

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, JULY 25, 2023, AT THE LEELANAU COUNTY GOVERNMENT CENTER.

Proceedings of the meeting were recorded and are not the official record of the meeting. The formally approved written copy of the minutes will be the official record of the meeting.

CALL TO ORDER Meeting was called to order at 5:30 p.m. by Chairman Yoder who led the Pledge of Allegiance. The Meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI.

ROLL CALL

Members Present: S. Yoder, T. Nixon, C. Brown, T. MacDonald
B. Fenlon, M. Lautner, R. Brush, R. Miller

Members Absent: A. Trumbull, C. Noonan
(prior notice)

Members Absent: M. Black

Staff Present: T. Galla, Director, G. Myer, Senior Planner

Public Present: None

CONSIDERATION OF AGENDA

Yoder said they will need to approve the cost of the fall session under “Old Business” but there is no need to amend the agenda.

Motion by Nixon, seconded by Lautner, to accept the agenda as presented. Motion carried 8-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT – None.

STAFF COMMENTS – None.

CONSIDERATION OF JUNE 27, 2023 MEETING MINUTES

Motion by Lautner, seconded by Fenlon, to accept the minutes as presented. Motion carried 8-0.

OLD BUSINESS

Update-Fall Session

Galla said Mary Reilly from MSU Extension and Claire Karner from East Bay Township will be the presenters for the fall session on September 20th starting at 6:00 p.m. or 6:30 p.m. and running 1 ½ hrs. The main topic will be how does a community identify and then prepare for a large or unexpected workload related to a planning process, zoning application, or litigation. A larger project than what they

could, or should, handle on their own. Karner will cover what kinds of projects are these? PUD, large or small zoning amendment, SLU, a Plan, litigation. Who's on the team of experts that may be helpful and how do you find them and select them. Reilly will address what the clues are that you need help. The who, what, when, where, and why of escrow policy—how to prepare the community to call on outside resources for help on a quick timeline.

Motion by Nixon, seconded by Lautner, to approve costs for the speaker(s) for the fall session, not to exceed \$400.00. Motion carried 8-0.

NEW BUSINESS

PC11-2023-05 Empire Township Master Plan

Galla reviewed the staff report, saying that under Section 41 of the Michigan Planning Enabling Act, an update or revision to a plan requires a 42-day review period. The Notice of Intent to Plan was distributed by the Empire Township Planning Commission back in 2021, and the Planning Commission passed a motion in March of 2023 to forward the document to the Township Board for review and comment. In April of 2023 the Township Board passed a motion to have the Planning Commission send the updated Master Plan draft to the County Planning Commission for review and comment. Galla continued, saying a Public Hearing was held in May of 2023 and a Special Meeting was then held to discuss public comments that were received. The township then passed a motion in June to distribute the Master Plan to the necessary bodies to begin the review period.

Galla said staff did not find any issues under Section: 4, Analysis, it is rare that they have a problem when reviewing a Master Plan update. The Plan does include future land uses by layers. On page 16 of the Plan, it states “This Future Land Use Plan appreciates the multifunctional nature of these land areas, and describes the future land uses by layers, versus using a single classification; and just as nature does not have defined boundaries of ending and beginning, so, also these land use layers have flexible boundaries.”

Galla continued, saying that the Empire Township Board can assert the right to approve or reject the Master Plan. If they choose to do that, they will have the final say, otherwise it will be adopted by the township Planning Commission. Galla said most of the things noted under “Staff Comments” are just things that need to be cleaned up and do not change the intent of the plan. Staff did question why not allow an accessory dwelling units anywhere there is a residence? That is something the Housing Action Committee and Housing North are trying to support. There are ways to avoid them becoming a short-term rental. Galla pointed out that some of the data cited is outdated. Asset Limited Income Constraint and Employed (ALICE) data is really important and also shows poverty levels for the county. Also, the 2023 Housing Needs Assessment document was just completed and that data could replace the 2019 data.

Galla concluded by saying following approval of the plan, the township will need to review their zoning ordinance and make any amendments needed to implement the actions listed in the plan. Staff did not find the plan inconsistent with the county General Plan.

Lautner referenced the township minutes and said she found the planner's comments that the township received interesting, she agreed on quite a few things. She mentioned “placing the houses hidden within trees” and said sometimes it is just not feasible to do that. The wildfire in Manistee destroyed many homes, but the only one saved was the one where the land was opened up. There weren't trees or shrubbery around the house and the owner simply turned on the sprinklers. Also, the recommendations talk about using trees at a certain height along the road as a buffer so you don't see the building. Trees grow and die, who is going to police that? Lautner then pointed out the reference to DTE & Consumers

for utilities and said that Empire does have Cherryland south of M72, and East of 667.

Fenlon said the first four pages have weird spacing. Brush said that ADU's should be allowed and encouraged where appropriate, not restricted too much in any way.

Brown said they did a good job on the transportation portion, but he would like road maintenance or road sustainability addressed. The road commission has been putting together asset management plans for all the townships in the county based on road rating. Based on the ratings, they assign a cost to repair the road. Right now, for the county, you are looking at \$92 million dollars to bring all of the roads up to good condition. Empire Township is \$6 million dollars alone on local roads. The roads are at different stages of repair and a lot of those are maintenance repairs which the road commission takes care of for the most part. The townships are responsible for a minimum of 50% of the reconstruction cost. The road commission budget from the Michigan Transportation Fund (MTF) is \$5.5 million dollars which really doesn't go very far. Brown concluded by saying Empire should include road maintenance or road sustainability in the plan.

Nixon said the plan contains a significant amount of information and he also liked the comments from the planner. He would like to see some color in there to break things up, and pictures would have been nice. He wondered why it took until page 25 to understand the purpose of the plan? This should be moved closer to the front. Nixon concluded by saying that they were sometimes too language specific, bordering on what could be considered zoning language. This coincides with what Lautner mentioned about buffering and what structures would be allowed on certain lots. It's more appropriate for that language in a zoning ordinance.

MacDonald stated that he applauds them for removing the term "human environment." The Future Land Use Map seemed more nuanced at first look, but looking at it again, maybe it's a little less over structured. Miller said the tone of it reminds him of his grandmother saying to him "be nice." It is a little too vague in direction.

Yoder commented that the plan was very complex and needed more color and character to keep the reader interested. Also, he felt that he was halfway through the document before he got to the reason for the plan. In conclusion, Yoder said the "zoning" as Nixon mentioned might be a little overbearing.

Motion by Miller, seconded by Lautner, that the Empire Township Master Plan is consistent with the Leelanau General Plan, and to forward the staff report, minutes and all comments to the Empire Township Planning Commission. Motion carried 8-0.

REPORTS

Housing Action Committee

Lautner mentioned a presentation about housing trust funds which Galla could forward if anyone is interested in watching. The concept is to find private and public dollars to actually have an impact on housing. She also mentioned that if the Land Bank acquires tax foreclosed properties, they are working with Habitat for Humanity, Homestretch, and Peninsula Housing to provide affordable housing.

Parks & Recreation

No report was given since they did not hold a meeting.

REPORTS from LCPC members

Miller reported on the Construction Board of Appeals meeting with TC Whiskey to resolve some issue regarding their development. There will be a follow-up meeting in a week to ten days and hopefully they come back with some revisions. Miller said the issue is with the exhaust and ventilation because the building will have around 16,000 barrels of whiskey in it. Fenlon commented that they will be extremely flammable. He works for Black Star Farms and they have a still on Old Mission Peninsula where they do brandy. When that comes out the first part of the run can be as high as 180 proof and the fire department is there and Black Star has chemicals on site for fire suppression. The township was super concerned about ventilation when they saw the facility because one spark could cause the whole building to go up.

Nixon said the Herman Park parking lot is finished and they had a soft opening. They are still finishing the addition of four pickle ball courts, and the dog park fencing will be finished next week.

Brown reported that the road commission finished chip sealing today and will be applying an emulsion coating over the top next. They have about three to four miles of asphalt going down on the west side of the county and some other culvert work being done also. The board has been working on a strategic plan, and part of that is the asset management plan he mentioned earlier.

Lautner said the Solon Board approved a contract to get the crosswalks painted which they hope will help cut down on the number of rolling stops happening. Yoder said drainage district sucked up a lot of the township’s American Rescue Plan Act (ARPA) money which was going to be used to improve the township hall among other things.

COMMUNICAITONS – None.

PUBLIC COMMENT – None.

STAFF COMMENTS

Galla told members that the Blue Bird Restaurant is being worked on through the Brownfield Redevelopment Authority and the owners plan to tear it down and rebuild. The plan is to tear it down and get the site cleaned up this summer and build next summer closer to the river. They added more boat slips and the new building will be closer to the river and offer outdoor seating. The new building will be smaller, more efficient, and will be able to operate with fewer employees. Future plans include the Early Bird being demolished and a new development will replace it.

COMMISSIONER & CHAIRPERSON COMMENTS – None.

ADJOURN

Meeting adjourned by consensus at 6:14 p.m.