

SUTTONS BAY TOWNSHIP  
NOTICE OF PUBLIC MEETING:

**PRELIMINARY AGENDA**

The regular meeting of the Suttons Bay Township Board is hereby called for 5:15 PM Wednesday, September 9, 2020. Due to current isolation guidelines the Meeting will be via Zoom. The Host will email directions and an invitation.

**CALL TO ORDER: REGULAR MEETING**

**APPROVAL OF THE AGENDA**

**PUBLIC COMMENT:** and communications about items not on the agenda

**REPORTS:**

- Treasurer
- Planning & Zoning
- Fire Authority
- Parks & Recreation
- Facilities

**OLD BUSINESS:**

1. Approval of the Minutes: Previous Meetings
2. Payment of the Bills
- 3.

**NEW BUSINESS:**

1. Village / Township Leo Creek culverts & road Repairs: update
2. Peck Road Zoning enforcement issues: Update
3. Installation of Public Potable Water point: Herman Park

**PUBLIC COMMENT:**

**BOARD MEMBER COMMENTS:**

**ADJOURNMENT:**

**Planning Commission Report  
to the Township Board for the Sept 9, 2020 meeting  
Submitted by Susan Odom, Chair on Sept 2, 2020**

**1. PC held their regular meeting on Sept 1. Here are the highlights...**

- a. **Starry Nights event venue:** Their request to be allowed to reschedule cancelled weddings from this summer (due to Covid-19) to next summer was denied after much effort and deliberation over several months. In the end there was no conclusion that could be reached that did not create an expansion of their status as an existing non-conformity. It is illegal to expand an existing non-conformity. At our July 7 meeting we were able to approve a similar request that granted a few more events to be held during the non-summer months because that did not expand the non-conformity. So of the two requests made one was granted and one was denied.
- b. **Agricultural Mazes or Seasonal Outdoor Maze:** The discussion was mostly in favor of this and a public hearing is set for Oct 6, 2020.
- c. **Zoning Ordinance Enforcement updates**
  - i. Leelanau Watersports, 1274 S. Peck RD. The PC and the residents in attendance were glad to see the letter that the Twp attorney sent to the business owner at this address. The deadline for a site plan to be submitted has passed and we are all anxious for a resolution to this ongoing problem. There are three residents who have faithfully attended our meetings for many consecutive months. Their names are Sharon and Wayne Livingston and Gary Hoenscheid and they are all neighbors to this property and reside on Peck Road. I encourage the board to keep those three people informed on any action on this matter. This business has been allowed to operate illegally and without site plan approval for a full two summer seasons and that is a very bad state of affairs. It is now in the hands of the Attorney and consequently the final responsibility lies with the Township Board.
  - ii. The PC wishes to be kept informed about enforcement at 1370 S. West Bayshore Drive. The issues there are likely beyond the work of the PC and will require Board action. The property is obviously out of compliance with several Twp Ordinances.
- d. **Zoning Ord Revision:** The PC scheduled 3 special meetings to do our best to finish our portion of the Zoning Ordinance Overhaul/Revision by the end of this year. Those meetings will be held on Sept 15, Oct 20 and Nov 17. After our portion is finished it has an attorney review, County PC review and then review by you, The Township Board and hopefully it will be adopted by you at some point in 2021.

2. **Please be advised this next item is from me personally** and it was not talked about at the PC mtg on Sept 1, 2020. I had hoped to bring it up during my window of time as Chair to make comments at the end of the meeting. But we were almost out of time. In fact we had to have a motion to extend the meeting to 8:30 instead of 8pm. I spent my Chair comments time speaking about other issues that seemed more important to the entire PC and not my personal concern. I do plan to share this report to my fellow Planning Commissioners via a group email that will be sent out by 10pm on Sept 2. Perhaps some of them will lend me support on this issue but I will not pressure anyone to do so.

**A request to Waive the Fee paid by John Zachman for his recent request to make changes to his Special Use Permit:** I request that the Township waive the fee that John Zachman was required to pay in May or June of 2020 so that he could request changes to his Special Use Permit for his Starry Nights Event Venue due to Covid-19. The fee was \$300 or \$350. I sincerely thank you for your consideration of this matter and I hope that you have an honest discussion of it at your meeting. I request this because our Zoning Administrator Steve Patmore handled John Zachman's request unfairly, untimely and unprofessionally:

- a. Steve Patmore never answered John Zachman's emails dated 3/17/20 & 3/18/20. And subsequently Steve Patmore never informed me that John Zachman wanted to be on the PC agenda starting as early April of this year.
- b. John Zachman, out of frustration, looked up my contact information on the internet and sent me an email directly on May 27 indicating that he wanted to be on the agenda.
- c. After reading his email I was extremely angry that I had not been informed that a resident of our Township had wanted to be on the PC agenda for months and that Steve Patmore had withheld that information from me. Steve Patmore had also been negligent in his communications with John Zachman which I find extremely unprofessional and sub-standard for our Township. I have since discovered that it is a pattern/habit that Steve Patmore is sporadic and unreliable in his communications which reflects very poorly on our Township as a whole.
- d. I stated publicly, during the PC meeting of July 7, 2020 that I would ask the Township Board to refund his fees and that if they won't that I personally will. I still intend to do that. I learned later that I used the wrong word I should have said waive his fees and not refund. But the spirit of my request still stands. I request that you waive his fees and if you can't, I will do it myself from my own funds. I feel that strongly about this.
- e. You can read the minutes I mentioned above at the link below. The portion I reference is at the bottom of page 6 of the PDF or page 4 of the minutes. The recording is still available too. [https://www.leelanau.gov/downloads/meeting\\_packet\\_842020.pdf](https://www.leelanau.gov/downloads/meeting_packet_842020.pdf)

# ZONING ADMINISTRATOR'S REPORT

## SUTTONS BAY TOWNSHIP

August 2020 (to-date)

For September 2020 Planning Commission and Township Board Meetings

Prepared by Steve Patmore  
August 21, 2020

### LAND USE PERMITS ISSUED

DATE	TOTAL	NEW HOMES	ADDITIONS	ACCESSORY STRUCTURES	OTHER
<b>August 2020 (to date)</b>	<b>10</b>	<b>4</b>	<b>0</b>	<b>6</b>	<b>0</b>
<b>Year To Date</b>	<b>24</b>	<b>7</b>	<b>4</b>	<b>12</b>	<b>1</b>
Year to date 2019	24	13	7	4	0
Year to date 2018	29	15	5	9	0
Year to date 2017	26	7	4	12	3
Year to date 2016	24	6	8	8	2
Year to date 2015	20	10	4	5	1
Year to date 2014	11	1	3	7	0

Revisions to previous permits

**Land Divisions:** Several inquiries

#### **Zoning Board of Appeals:**

- Application Denied for Variance from Private Road Standards. Applicant maintained that Private Road Standards are detrimental to providing affordable housing.
- ZBA did allow Applicant's request that access be considered a driveway until additional homes are built.
- Follow-up meeting scheduled for August 25, 2020.

#### **Short Term Rentals:**

- 30 Permits issued for 2020 (22 Renewal – 8 New).
- One change of ownership – two changes in local contact information.

#### **Other:**

- Sent possible language to the Township Attorney on temporary emergency Special Use Amendments.
- 1274 Peck Road Site Plan Enforcement referred to township attorney. A letter was sent to the property owner.
- Preparing follow-up letters to property owners in the M-22 Commercial District.
- Follow-up with Marek Road multi-family pre-application meeting participants.
- Conversations with winery owner regarding special events.
- Conversations with an attorney representing a client who will be submitting an Application and Site Plan for a special event venue off of Putnam Road. Site Plan is being prepared.
- Policies and procedures for Agendas, meeting packets, Minutes, and Site Plan Review to the Board Zoning Committee.
- Amendment to Metro Act Permit for installation of more fiberoptic cable for the GTB.

**DRAFT MINUTES**

**SUTTONS BAY TOWNSHIP  
REGULAR MEETING – AUGUST 12, 2020**

Due to current isolation guidelines the August 12, 2020 meeting will be via Zoom.

**CALL TO ORDER – REGULAR MEETING**

Rich Bahle, Supervisor, called the regular meeting of the Suttons Bay Township Board of Trustees to order at 5:15 p.m., August 12, 2020, at the Suttons Bay Township Offices, #95 W. Fourth St., Suttons Bay, Michigan.

**ROLL CALL - Quorum Present**

Present: Rich Bahle, Sandy VanHuystee, Tom Nixon, Cathy Hartesvelt, Debbie Slocombe

Absent and excused: None

Staff Present: None

also in attendance via Zoom: Marge Johnson, Susan Odom, Eric Carlson, Sharon Livingston

**APPROVAL OF THE AGENDA**

Consensus to approve the Agenda.

**PUBLIC COMMENT**

Sharon Livingston, 1257 Peck Rd., asked if any one has received a copy of a letter from the township attorney regarding the site plan for property on Peck Road.

Rich Bahle said August 31<sup>st</sup>, 2020 is the deadline for the business owner to respond to a letter from township counsel.

**REPORTS:**

- **Treasurer** – Cathy Hartesvelt said copies of the June and July Reports will be forwarded to the Board members.
- **Planning & Zoning** - Tom Nixon said the Planning Commission submitted its Annual Report for 2019-2020. Planning Commission will hold a special meeting to discuss topics of concern. Policies and Procedures will be attached to Planning Commission Bylaws and will be incorporated as part of office management. August 4 Planning Commission Meeting – Discussions regarding Peck Rd business. Township counsel sent letter to Peck Rd. business owner notifying him he has until August 31, 2020 to address the letter and site plan. Temporary emergency language prepared by Steve Patmore was sent to township counsel for review. Presentation by Sarah Keever regarding development on Marek Rd.

Susan Odom said the temporary emergency language was to address John Zachman's Starry Nights Special Use Permit. Susan Odom read the Resolution the Planning Commission adopted at its July 7, 2020 Meeting regarding property on Peck Road.

- **Fire Authority** - Rich Bahle said Fire Board met August 11<sup>th</sup>. It approved joining the statewide co-op which costs \$2,000. The Board approved spending \$600,000 for an engine. Board wrote off bad debts and sent bills for collection.
- **Parks & Rec** - Debbie Slocombe said the Committee met last Tuesday at Herman Park. Northern Lighting Power Wash donated \$300-\$400 of their time to clean the pavilion support beams. Committee will obtain bids for future power washing. A grant was submitted for an ADA drinking fountain. Asphalt has been laid at the picket ball courts. Apple Fence will drill the posts for the fencing.

### **OLD BUSINESS**

#### **1. Approval of July 8, 2020 Minutes**

*Rich Bahle/moved, Debbie Slocombe/supported, to approve the July 8, 2020 Minutes, PASSED.*

#### **2. Payment of the Bills**

*Sandy VanHuystee/moved, Cathy Hartesvelt/supported to pay the bills in the amount of \$57,100.18, PASSED.* Debbie Slocombe said she would like to have a revenue and expenditure summary.

### **NEW BUSINESS**

#### **1. Continuation of Meetings via Zoom: Until Emergency Orders Lifted.**

##### **Discussion –**

- Rich Bahle said he thinks zoom meetings will be held until emergency orders are lifted by authorities. No action is necessary.
- Debbie Slocombe said Parks & Rec Committee held a meeting at Herman Park. Slocombe asked if it would be a problem to have a meeting at Herman Park.
- Rich Bahle said he willing to try to have a meeting at Herman Park. Bahle said he, Tom Nixon and Susan Odom met at Herman Park under the pavilion.
- Tom Nixon said he would like to have a meeting at Herman Park, but for his health he wants to limit exposure. Zoom meetings have worked out well for for getting work done, and the public has joined the meetings. Nixon said the zoom meetings should continue and consider not to have zoom meetings next spring.
- Rich Bahle said he would take Tom Nixon's recommendation under advisement.

### **PUBLIC COMMENT**

Susan Odom made a comment about the July Meeting Minutes regarding John Zachman's application fee for a special use permit and about the Cares Act.

Rich Bahle said he and Fire Chief Jim Porter discussed the Cares Act.

### **BOARD MEMBER COMMENTS:**

- Rich Bahle – the Assessor's Contract discussed in the July Minutes has been signed with 90 day notice instead of 30 days. There should be clarity when there has been a tax tribunal case. Bahle said he is working on disposing of the piles of tires in the township which are a fire and health hazard. The State could help, but it doesn't have any money. He said he would ask the Solid Waste Council if it would participate in funding the disposal of the tires. Bahle said he has been addressing drainage problems in the Village of Suttons Bay on Broadway Street. Bahle said he reached out to different parties to see if the township could get some assistance with Elm Street and Leo Creek. Upgrading the culverts could help the drainage on Elm Street. Bahle is continuing discussions with these entities to make something happen. The township is not spending any money or signing any contracts.
- Sandy VanHuyste said she got thru the busy election, had 815 absentee ballots. There were no major issues at the township or at the county.
- Debbie Slocombe asked if Sandy VanHuystee was paid the stipend that was approved. (Sandy VanHuystee said the bill is under her name in the bills).
- Tom Nixon said he would encourage everyone to take a look at the township parks. Nixon said thank you to the committee who worked on the Planning Commission Procedures and Policies. He will bring recommendations to the township board in the future.
- Cathy Hartesvelt - No comment.

**ADJOURNMENT:** Rich Bahle adjourned the meeting at 5:51 p.m.

**Minutes by Marge Johnson, Recording Secretary**  
**Sandra VanHuystee, Clerk**

**Suttons Bay Township**  
**Unpaid Bills Detail**  
 As of September 17, 2020

Type	Date	Num	Due Date	Aging	Open Balance
<b>Accident Fund</b>					
Bill	09/09/2020		09/19/2020		556.50
Total Accident Fund					556.50
<b>American Waste</b>					
Bill	09/09/2020		09/19/2020		75.00
Total American Waste					75.00
<b>Bingham Township</b>					
Bill	09/09/2020		09/19/2020		17.90
Total Bingham Township					17.90
<b>Catherine Hartesvelt</b>					
Bill	09/01/2020		09/11/2020	6	1,760.74
Total Catherine Hartesvelt					1,760.74
<b>Christy Brow</b>					
Bill	09/01/2020		09/11/2020	6	444.67
Total Christy Brow					444.67
<b>Cobb's Pest Control</b>					
Bill	09/09/2020		09/19/2020		225.00
Total Cobb's Pest Control					225.00
<b>Debbie Slocombe</b>					
Bill	09/01/2020		09/11/2020	6	127.45
Total Debbie Slocombe					127.45
<b>Dorothy Petroskey</b>					
Bill	09/09/2020		09/19/2020		1,269.08
Total Dorothy Petroskey					1,269.08
<b>DTE Energy</b>					
Bill	09/09/2020		09/19/2020		37.48
Total DTE Energy					37.48
<b>ElectionSource</b>					
Bill	09/09/2020		09/19/2020		820.00
Total ElectionSource					820.00
<b>Federal Tax Deposit</b>					
Bill	09/09/2020		09/19/2020		1,874.97
Total Federal Tax Deposit					1,874.97
<b>Good Nature Gardens Inc.</b>					
Bill	09/09/2020		09/19/2020		100.00
Total Good Nature Gardens Inc.					100.00
<b>Gosling Czubak</b>					
Bill	09/09/2020		09/19/2020		1,765.00
Total Gosling Czubak					1,765.00
<b>Herman Brothers' Lawn Care</b>					
Bill	09/09/2020		09/19/2020		700.00
Total Herman Brothers' Lawn Care					700.00



**Suttons Bay Township**  
**Unpaid Bills Detail**  
 As of September 17, 2020

Type	Date	Num	Due Date	Aging	Open Balance
<b>Jesse Fox</b>					
Bill	09/09/2020		09/19/2020		1,000.00
Total Jesse Fox					1,000.00
<b>Jill Williamson</b>					
Bill	09/09/2020		09/19/2020		75.00
Total Jill Williamson					75.00
<b>Michigan Assessing Service</b>					
Bill	09/09/2020		09/19/2020		3,839.58
Total Michigan Assessing Service					3,839.58
<b>Networks Northwest</b>					
Bill	09/09/2020		09/19/2020		700.00
Total Networks Northwest					700.00
<b>Northern Building Supply, LLC</b>					
Bill	09/09/2020		09/19/2020		19.09
Total Northern Building Supply, LLC					19.09
<b>Richard Bahle</b>					
Bill	09/01/2020		09/11/2020	6	1,181.11
Total Richard Bahle					1,181.11
<b>Sandra Van Huystee</b>					
Bill	09/01/2020		09/11/2020	6	2,258.54
Total Sandra Van Huystee					2,258.54
<b>Spectrum Business</b>					
Bill	09/09/2020		09/19/2020		266.54
Total Spectrum Business					266.54
<b>State of Michigan</b>					
Bill	09/09/2020		09/19/2020		245.58
Total State of Michigan					245.58
<b>Steven Patmore</b>					
Bill	09/01/2020		09/11/2020	6	2,825.16
Total Steven Patmore					2,825.16
<b>Tom Nixon</b>					
Bill	09/01/2020		09/11/2020	6	127.45
Total Tom Nixon					127.45
<b>Village of Suttons Bay</b>					
Bill	09/09/2020		09/19/2020		67.47
Total Village of Suttons Bay					67.47
<b>Williams &amp; Bay Pumping Service</b>					
Bill	09/09/2020		09/19/2020		403.50
Total Williams & Bay Pumping Service					403.50
<b>TOTAL</b>					<b>22,782.81</b>