

Solon Township Board
Regular Meeting
Thursday, August 10, 2023 7:00 P.M
Solon Township Hall
9191 S. Kasson St., Cedar, MI 49621

MINUTES

1. Call to Order

2. Pledge of Allegiance

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present: Supervisor Jim Lautner, Treasurer Joan Gauthier, Clerk Shirley Mikowski, Trustee Steve Yoder and Trustee Pat Deering.

Guests present: Charles Smith, Matt Christiani, Wendy Christiani, Mark Towne, Mary Kay Archer, Bill Archer, Mary Taylor, Rick Davids, Jeff Wichern, Corey Flaska, Ivan Busserell, Dale Gauthier, Marilyn Flaska, Charles Morrison, Paul Breyer, Chad Beers, Mindy Beers, Rene Jacobson, Marcus Jacobson, Chas Gerding, Mary O'Neill, Chris Comeaux, Scott Flaska, Kim Pugliese, Carrie Flaska, Kathi Thoreson, Rob Thoreson, Rob Flaska, Christine Jacoby, Fran Seymour, Ray April, John Kuhns, Warren Fuller, Mark Polinko, Mark Towne, Samantha VanderVlucht, Allison Hubley-Patterson, Tim Cypher/ZA and Ray Pleva.

3. Approval of Agenda

Motion by Joan Gauthier and seconded by Shirley Mikowski to approve the agenda as presented.

Motion carried 5-0.

4. Approval of Minutes

Motion by Joan Gauthier and seconded by Steve Yoder to approve the July 13, 2023 regular meeting minutes as written. Motion carried 5-0.

5. Public Comment

There was none.

6. Correspondence

A letter was received from the Local Community Stabilization Authority stating that there was a miscalculation of the distribution of AT&T's METRO Act fee. Solon Township received \$11,456.36 and should have received \$6,118.70. The overpayment will be corrected in the May 2024 METRO Act payment by decreasing the payment by \$5,337.66.

7. Treasurer's Report/Authorization for Payment of Vouchers:

Huntington Bank Checking \$94,563.36, ARPA Funds included in checking: \$26,627.33, Available in Checking Account: \$67,936.03, Huntington Bank General Savings \$148,215.09, Huntington Bank General Savings CD (6 Month 4.2%) \$100,000.00, Total General Savings \$248,215.09, Total Funds Available: \$316,151.12, Huntington Bank Road Improvement Fund \$10,362.11, Huntington Bank Fire Fund CD \$42,754.05, Huntington Bank Fire Fund CD (6 Month 4.2%) \$40,000.00, Huntington Fire Fund Savings \$10,681.59, Total Fire Sinking \$93,435.64, Huntington Bank Sidewalk Fund \$10,012.37, Huntington Bank Sidewalk Fund (6 Month 4.2%) \$7,785.00, Total Sidewalk Fund \$17,797.37, Total other Township Funds Available: \$121,595.12. Total Current Assets: \$437,746.24, Non-Township Funds, Huntington Bank Cedar River Marina Project \$10,020.11, Huntington Bank Cedar River CD (6 Month 4.2%) \$14,200.00, Total Cedar River \$24,220.11, Parks and Recreation \$10,462.55. Voucher #'s 15083-15114 were submitted for payment. Motion by Steve Yoder and seconded by Pat Deering to accept the Treasurer's report and pay vouchers as presented. Motion carried 5-0.

8. Committee Reports:

Steve Yoder reported on the Planning Commission meeting held on Tuesday, August 1, 2023. All board members and four guests were present.

- They made a few minor changes to the updated bylaws for the Planning Commission, and asked that this be approved by the township board.
- The most recent version of the Master Plan was distributed and discussed.
- There was a continued discussion of the Landscape Ordinance.

Mary Taylor reported the Parks and Recreation Committee met on Tuesday, July 25, 2023 at 6:00 P.M. There were four members present.

- They are waiting for Bay Area Recycling to pick up some of the trash that was left at Vlack's Park. They are asking the board to consider the proposal to close off the entrance to Vlack's Park.
- They are researching grant funding to help with purchasing some property by Vlack's Park.
- The second Visioning and Planning Session was August 3, 2023 and went well. The next Visioning and Planning Session is September 7, 2023 at 7:00 P.M. at the Solon Township Hall. The purpose is gather input for the future of the township parks.
- They would like to have the Parks Committee minutes and agendas posted on the website. Shirley Mikowski said Mary and or Kelly will need to get with her so they will have access to the website.
- They would like to purchase several AED's (Automated Electronic Defibrillator) to have at the ball diamonds and parks. They are working with the fire chief in possibly obtaining grant funding to purchase these. An agreement would be put into place for the fire department to check them every year.
- The next meeting will be held on Tuesday, August 29, 2023 at 6:00 P.M. at the Solon Township Hall.

Dale Gauthier said he and Joan cleaned up all of the trash at Vlack's Park. There was a lot of clothes and garbage along with a silver bumper from a car and a chef's hat with the name Colton on it. Joan also noted that all of the metal braces and all of the sections of the dock but one are gone.

Tim Cypher/ZA had a local excavator look at the Solon Beach Park road and suggested to get a hold of an asphalt company that will tar and seal the road. Mr. Cypher contacted Ron Brown and asked him to put us on his list, but it might not get done until next year. Mr. Cypher also notified the contractor and property owner that they will be responsible for the cost of repairing the road.

Joan Gauthier contacted the Leelanau County Road Commission about closing off Vlack's Park. The Road Commission said they usually use a berm but, in this case, it would only encourage ORV's to fly over it. The Road Commission owns the first 740 feet into the park, and Joan told them about the potholes and the tree branch that was hanging over the road and as of today the road and branch was taken care of. Joan recommended closing the park off at the curve and using orange fence. That will allow a parking area so people can still walk into the park. A sign needs to be posted and a camera needs to be installed. Joan said she would check with the Road Commission for a sign. Jim Lautner said the Parks Committee needs to look into this.

Zoning Administrator Written Report is attached.

10. Unfinished Business

A. Township Hall/Repairs

Dale Gauthier spoke with Gene Novak and Mr. Novak said he would get a cost estimate to repair the block at the township hall.

1. Doors

Shirley Mikowski is still working with Allen Supply to have several of the doors replaced at the township hall.

B. Parks

1. Fence

Apple Fence Company plans to remove the fence from the recycling site and install it at the Solon Beach Park sometime in August. Zach Baker is working on surveying the Beach Park.

2. Bleachers

Joan Gauthier contacted Ed Rahe to get a price on replacing the bleachers with aluminum seating. Mr. Rahe said it would be best to make the purchase in the next two months because he is selling the business. Joan will have an estimate for the September meeting.

3. Vlack's Park

See under committee reports.

4. Solon Schoolhouse

Jim Lautner said he will be setting a trap if needed. He thinks it may be woodchucks digging the holes. Warren Fuller said he stopped to straighten the flag pole, but it needs replacing. Jim said he would look into it.

C. Fire Department

1. Interlocal Agreement

Joan Gauthier said she is almost done typing up the combined Interlocal Agreement that will include the original agreement and the proposed changes.

9. Public Hearing/Future Land Use Maps

Motion by Shirley Mikowski and seconded by Joan Gauthier to approve to close the regular meeting at 7:30 P.M. Motion carried 5-0.

Motion by Joan Gauthier and seconded by Shirley Mikowski to approve to open the Public Hearing at 7:30 P.M. to receive public comment for the Future Land Use Maps. Motion carried 5-0.

- Tim Cypher/ZA gave a review on the updating of the Future Land Use Maps (see attached).
- Jim Lautner said some residents are under the impression this is a Public Hearing for a zoning request, but, it is not. It is to gather input for the proposed Land Use Maps. There are five maps being proposed.
- Chad Beers asked what the difference is between B-1(Business District 1) and B-2 (Business District 2).
- Mr. Cypher explained that B-1 is intended for business in the village and requires 5,000 square feet. B-2 is for smaller businesses and requires one acre. Everything in the business district has to go in front of the Planning Commission for a Site Plan Review. B-2 does not include industrial. The township Zoning Ordinance can be found on the website at www.leelanau.gov/solontwp where all of the definitions can be found.
- Charles Smith said he attends almost all of the Planning Commission meetings. At the first meeting when they started to work on the maps, Meg Paxton pulled out the survey. At the second meeting, Corey Flaska jumped up and told the members they had to move the line over on the map because that was his property. At the third meeting they were not using survey. At public comment, Mr. Smith suggested to scrap the maps and start all over using the survey, and it fell on deaf ears. He said the survey should have been the guideline and the proposed maps are not indicative of what the residents want. If approved, he would support and lead the charge on a referendum is needed.
- Matt Christiani agrees with Charles Smith times two.
- Mindy Beers drives on Solon Road about four times a day and is concerned of the increase of traffic with the one acre density that is proposed on that road.
- Scott Flaska said his wife has lived in Solon Township for 70 years and he has lived here for 50 years. He believes the township needs to move forward and not backwards.
- Mary O'Neill agrees the township needs to move forward with high density businesses in downtown Cedar but not until there is a sewer/water system and a good broadband service.

- Fran Seymour is a builder who shared that cluster housing is necessary to bring down the cost of home ownership. Large acres of farm land are being split into 40, 20 and 10 acre parcels and used for single homes and not for farming. Affordable housing is a misnomer because of the increase cost of building. Offering smaller lots and building smaller homes can make it more affordable.
- Corey Flaska said there is no chance for Cedar to grow because it is surrounded by swamp. We need to expand outside of the boundaries. Cluster housing in a smaller area reduces the use of farm land. There are 19,000 acres in Solon Township and only 700 acres are being proposed to change with 95% of Solon still green. Solon Road and the four corners were chosen by the people in the survey to have growth.
- Wendy Christiani is 15 year resident and gave a review of the survey done in the township in 2021. (The survey can be found at www.leelanau.gov/solontwp). 73% want to protect the rural character. The township board's job is the voice of the community. People move here, live here, visit here because of the beauty and the peacefulness of the rural community.
- Kimberly Pugliese asked what the fire department budget is and believes cluster housing preserves the rural community. This can also increase the tax base that will help to support the fire department.
- Chris Comeaux said the fire department budget is 1.2 million. It is very important to have growth and do it the right way.
- Christine Jacoby asked why we need more commercial development here and who would benefit from it. Who would benefit from sewer system and felt it should not be the responsibility of all the township residents to pay for it.
- Ray April has been a builder for 15 years, and stated that the average income person in this town cannot afford to buy property. It makes it more affordable with smaller lots and to have houses condensed. Otherwise with larger lots, we will lose more farm land.
- Mary Taylor said the cost of everything is going up. We need controlled growth to increase the tax base or property taxes will go up.
- John Kuhns is a 20 year resident who asked if there are guidelines in place with the proposed B-1 District at the four corners. Tim Cypher replied the Zoning Ordinance is the guideline and it all has to be vetted through the Planning Commission.
- Chas Gerding agrees it needs to be a well planned development with building smaller homes on smaller lots. Jim Lautner said Solon Township allows a 400 square foot home; the smallest in the county.
- Warren Fuller said we are the community that cares. The Planning Commission and the township board have thankless jobs. He is under the impression that Grumpy's corner is B-1 and not residential. Steve Yoder said what is being proposed is B-1 and residential.
- Carrie Flaska said she has lived here most of her life and nothing has changed.
- Mark Polinko agrees we need smart growth. Whether we like it or not, progress is going to happen. In order to get ahead of the progress and have smart growth, we need zoning codes, architectural codes and landscape codes in place so they can be enforced.
- Ivan Busserell is a builder and knows that the cost of building a house has tripled and we cannot stop growth.
- Mark Towne moved from Boston and has lived here since 2002 and agrees that you can't stop growth.
- Rob Flaska has lived here most of his life. He noted that Glen Lake is 40% school of choice because our population is decreasing. You cannot stop what is happening in Traverse City. Growth is needed in Solon Township.
- Chad Beers left Old Mission because of growth. His biggest concern is opening the flood gates and turning into Traverse City. There needs to be very controlled zoning in place.
- Chas Gerding noted that the population is dwindling and currently we have a .8 birth rate and it is supposed to be 1.1%.
- John Kuhns wants standards in place with the proposed B-1 zoning. And there has to be a way to have affordable housing because they are making it happen over the country. Jim Lautner said that needs to go to the Planning Commission.
- Mary O'Neill asked if the Planning Commission took into consideration where the PUD's (Planned Unit Developments) have been placed on the map and how far they are from the fire department.

- Chris Comeaux said the fire department has taken into consideration that there may be an increase of call volume and the distance. We have one shot to do this and we need to do it right. Jim Lautner explained that Chris Comeaux was the fire chief and is very experienced.
- Corey Flaska noted the maps have been in the works for five years and have gone through rigorous planning.
- Christine Jacoby asked if there are any projected costs with the possibility of an increase in infrastructure. Jim Lautner said that needs to go to the Planning Commission.
- Joan Gauthier explained that because the median income in Solon Township is a little too high, this prevents us from getting grant funding to put in a sewer. Fleis&Vandenbrink have suggested Cedar become a Village which may decrease the median income.
- Samantha Vandervlucht said growth can be good and the Zoning Ordinance is the guidelines and encouraged everyone to read it.
- A letter from township resident Randall Karfonta was received and will be included in the minutes.

Motion by Joan Gauthier and seconded by Steve Yoder to approve to close the Public Hearing at 9:00 P.M.
Motion carried 5-0.

Motion by Joan Gauthier and seconded by Shirley Mikowski to approve to open the regular meeting at 9:00 P.M.
Motion carried 5-0.

Joan Gauthier shared her concerns with PUD Districts placed at the four corners and believes it will be too dangerous to put businesses there even though there has been a traffic light installed there. Joan added that as far as the PUD at the corner of South Solon Road and M-72 she has no problem with cluster housing but is very concerned to have 35 acres as B-1 District.

Tim Cypher/ZA said he reaches out to all the regulatory agencies; M-Dot and the Leelanau County Road Commission to review the projects.

Steve Yoder is the board representative to the Planning Commission and feels it would be too dangerous to have the PUD District on Solon Road. This is also a lot of prime farmland and would like to see even a higher density. Steve also noted that the Landscape Ordinance needs to be put into effect before he can support the maps.

Joan Gauthier asked about the B-1 District in Cedar by T.S. Tool. Tim Cypher said that could be a potential growth district. Steve Yoder said making that commercial property could allow a sewer to be there because to his understanding a sewer will need to be on commercial property.

The board agreed to continue to review the maps and discuss it at the September meeting

10. Unfinished Business (cont'd)

C. Fire Department

Chris Comeaux gave the following report:

- All four townships approved the purchase of a new ambulance. It was necessary to approve the purchase of the ambulance now, because it will take 2-3 years to build it.
- A draft of the audit has been received.
- Grant funding has been received from the Grand Traverse Band 2% Grant. This is being used for training equipment.
- A resident's home on Cedar Valley suffered a total loss from fire.
- The Interlocal Agreement expires in 2025.

D. Cedar River Project

1. Buoys

Ray Pleva reported the permit for the buoys was signed by Jim Lautner and was sent to the DNR on July 21, 2023. A letter of support from the Cedar Chamber of Commerce was also sent to the DNR. There were four people that did some work by the river and sent up a drone to view the river by the Denis Garvin property. The grass is building up

and filling in the mouth of the river causing the water table to get pushed even higher in Cedar. The committee is asking for approval to have an event to raise funds for the Cedar River Project on October 7, 2023. They would like to hold the event on the first ball diamond and Rob Gauthier heading up the event. This is a township event so a lease agreement is not necessary. Motion by Joan Gauthier and seconded by Shirley Mikowski to approve the use of the softball field for the Polkatober event on Saturday, October 7, 2023 to benefit the Cedar River Project. Motion carried 5-0.

E. Drainage District

There was no update.

F. Cemetery

Zach Baker is working steady at drawing up a new map of the cemetery.

11. New Business

A. Planning Commission

1. By-Laws

The by-laws for the Planning Commission have not been updated in 25 years. The members of the Planning Commission used a template from MTA to update the by-laws with their own additions and some deletions. They are asking the township board to approve them. Motion by Joan Gauthier and seconded by Steve Yoder to approve to adopt the By-Laws for the Solon Township Planning Commission. Motion carried 5-0.

2. July Minutes

In the Planning Commission's July meeting minutes, comments were made by members and the zoning administrator against the township board for not approving the proposed Landscape Ordinance. Joan Gauthier said the comments made about the township board were abrasive. Joan is not going to approve something she does not agree with. Shirley Mikowski said the meeting is no place to make these kinds of comments, the members are getting paid to do a job and they answer to the township board and the township board answers to all of the residents. These are the kind of comments made at meetings that the newspaper will eat up and does not want to see Solon Township in the paper. She does not make decisions based on just today, but what will be best for the township 20 years from now. Jim Lautner said the amount of hours spent working on this ordinance has no bearing of whether the township board adopts it or not. Steve Yoder was at the meeting and takes exception to comments made by Shirley. The members never received any recommendations from the township board on what changes needed to be made with the ordinance. Pat Deering said it would be too costly for any family to build a home and follow the landscape ordinance, and will deter any new business from expanding or moving in. The problem with waivers is it depends on who is getting the waiver and who is making the decision. Tim Cypher gave comments and a timeline of developing the Landscape Ordinance (see attached) and noted there was no intent of malice or disrespect towards the township board members. Joan Gauthier read in the July minutes that each member was asked to look at the ordinance and recommend 2-3 items that could be taken out and asked if the members did that at the August meeting. Steve said they did not.

B. Treasurer/Metal Cabinet

Joan Gauthier/Treasurer has an old metal cabinet that is very heavy and asked if she could get rid of it. Joan said she would donate one to replace it. The board agreed she could get rid of it.

12. Public Comment

Joan Gauthier asked if there has been any progress in having the road repaired behind Bunting's. Jim Lautner said he is looking into it.

Mary Taylor thanked the board for having the parking spaces and crosswalks done.

John Zelinski said the maps look good and will not ruin the rural area. He noted that you are not going to please everyone.

Corey Flaska explained that he has taken the steps with M-Dot to assure the safety on Solon Road if there should be a development. He has also checked with the Leelanau County Road Commission about the property off of Lautner Road. Mr. Flaska said he did his homework before he even presented this to the Planning Commission. He feels with the proposed one acre density on the property off Solon Road, it will be a waste of backyards.

13. Announcements

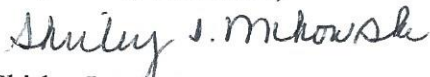
Mary Taylor announced that Movie Night scheduled for August 12, 2023 has been moved to the Solon Township Hall. The movie starts at 7:00 P.M. and the Parks Committee received a \$50.00 donation so the popcorn will be free.

14. Adjournment

Motion by Joan Gauthier and seconded by Shirley Mikowski to adjourn the meeting. Motion carried 5-0.

The meeting was adjourned at 10:09 P.M.

Respectfully submitted,



Shirley I. Mikowski
Solon Township Clerk

SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: JULY 2023

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
7/31/2023	LUP 23-24	DAVIS	LAND USE	202323	460 \$ 165.00
010-027-006-20	5543 E. HOXIE ROAD	NEW DWELLING ATT.GARAGE PORCHES		3,124 S.F.	

TOTAL \$ 165.00

SIGNED:

Timothy A. Cypher

DATE: 8/6/2023

TIMOTHY A. CYPHER
SOLON TOWNSHIP ZONING ADMINISTRATOR
231-360-2557
staff@allpermits.com

C43

**SOLON TOWNSHIP
FUTURE LAND USE MAPS
COMMENTS FROM TIM CYPHER**

Welcome everyone and thanks for coming tonight.

I wanted to give you some background on how we got here tonight and the recent history of the draft Future Land Use Maps.

- Oct 2017 The Robinson family petitioned the Planning Commission (PC) to rezone a 10 acre parcel on Lautner Rd. from AG Conservation to B-2. Ultimately, that project ended up being denied via voter referendum years later. The site was not reflected on the existing FLUM at the time.
- Sep 2018 Corey Flaska petitioned the PC to rezone 35 acres off the NE corner Solon Rd. & M-72. The request has been held in abeyance ever since pending review and updating of the FLUMs.
- Feb 2019 The Township Board (TB) directed the PC to work on a Master Plan for the entire M-72 corridor seeing if available sites existed for commercial development. The PC had multiple meetings and completed a findings of facts to ultimately make recommendations to the TB. The public input focused on maintaining the rural character of the township and not allowing additional commercial growth. Almost two years went into this review.
- Nov 2021: PC discusses housing density in the districts. The decision is made to put this discussion on hold until the survey results are tabulated and released prior to the March 2022 meeting as this will guide future discussions.
- March 2022: The Zelinski family brought forth a rezoning amendment for a 10 parcel on Allgaier Road for AG Conservation to B-2. The existing parcel has a common property line with the existing B-2 zoning district which is already sold out. The consensus of the PC was to hold this request in abeyance until the FLUMs are updated. There was significant opposition to this request.
- May 2022: The PC reviewed and discussed possible new residential growth and PUD areas.
- June 2022: PC discusses business growth as it pertains to four areas along the M-72 corridor. Two PC members expressed concerns that many Township residents will be upset with the business maps as they have been presented.
- July 2022: The Davis family presented a rezoning request from a 5 acre parcel off Cedar Run Road from AC to RA2 for a land division. The PC placed the application in abeyance until the FLUM is updated and approved.
- Sept 2022: PC spends considerable time finalizing the PUD areas and discussing lot density. Motion passes to forward the commercial versions of the FLUMs to the Leelanau County PC for comment along with the rezoning requests that are currently being held in abeyance by the PC.

- Oct 2022: Discussion ensues regarding the PUD areas of the FLUMs and the residential areas; there is significant discussion regarding Mr. Flaska's property along Solon Road. A few PC members are opposed to reconfirming the PUD map as they believe the public will not want to see large parcels of Ag property converted to something else. Motion passes that the PC corrected the Flaska property, did some minor clean-up in order to be consistent with property lines, approved the PUD map as amended and cleaned up the residential component of the map along property lines.
- Dec 2022: Public Hearing for FLUMs. Several members of the public speak during Public Comment; some are in favor of the proposed maps while others feel PUDs will change the "quaintness" of Solon Township.
- March 2023: The Vidor family request a rezoning of parcels they own on Lincoln Road. Staff noted that this request is not supported via the existing FLUMs. A FLUM map amendment would be required.
- April 2023: The PC discussed the LCPC Staff Report regarding the FLUMs. Staff explains that there are four rezoning requests that are in abeyance; thus, the maps needed to be addressed first.
- June 2023: Per a previous request made by the PC, staff edits all maps so that the term "zoning" is not used; the term "proposed" is used on some maps and hatch lines are inserted to depict newly proposed Business zoned areas. These are the final edits to the maps and they are posted to the Solon Township website. Motion passes to forward the FLUMs to the Solon Township Board for review and approval.
- July 2023: Board Rep. Yoder reports that the Public Hearing for the FLUMs will be held on Thursday, August 10, 2023. PC members discussed that it would be beneficial if everyone attended the meeting as a resident of the Township, not as a PC member. It is anticipated that many members of the public will also attend.

MEMORANDUM

TO: Solon Township Board and Planning Commission
FROM: Randall Karfonta
RE: Solon Maps
DATE: August 9, 2023

I am a Solon Township resident, lawyer and citizen scientist.

The proposed maps fail to reflect the fact that Solon residents do not want a commercial strip of business interests and the inevitable infrastructure. The Solon Township Master Plan states the issue: What effect will the proposed action have upon the native terrain and rural character of the Township? Master Plan 9. The Future Land Use and other Maps contradict the Master Plan.

The proposed maps present an opening for widespread commerce in Solon Township. Despite clear citizen opposition to wide commercial development, the maps set forth a priority for commercial development. See 2007 and 2021 Surveys.

To protect the Solon watershed and environment, standards must be set and enforced that will preserve the peace and natural beauty of this very unique place. Required standards of review do not underlie the proposed maps. See Zoning Ordinance, Section 20.

Survey. Failed Survey questions underlie the proposed maps. The Survey asked "where should growth go?" The question bypasses the real issue of the environmental necessity of limiting Solon commercial development.

Increasing commerce will increase road traffic and widening roads to accommodate the development. It will increase the runoff into the environment of oils, gas, grease, salt and metals, which often enter the environment unnoticed. Toxic chemicals entering the watershed harms the environment and puts human health at risk.

Instead of property plans for widespread commercial development, Solon Township energy should be directed to developing a Watershed Protection Plan. Also, Solon Township should be setting standards for developers to pay the cost of infrastructure.

The proposed maps fail to reflect the fact that Solon residents do not want a commercial strip of business interests and the inevitable infrastructure.

**SOLON TOWNSHIP
LANDSCAPE ORDINANCE
COMMENTS FROM TIM CYPHER**

- Nov 2020: The PC discusses that certain articles in the Zoning Ordinance require further review, including the landscape section.
- Jan 2021: Cypher shares examples from other ordinances that address landscaping, buffering and screening. Some examples are lengthier than the entire Solon Township Zoning Ordinance. Cypher shares information from his discussion with the Fenton ZA who asked, "What are you trying to accomplish"?
- Feb 2021: Cypher introduces Mr. Mark Polinko and discusses his background. Mr. Polinko prepared a document for the PC which Cypher feels is comprehensive and holds the developer accountable.
- March 2021: Cypher explains that Solon Township is trying to raise the standards with regard to the landscape ordinance. He states that Mr. Polinko has done a good job with the document and this sets the bar for Leelanau County. Discussion ensues regarding enforcement and Cypher states that much of this will fall to the ZA.
- April 2021: The PC has considerable discussion regarding the Article Draft – Landscaping, Site Plan Review. Cypher and Mr. Polinko each address the PC on a number of topics. They advise that the landscape standards are a checklist for the Zoning Administrator and gives the planning commission the ability to negotiate with the petitioner. Cypher reports that the landscape standards are what the developer needs to see to know what to submit and passages are consistent with the general standards for landscape designers.
- May 2021: Continued discussion among PC members regarding the review of the final draft of the landscape ordinance. Mr. Polinko comments on the use of "percentages" in the ordinance. Cypher states that the landscape standards are meant to be specific but not heavy handed. Discussion ensues regarding the number of pages in the landscape section but Cypher advises the PC to be careful to not "take the teeth" out of the ordinance.
- June 2021: Cypher requests that all PC members review the final draft of the landscape ordinance and bring their comments to the July meeting.
- July 2021: Significant discussion among PC members regarding final draft of landscape ordinance. Topics addressed in this discussion include waivers, the role of the zoning administrator, mulch and decorative stone and islands. Cypher confirms with PC that these edits will wait until other sections of the ordinance have been reviewed and modified.
- Jan 2022: Yoder reports that the LCPC was not in favor of the level of regulation proposed in the landscape section of the zoning ordinance.

- Feb 2022: Cypher leads the PC through a discussion of the proposed edits to the Zoning Ordinance based on comments from the LCPC, including edits to the landscape section.
- March 2022: Cypher informs the PC that the Board has concerns regarding some sections of the Zoning Ordinance which they believe are too complex; this includes the landscape section of the zoning ordinance.
- June 2022: Cypher reports that the landscape section of the Zoning Ordinance is a concern to the Township Board members. All PC members agree that it would be helpful to understand exactly what the Board does not like about this section.
- July 2022: Cypher plans to attend the July Township Board Meeting where the Draft Zoning Ordinance will be discussed. He will be on hand to address questions pertaining to landscape buffering and screening.
- Oct 2022: Cypher reports that the landscape ordinance has increased from one paragraph to approximately 12 pages. The PC has worked on this for a long time. Legal counsel provides language regarding waivers so the public can see these are attainable. Cypher confirms that the Township Board nixed the proposed language. Motion passes that the PC reviewed the waiver language and recommends that the Township Board add this to the Zoning Ordinance.
- Nov 2022: Cypher states that Article XVIX is in trouble and even with the waivers from legal counsel, this matter is not moving along. The PC has spent many hours working on the landscape ordinance. He has followed up with the Solon Township Clerk.
- Dec 2022: Cypher inquires if landscape review is on Township Board agenda.
- Feb 2023: PC Chair asks if PC can revisit the landscape ordinance. Cypher comments that surrounding townships do not have detailed language on this topic in their ordinances.
- March 2023: PC Chair Annual Report identifies two goals for the coming year: Continue work on Master Plan and revisit the landscape ordinance.
- June 2023: PC agrees to continue work on the Master Plan but will also revisit the landscape ordinance.
- July 2023: PC agrees that work on the Landscape Ordinance must continue noting that it would be beneficial for PC members and community members to attend the August 10, 2023 Township Board Meeting (Public Hearing for Future Land Use Maps). A landscape ordinance that lacks specificity will create an area that looks similar to Chums Corner. Cypher shares that landscape architects call him and state they are surprised at the minimal landscape requirements in the ordinance.