

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, May 1, 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: Ross Satterwhite, Skip Telgard, Clint Mitchell, Staff Timothy Cypher, Andria Bufka
Excused: Sam Simpson and Lee Cory
The meeting was called to order at 5:30 p.m. and there were 3 Public attendees
- II. Approval of Agenda (additions/subtractions)
Satterwhite asked if there was anything to add and there were no additions. Satterwhite moved to approve the agenda, Mitchell seconded, all in attendance voted aye, and the agenda was approved
- III. Declaration of Potential Conflicts of Interest
Skip Telgard declared a conflict of interest regarding the Bluebird discussion
- IV. Approval of Minutes: March 6, 2024
Comments: Telgard moved to approve the minutes as is, Mitchell seconded, all in attendance voted aye and the minutes were approved.
- V. Correspondence
None
- VI. Public Comment - (limited to three minutes per person unless extended by chair)
Keith Ashley: sent comments on Master Plan to enhance character description. He wants to see if it can be added during the Public Hearing. Keith wants to see it added, Satterwhite says he can make the pitch tonight and doesn't have to wait for the Public Hearing.

PC reviews briefly

Lynn Telgard – wants to be on the next agenda to discuss C2 and R3 zoning. She wants to start a discussion on what is permitted by rights and what goes to special approval. Wants to discuss expanding the rights in the districts with housing issues that are going on in residential.

Jeff Greene: question: is the draft Master Plan available? Cypher – you can FOIA the draft, but it's a working draft and not final or ready for public distribution. Greene gets clarification that there will be a public hearing and final meeting and recommendation going from PC to Township board.

- VII. Reports:
 - 1. Township Board representative –
Mitchell – township voted for Brad Wierda to provide counsel on the appeal for Main Street and the ZBA. Policy allows for up to \$25K for the appeal. He gave us the best opportunity. Appeal

FINAL

of ZBA decision, and damages filed together. The Judge said it had to be separated. Township is covered for the damages, there's a rider but it's only for up to \$25K. Their attorney is \$200, ours is \$225 so \$425 per hour to bring their attorney up to speed. Looking at both options, Weirda offered the best opportunity

2. ZBA representative

Cypher: Mitchell explained the Main Street issue.

VIII. New Business - none

IX. Old Business

1. Bluebird - Section 23.04.B condition requirement – ** Waiver request See below

No quorum – Satterwhite proposes we table to the next meeting.

Lynn Telgard wants to discuss. Cypher reads the ordinance. Telgard – wants to clarify it has nothing to do with her address. Cypher confirms, no. Telgard – her front yard would be M22. With the bridge and sidewalks there is no room for trees. Her front door has ADA requirements, so there will be no grassy area. The greenbelt won't be there because of where the sidewalks are. They had planned on large planters, similar to Merc and Harbor House. Request made for Telgards to bring plan for what they want to do to next meeting. If the PC allows them to deviate, it could be a conditional approval when they vote on it. Cypher: reads from ordinance again. It would be a waiver for the trees and the overall landscape. Cypher will work on language for a waiver once he reviews it.

No action, will be on agenda next month.

2. Residential Character Amendment (County PC review)

No actionable work on the PC's part.

3. Draft Master Plan

Cypher: going through the Michigan Zoning Act, need to get on township board for approval to distribute to agencies. (including the county directly) Only approval to distribute for comment needs to be approved by Township Board. We will distribute to agencies; airport authority, road commission, the county planning commission, 45 days to comment (the county has asked for an extension). Also distributed to neighboring townships.

Cypher got a response from Steve Patmore today – he provided some text that should be added. Cypher to forward to the PC. Services 540 residential and commercial accounts, running at 70% capacity (normally a higher %). Steve has to go to 2 boards for REU's because he can only use 2 REU's per project.

Do we need that in there? Alerts the general public and township that it's not an open ended project. Sewer? What's the number of those who have paid but haven't hooked up yet? The township sewer system is highlighted in the Master Plan.

Satterwhite asks when they can set a public hearing. Cypher clarifies that it needs the 45 days. Public hearing being set for July 3rd. After public hearing, can they amend language? Yes. Don't need approval again unless there's a major change to language. After that meeting, the PC could post online that they have an official master plan.

Because of the lawsuit and the specific issues with character, it is suggested that input from attorney is needed. They are expanding the definition of the character in the Master Plan. Legal counsel sent him the language and said it would take a half hour to review. Satterwhite thinks we can discuss and amend the Master Plan without worry about the separate lawsuit.

Satterwhite proposes they discuss character language next month with everyone there – add to agenda. Mitchell motions for a public hearing on July 3, 2024 at 5:30. All vote aye, motion is carried.

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Cypher will add Padmore's language to the Master Plan draft and resend.

X. Other Business (as required) - nothing

XI. Zoning Administrator Comment - nothing

XII. Planning Commission Comment – thank you for the work on the minutes and master pan.

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

Lynn Telgard: REU's with Patmore – wants to know what is set aside for undeveloped properties? Every parcel is accounted for, but that's why we need to be careful about land divisions. It's what you pay for. Telgard expresses concern about opportunity and right to use more than 1 REU per property. C2 for a carwash, won't allow for that with C2. Satterwhite clarifies that sewer commission and township board would be ahead of that. Potentially the sewer commission and township board could approve the sale of additional REU's. Cypher reads more from Patmore that says the projection is that planned REU's are good for the next 10 years and its projected growth.

Keith Ashley – wants to clarify holding off on the 2 pieces of language and wants to know if they are OK with the language he provided. He thinks an amendment needs to be put in place as soon as the lawsuit is resolved. Court decision about PUD's will trigger how they move forward on making changes. This could go on for quite some time. Satterwhite OK with letting the attorney comment on language, but we can't let the attorney dictate what we are doing as a community. If the people and the township approve, then we should move forward.

Telgard wants to know what the mechanism was to create this language. 3 people were head scratching, discussing and then finalized the language.

Lynn Telgard: Was Lisa Siddel a PUD? No it wasn't. It's not a condominium

XIV. Adjournment – meeting adjourned at 6:32.

**B. Front Yard Buffer Areas: A strip of land with a minimum width equal to the front yard setback of its zoning classification shall be located abutting the right-of-way of a minor or major thoroughfare, and shall be landscaped with a minimum of one (1) tree not less than twelve (12) feet in height or a minimum caliper of 2 6 inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage abutting said right-of-way. The remainder of the front yard buffer area shall be landscaped in grass, ground cover, shrubs, and/or other natural, living, landscape material. Access ways from public rights-of-way through required buffer areas shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of required trees.