

**CENTERVILLE TOWNSHIP
PLANNING COMMISSION**

*Lindy Kellogg, Chairperson, Vice-chair VACANT
Joe Mosher, Secretary and Board Representative
Mary Beeker, member, Noel Bielaczyc, member
Rolf von Walthausen, member
Chris Grobbel, Planner*

March 4, 2024, Regular Meeting, *Draft Minutes*

Call to Order: Kellogg called the meeting to order at 6:34 p.m.

Attendance: Joe Mosher, Mary Beeker, Noel Bielaczyc, Rolf von Walthausen, Lindy Kellogg

- **Staff Present:** Township Planner, Chris Grobbel
- **Public attendance:** 10 in person.

I. **Review Agenda**

a. Agenda reviewed by Commission. No changes.

II. **Public Comment Regarding the Agenda** – None

III. **Revise/Approve Agenda**

ACTION: Beeker moved to approve the agenda of March 4, 2024, supported by Mosher. Motion carried.

IV. **Declaration of Conflict of Interest** – None

V. **Revise/Approve Meeting Minutes**

- **February 5, 2024**

ACTION: Beeker moved to approve the minutes of the February 5, 2024, regular meeting, as presented; supported by Mosher. Motion carried.

- **February 21, 2024** – Spelling error noted.

ACTION: Bielaczyc moved to approve the minutes of the February 21, 2024, special meeting, as presented and amended; supported by von Walthausen. Motion carried.

VI. Report from Township Board Representative

The Township Board is appreciative of the Planning Commission's extra meetings to review/revise the Zoning Ordinance. The Board approved the appointment of Rolf

von Walthausen to complete the Planning Commission. A ZBA meeting is coming up. A ZBA representative is needed for the meetings with Northgate.

VII. Report from ZBA Representative (no ZBA Rep on PC. no report)

VIII. Zoning Administrator's Report (no report)

IX. Planning and Zoning Issues

Business

- Short Term Rental Sub-Committee Presentation

The public has formed a committee to investigate short-term rental policies. Michelle Irwin has put together a power point which will be sent to Commission members. According to the committee's investigation, there are 67 listed short-term rental properties in the Township. A data collection company, Granicus, has identified 78, as of Fall, 2023. The list will be posted on a spreadsheet on the website. The exact number of STR's and the complaints rendered are yet to be determined. Complaints come to the Sheriff Department, the house owner, or a homeowner's association (if applicable). The number of occupied residences can be obtained from the census. Grobbel will look into this. Kellogg asked the Committee about the process and time involved in their work.

There is another sub-team committee that is investigating ordinances in other townships. A written summary will be requested.

- 2024-2025 Officers of the PC Appointments

Mosher cannot be the Chair, Vice Chair, or the ZBA representative because he is the Board representative.

The responsibility of the Chair is to run meetings, direct public comments and questions in meetings, and make agendas. The Vice Chair is the acting Chair when the Chair is unavailable. If both are unavailable, the Secretary is the acting Chair. In absence of the recording secretary, the Secretary will take minutes. The ZBA meets only as needed. The ZBA representative can only vote on specific subject in one of the venues, the ZBA or the Planning Commission.

ACTION: Mosher nominated Kellogg as Chair; supported by Beeker. Motion carried.

ACTION: Beeker nominated von Walthausen as Vice Chair; supported by Bielaczyc. Motion carried.

ACTION: Mosher nominated Beeker as Secretary; supported by von Walthausen. Motion carried.

ACTION: Beeker nominated Bielaczyc as ZBA representative; supported by Mosher. Motion carried.

Mosher suggested that the Chair and Vice Chair alternate their yearly terms.

- **Set 2024-2025 Regular Meeting Schedule**

The Planning Commission typically meets on the first Monday of the month at 6:30. The Commission is obligated to have 4 meetings a year. The regular meeting schedule is as follows:

- Monday April 1, 2024
- Monday, May 6, 2024
- Monday, June 3, 2024
- July – no meeting
- Monday, August 5, 2024
- September – no meeting
- Monday, October 7, 2024
- Monday, November 4, 2024
- Monday, December 2, 2024
- Monday, January 6, 2025
- Monday, February 3, 2025
- Monday, March 3, 2025

- **Discuss April & May Special Meeting Schedule**

Special Meetings

- Tuesday, April 16, 2024
- Monday, April 29, 2024
- Tuesday, May 21, 2024

Once the zoning ordinance revision is finished, it is sent to the County (advisory) and a public hearing is scheduled. The moratorium ends on June 30, 2024. The Board could grant an extension if needed.

- **Public Comment**

The Commission decided to allow for public comment at this time in the meeting.

Nicole Coonrant – She is in favor of the new term “agri-related enterprise”.

Steve Hamilton - He asked why “hours of operation” was struck out.

Commission comment: there was a consensus of “months of operation” rather than “hours of operation”.

Jim Wysor – He commented on the Northgate plan of installing more docks. He supports the Commission’s stance on prohibiting more docks. He also supports vegetated buffers on the shoreline. He asked the Commission to

consider public comment on the EGLE posting. The Lake Association plans to ask EGLE for a public hearing. Grobbel will write a comment concerning section 3-10e.

John Popa - His comment referred to the request for a permit for a marina. The public should notify EGLE of their opposition to a marina and more boat launches. Lake Leelanau has enough boat launches. Also, if a marina and launch is built, there is no place to put the spoils. The plan calls for removing and installing the marina annually. This would disrupt the ecology of the lake. A new soil and erosion permit should be done. Northgate should be informed by letter that new boat launches are not permitted in Centerville. Popa provided a sample letter. Mosher will bring it to the Board.

Derenda Lefevre – In section 322 -3b, ADA language needs to be included. Grobbel commented that anything containing a site plan has to include ADA considerations.

Written comments are included in entirety in the minutes and verbal comments are summarized.

- Zoning Ordinance Updates – Status, continuation of review
The Commission will be referring back to wind and solar energy. It can be regulated up to a threshold. Agri-related enterprises will also be discussed again.
Grobbel discussed samples of water overlay from other townships. If a parcel touches the water, it has to comply with the waterfront overlay. Grobbel described the characteristics of greenbelts. Some communities limit the height of outbuildings. Some restrict or prohibit cutting or clear cutting. There are regulations concerning a corridor or filtered view of the water. This gets monitored in a land use permit.
FEMA has just updated the flood plain map. When zoning goes into effect, it goes forward. Former regulations are grandfathered for older properties. The legal distance between homes is 10 feet.
Some ordinances require a vegetative buffer of 50 feet. Centerville currently has 35 feet.
No lighting is allowed on docks or accessory structures on the waterfront. EGLE will allow lighting through a permit for wetlands. Dock with is 3 ½ feet. It is common for a primary building to be 2 stories (32 feet). Accessory structures are limited to 20 feet in height. The current thought of the Commission is to prohibit new building of boathouses, but repair/restoration of older boathouses is allowed. It is thought that boathouses are bad for fish habitats and vegetation. Boathouses also increase the need for dredging. Grobbel will investigate what other townships are doing and the Lake Association should be consulted.

Most townships regulate innovative stormwater measures. Infiltration is the key.

COMMISSION DISCUSSION:

Allowing 1 seasonal dock and 1 boat hoist is common. No more than 2 motorboats should be docked at any point. Section 3-8 concerning boathouses has been discussed previously. Typically, a boathouse has 1-2 slips. There was discussion about enforcement and what is reasonable for most riparians. Grobbel will call Tim Cypher for input. Length of a dock is commonly out to 5 feet of water, but EGLE limits dock length out to 3 feet of water. The consensus of the Commission was that it should be 3 feet. Also, the Commission agreed that one dock and one hoist will be allowed, two motorized watercrafts will be allowed, one mooring will be allowed, and an unlimited number of non-motorized watercraft will be allowed.

It was agreed that physically abutting water defines waterfront. Waterfront setback should be 75 feet. The greenbelt should be 40 feet. No impervious surfaces are allowed in the setback.

Changes will be sent to Tim Cypher.

Water view is hard to enforce. EGLE is especially involved in wetlands regulations. 33% of filtered or corridor view is good and innovative stormwater should be required.

Other Business

NEXT MEETING DISCUSSION:

- Special land use permit review
- Page 101-102 and section 14-3
- Agri-related enterprise
(Bielaczyc will be absent but will send his thoughts to Grobbel.)

The meeting was adjourned at 9:08 p.m.

Respectfully submitted,

Cindy Kacin

(Written public comment attached)

WRITTEN PUBLIC COMMENT OF 3-4-24 Regular meeting

Subject: Ag tourism ordinance revisions

Dear Planning Commissioners,

After looking over the latest round of revisions to the Zoning Ordinance, I would like to re-send you a couple of excerpts from the letter that Emma Rosi and I sent on Feb 17th, prior to the last meeting. That text follows.

"We wish to express our thoughts regarding the ongoing revisions of the Zoning Ordinance, and specifically Agricultural Tourism. The Amoritas Vineyards / Under Canvas Application for Site Use Review exemplifies how a commercial resort can try to fit under Agricultural Tourism as currently described, and underscores the need for more specificity to be sure that Agricultural Tourism is consistent with our Master Plan's stated vision of maintaining the rural character of our township and supporting our local farmers.

We believe the original intent of the Agricultural Tourism section of the township's Zoning Ordinance was to allow for activities that augment farm income in creative ways, which we unequivocally support, but not to effectively rezone agricultural land for commercial enterprises that can easily dominate the agriculture practiced on site."

[And later on:]

"Most important for the future protection of our agricultural lands against inevitable interest by resort developers is to make the Agricultural Tourism section more specific by not only listing various activities that could be allowed, but also noting what should *not* be allowed. We suggest that campgrounds, which in the Zoning Ordinance are defined as five or more units and are regulated by EGLE, should not be permitted. Glamping tents and other structures designed for lodging and having amenities such as plumbing and heat could be included in our township's campground definition, but EGLE would not regulate those as campgrounds, so it is best to define them and call them out separately. Resorts, traditionally defined as tourist destinations offering entertainment and food as well as lodging, should also be excluded (and the term resort would also need to be defined), and should only be permitted by properly rezoning a parcel as a commercial resort. Assuming definitions are added as needed, potential language is offered here:

'Commercial resorts with campgrounds, glamping facilities, RV parks, or cabins are not permitted under Agricultural Tourism.' " [or whatever you decide to call this section of the ordinance]

Exclusion of operations run by third parties helps, but is not sufficient because a local entrepreneur could run the same kind of resort while also farming part of their land.

I would be interested in a discussion of these ideas at Monday's meeting.

Thank you,

Steve Hamilton

Subject: Written comment for 3-14-24 meeting

Hi all,

I will be at the meeting to ask/comment on these, but wanted them in writing for your records.

#1 Under Special Land Use Permit 3.22.3.B where you have identified areas of compliance and their respective approval bodies, ADA must also be made visible.

Therefore I suggest this addition:

10. The site plan has been reviewed for ADA compliance by the Disability Network of Northern Michigan.

Not only does this help to guide the applicant toward compliance with the ADA, but it makes it explicit in your approval process.

#2 While agree that lodging is a necessary ingredient in agriculture-related enterprises, I don't think it's yet defined in a way that will ensure protection for the rural nature of our township. This could be improved by setting limits per site as well as density limits for the township.

Thank you,

Derenda LeFevre

2197 S Popp Rd, Lake Leelanau, MI 49653



**Lake Leelanau Lake Association's Comments to the Centerville Township Planning
Commission Regarding the Northgate Leelanau Pines Proposed Marina Expansion and
Shoreline Hardening
March 4, 2024**

The Lake Leelanau Lake Association (LLA), which is comprised of nearly 580 households in Leelanau County, has concerns related to the recent EGLE permit application (HPR59MH-CX627) as it relates to the Centerville Zoning Ordinance.

The permit application calls for the elimination of the east and west non-conforming boat launches and the addition of a new boat launch. Section 3.10 of the Centerville Township Zoning Ordinance (ZO) prohibits alteration of the shoreline for boat launches. What mechanism does the Township have to assure that this illegal construction does not move forward?

The permit application calls for the discontinuance of the existing docks and the installation and reconfiguration of new docks sized for 117 boats and hoists, and 21 boats docked broadside, a 68% increase from the current configuration. Without knowing the actual length of frontage, we expect that the application conforms with the current zoning. The LLA fully supports the proposed changes (Version 6 030224) to Section 3.10 which significantly limits the number of docked boats on large pieces of property.

The LLA supports the prohibition of marinas on Lake Leelanau. The lake already has 14 public access sites and more boats can cause serious ecological harm as well as safety concerns and a negative impact on the enjoyment of the lake.

The permit application proposes a 6' vegetative buffer along 1,356' of hardened shoreline which virtually destroys any remaining habitat on the non-wetlands portion of the property and eliminates any benefits (filtration, wave absorption, shelter, shade, food) of a natural shoreline. We strongly support deep vegetative buffers in the proposed shoreline district.

The permit application does not include incorporation of Michigan Natural Shoreline Partnership best management practices to maintain water quality. Protection of Lake

Leelanau natural resources continues to be at the core of Lake Leelanau property owner concerns. We strongly support Best Management Practices in the revised zoning ordinance.

Lastly, we ask that you consider providing public comment on the EGLE application stating how the application fits/doesn't fit into the zoning ordinance requirements.

On behalf of the Lake Leelanau Lake Association

Nancy Popa-President

James Wysor-Director

DRAFT corrected

DRAFT corrected