

**DRAFT MINUTES**  
**LEELANAU TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING**

Thursday, April 8, 2021  
7:00 p.m.

Meeting by Electronic Remote Access

Zoom Meeting ID: 881 0982 5018 Passcode: 496700

**1. PLANNING COMMISSION CALL TO ORDER, ROLL CALL, NOTATION OF QUORUM:**

The meeting was called to order remotely by Chair Kalchik at 7:00 p.m.  
He asked each member to introduce themselves remotely.

Members Present: Kalchik, Harder, Mulvahill, Rebori, Sampson, Mitchell

Absent: None

1 Vacancy on Planning Commission

**Quorum Established**

Staff: Zoning Administrator Steve Patmore (ZA)

Public: 75 others via Zoom Electronic Remote Access

**2. APPROVAL OF AGENDA:** Chair Kalchik asked if there were any additions or changes to the draft Agenda.

*Motion by Rebori to approve the draft Agenda as amended.*

*Seconded by: Sampson*

*Discussion: None*

*Roll Call Vote*

*Ayes: Mulvahill, Mitchell, Sampson, Rebori, Harder, Kalchik*

*Nays: None*

*Absent: None*

*One Vacancy*

*Motion Carried*

**3. DECLARATION OF CONFLICT(S) OF INTEREST:**

Chair Kalchik asked each Commissioner if they had any conflict of interest on any item on this agenda.  
All commissioners individually stated that there was no conflict of interest.

**4. ANNOUNCEMENTS / CORRESPONDENCE – ZA PATMORE**

Zoning Administrator Patmore stated that he did not have any announcements, however, there was some correspondence. Any correspondence related to the Public Hearing will be addressed during the Public Hearing. There was one written correspondence from Phil Hallstedt regarding the Farm Stay agenda item, and that this correspondence was distributed to the PC and will be part of the Record.

**5. PUBLIC COMMENT:**

Chair Kalchik opened the floor to public comment and asked that comments be kept to three minutes, that each speaker will be allowed to speak once, and asked one of the other Commissioners to be a timer. ZA Patmore noted that this was not the time for the Public Hearing on the Zoning Ordinance Moratorium language, and asked that those who wished to speak on that topic would do so during the hearing.

- Gerald Shatz, Northport, stated that he noticed that the Township Zoning Map had not been updated in 11 years, and that there was no up-to-date planning documents for the Village on the website.

- ZA Patmore responded that there have been no map amendments (rezonings) in the past 11 years to his knowledge, so the zoning districts are accurate. He stated that the zoning map could be revised to reflect new properties and parcel lines created in the past 11 years. He added that Leelanau Township does not have zoning or planning jurisdiction in the Village of Northport, and can not post planning documents for the village.
- Elizabeth Malleck – We support the Planning Commission and their moratorium. From a community perspective, taking a pause right now & looking at the Master Plan is admirable and commendable.

There was no other Public Comment at this time.

## 6. **DISCUSSION/ACTION ITEMS:**

### A. **Public Hearing & Consideration – Proposed Zoning Ordinance Amendment that would impose a 180-day moratorium on the acceptance of any application for permits for RV Parks and Campgrounds in the Commercial Resort Zoning District in Leelanau Township.**

Chair Kalchik opened the Public Hearing, and asked ZA Patmore to introduce the topic.

ZA Patmore explained that this Public Hearing is on a proposed zoning ordinance amendment that would include the following:

1. Add a new Section 10.9 on Temporary Moratorium, and;
2. Under the new Section 10.9, Establish a temporary moratorium on any application for a special land use permit for RV Resorts and Campgrounds in the Commercial Resort Zoning District.

On March 17, 2021, the Leelanau Township Board unanimously approved Ordinance No. 2 of 2021 which established a temporary moratorium on any application for a special land use permit for RV Resorts and Campgrounds in the Commercial Resort Zoning District.

The Ordinance is on the township website, a Notice of Adoption was prepared and published.

The temporary moratorium is already in effect.

This Public Hearing is on a proposed amendment that was recommended by the township legal counsel. According to the attorney, this is a secondary step which puts the township in a better legal position.

The township board, at the recommendation of the legal counsel, is asking the planning commission to consider this amendment. The planning commission is a recommending body. This amendment must be reviewed by the planning commission, a public hearing held, and a recommendation made to the township board. This amendment will eventually go back to the township board regardless of the recommendation of the planning commission.

During the temporary moratorium, the township would review its zoning ordinance as it relates to RV Resorts and Campgrounds in the Commercial Resort Zoning District.

The township board has approved the hiring of a Professional Planner to work with the planning commission and the Township Attorney during this review process. You have a team to work with.

ZA Patmore then read through the proposed ordinance, which would be Leelanau Township Ordinance No. 3 of 2021. The proposed ordinance was part of the meeting packet and posted on-line prior to the meeting.

PC Member and Township Trustee Harder was asked if she wanted to add any comments, since the request was coming from the township board. She commented that the PC has been overwhelmed with everything lately and there have been a lot of distractions. This moratorium gives us the time we need to make sure the ordinance and approvals are consistent with the community and Master Plan.

The Planning Commission was asked if they had any questions on the proposed ordinance or procedure:

- How many times can the moratorium be renewed? The proposed ordinance does not say how many times it can be renewed – just that the township board can renew the moratorium by resolution or ordinance.

There were no other questions from the Planning Commission at this time.

Chair Kalchik opened the floor to public comment. He asked everyone to state their name and address, and stated that comments would be limited to three minutes. Comments should be directed to the Planning Commission and this is not a question and answer session. If there is an easy answer to a question it may be answered by the commission or staff. The public was asked to be patient and orderly considering the Zoom meeting format.

- Walter Johnson, represents NM Investments as project coordinator for Timber Shores. The moratorium and amendment comes to them out of the blue without pre discussion. Believe that this is a targeted effort to derail plans for the Timber Shores development. He is strongly opposed to the delay. This is contrary to well established procedure and is an assault on property rights. The 2010 Master Plan update recommended an RV campground as a permissible special use. The property is zoned Commercial Resort and the current owner has owned the property for 20 years. 19 months ago they presented plans for an RV park, and it was never claimed that the master plan, zoning ordinance, or agency permitting process can't protect public health and safety. Public had a year and a half to make legitimate case that Timber Shores poses any harm to public health, safety or the environment. We have engaged expert engineers and scientists that have reviewed the property, the plans for the waste water treatment plant and there is nothing that suggests that there is any public harm to public health or safety. We believe that the proposed amendment will just prolong a repetitive discussion that takes county, state, and federal experts out of the discussion. We believe that the moratorium will provide significant economic damage to the community and at a minimum the delay will result in a lost year and higher construction costs and lost job opportunities, lost taxes, and economic stimulus to other businesses in the community. We have posted further comments to the township on our website. Please refer to [www.timbershoresrvpark.com](http://www.timbershoresrvpark.com) for further information. Thank-you.
- Kristi Hallett, 12488 E. Tatch Rd., Omena, Want's to second Steve Kalchik's comment that there needs to be an end to this. It can't go on. Need an end date. Can't change the game mid stream as Mr. Johnson has said. If anyone had been here when Timber Shores was functioning before, it did no damage. It was the greatest thing to ever happen to this area and you all need to let it happen again. I don't know why everyone needs to come here and shut the gate. Open the gate and let this area thrive. I don't know why you want to kill it. There needs to be an ending date to the moratorium that is in effect. You can't keep pushing it. That's ridiculous and no one in their right mind does business this way.
- Richard Edmonds, no address given. First of all, wants to mention that he has seen some correspondence regarding the status of the Timber Shores application and he wants to make sure any documentation coming in regarding the status is out of order for this meeting and should not be

included in any presentation at this meeting. Can review in another venue at another time. Would like both sides addressing that issue to be out of order.

On to comments about the moratorium: As Mr. Johnson said, this property has been this way, and the other lady said that the campground was there for 50 years or more with no noted problems, and as Ms. Harter said, you guys did a master plan update in 2010, and during that master plan you were given little cards, and on the back of the cards you said what you wanted to see for the township in the next ten years, next fifteen years. What you said is that you wanted to promote job opportunities. You wanted to make goals and objectives for the township that would be implemented through the zoning ordinance. You said that ten years ago. At the time, one of your goals was to encourage development of a balanced community land use pattern with recreational uses, agricultural uses, and residential uses. Here is the important thing; How did you say you were going to do that? You're going to do that by preserving the rights and promote the responsibility of the individual property owners, that's on page 48 of the Master Plan. You went on to say that you have a goal for the environment; strive for the protection of important natural resources and open spaces. You're going to do that with groundwater quality control, zoning ordinance regulations, and regulations by state, county, and even federal organizations. One of the things that you created was a future land use area called Commercial Resort, and in that area you included campgrounds and RV parks as special uses; as permitted with approvals by agencies from the state, county, and federal governments.

*THE THREE MINUTE TIME LIMIT EXPIRED AT THIS POINT.*

- John Sentell, property owner at 3580 N. Cove Trail. Wants to thank and commend the planning commission for their leadership and foresight to recommend a review of the zoning ordinance in regards to RV parks and campgrounds in the Commercial Resort District. The past year has demonstrated that it is essential to reconsider the future of how growth and development will come to our county and local community.