and can't decide if we want to add text. ZA Cypher – we still need a public hearing to approve. Master Plan is still a work in progress, so he didn't want to put it online now. FOIA request will be filed for a copy by Lake Association. ZA Cypher has clarification questions, his list is short.

Steve Patmore's input regarding the sewer system is pending. Do they want to consider a comment about exploring sewer expansion? Telgard thinks the language is vague. People are asking for more REU's – we are allocating a lot of REU's in other projects. Everyone concurs that they need to be aware of the number of REU's and how many have been allocated.

Economic goals – Heritage Route Committee did a report in 2022 and it has a little passage about Leland. It's an ongoing thing. ZA Cypher had a copy of what they provided in 2020. A list of attractions. A representative from every local govt. meets occasionally and sporadically because state roads go through the area.

8.7 – PC agreed to add a general statement in the Master Plan, broader and will find a spot for it in MP

8.8 – Schomberg is not a class A road, this needs to be fixed in the Master Plan.

Demographic changes – don't reinvent the wheel, use demographics from general statement.

Satterwhite states that he thought we were holding off for the census data.

Those were ZA Cypher's questions.

Satterwhite– 5.3 they don't call out the three schools. Agree to add in with a range of number enrolled. (this number fluctuates in a 10 year time period)

Simpson: Health services – 5.5 – don't have a health clinic in Lake Leelanau. Pediatric office in SB now.

Satterwhite 5.5 is ok with this and the PC members agree.

Simpson – is 5.7 harbor information correct? ZA Cypher confirms that it is updated.  
Telgard – 7.2.4 – Residential goal – encourage exploration of workforce housing – he thinks it should include multi-family. ZA Cypher – a general statement exists, with a mix of housing types but they will add in multi-family.

ZA Cypher: old homework assignment from about a year ago. Future land use map and where they'd like to see growth is pending. Rob Herman will provide a map and ZA Cypher will see what can be developed. That will be something that they can review. Satterwhite asks about soil maps. No other comments or questions.

Satterwhite asks if they can move to approve. Motion to approve Master Plan, adoption of Master Plan is amended based on what was talked about today and pending the maps from Rob Herman. Satterwhite doesn't want to go through it again with the Lake Association. Rep from LA – they don't want to rehash what's already been agreed upon. They want the chance to suggest info about water quality when there is a good working draft. Lake Association needs to provide input still. There can be language put in there that provides flexibility.

ZA Cypher: During a public hearing, input can be given that evening. Could set a public hearing at the next meeting if we get the maps from Rob Herman. Suggested holding off until May or June to have the public hearing, all agree. Motion to approve and adopt the Master Plan, incorporating the changes discussed at this meeting, is made by Simpson, and seconded by Mitchell All in attendance are in favor, all voted aye. The motion to recommend and adopt the changes to the Master Plan is passed subject to the county PCs comments and then the Township Board approval.

- X. Other Business (as required)
- XI. Zoning Administrator Comment – ZA Cypher communicated that the individual buying on Lake Street (Harbor Square) has withdrawn the project application and the property is back on the market.
- XII. Planning Commission Comment – Simpson – general question that someone brought up – Someone has to come back to PC about Dunebird proposing a pickleball court on the site. ZA Cypher reviewed with owner and they would be amending their SUP to include this. The parties are aware that there is a process to go through. Additional parking is required. It will take a public hearing to resolve. ZA Cypher is looking for where it talks about recreational amenities. Can't create a use that isn't allowed in the zoning district. Satterwhite – thanks for doing the pre-work. He appreciates it. Thanks the public for coming.
- XIII. Public Comment - (limited to three minutes per person unless extended by chair)  
Lynn Telgard: Telgard is frustrated with new setbacks and height setbacks. She doesn't think that the new setbacks of 8 feet will work and that the personal opinions of PC members shouldn't enter into the discussion. She also expressed concern about the PC not wanting 3 story homes and asked if the PC knew how many 3 story homes there were. If they can't say how many are like this, she feels it's a personal opinion of the PC member(s). Mitchell clarifies that it isn't a personal opinion and the PC has gathered input from many other people, it isn't just their opinion. She feels they are listening to a small group of people. Satterwhite thanks her for sharing her thoughts.

Keith Ashley– he will get information to them as soon as they can about the Master Plan – 2 paragraphs will be provided.

- XIV. Adjournment – meeting adjourned at 7 p.m.