

CENTERVILLE TOWNSHIP PLANNING COMMISSION

Lindy Kellogg Chairperson, Vice-chair VACANT

Joe Mosher, Secretary & Board Representative; Mary Beeker, member; Noel Bielaczyc, member

January 15, 2024; Special Meeting Approved Minutes

Call to Order: Lindy Kellogg, Chair, called the meeting to order at 6:32PM.

Attendance: Lindy Kellogg, Joe Mosher, Mary Beeker and Noel Bielaczyc

- **Staff Present:** Township Planner Chris Grobbel
- **Public attendance** 6 in person

i. Review Agenda

- a. Agenda reviewed by Chair Kellogg.
- b. Corrected spelling on one commissioner's last name.

ii. Public Comment Regarding the Agenda

- a. John Popa: townships can implement requirements to have applications invest in infrastructure. Road commission can do things like roads and driveways, but townships can put in place requirements for looking at infrastructure as part of the impact of development. Some of our rural roads cannot handle the traffic.

iii. Revise/Approve Agenda

- a. Beeker moved to approved, Bielaczyc seconded. Unanimous approval of agenda.

iv. Declaration of Conflict of Interest

- a. None.

v. Revise/Approve December 4, 2023, Monthly Meeting Minutes

- a. Revised spelling of one commissioner's last name (Bielaczyc).
- b. Revise header to indicate it was a regular meeting, not a special meeting.
- c. Mosher moved to approve minutes as amended, Beeker seconded. Unanimous approval of minutes as amended.

vi. Report from Township Board Representative

- a. Mosher commented that nothing to report that will not be covered elsewhere on agenda. Nothing actionable to report.
- b. Appointed Rolf Von Walthausen to PC but need to discuss procedural issues with the appointment. Supervisor will speak to this later in agenda.

vii. **Report from ZBA Representative**

- a. No report provided as currently no ZBA representative.

viii. **Zoning Administrator's Report**

- a. Chair Kellogg reviewed ZA's report submitted January 7. No issues or questions raised by the PC.

ix. **Township Supervisor's Report**

- a. Supervisor Schaub reported that at the Board's January 10 regular meeting he entered a motion to appoint Tim Onon to the vacant PC position but that motion failed 2-1. Township Treasurer Pleva subsequently made a motion to appoint Rolf Von Walthausen which passed 2-1.
- b. Supervisor Schaub discussed procedural issues with the appointment of a PC member. Two main issues: (1) only the supervisor can make a motion to appoint someone to the planning commission and (2) with only three members in attendance you need to have a 3-0 vote.
- c. Supervisor Schaub is awaiting a final opinion from township attorney on how to proceed but at this time we still have a vacant position on the planning commission.
- d. Planner Grobbel mentioned that we should also look at our local planning enabling ordinance for guidance as well.
- e. Supervisor Schaub is also working to develop a process for monitoring continuing education requirements for all appointed position and ensure records are available for review by interested parties.
- f. Supervisor Schaub commented on the circuit court hearing on January 9 for Northgate's appeal of the ZBA decision and shared that the judge allowed the Lake Leelanau Lake Association to intervene. Shared that township attorneys were contacted by Northgate indicating that they are still willing to resolve the matter outside of court.
- g. Supervisor Schaub and Chair Kellogg also discussed the process of making a recommendation from the planning commission and needing more time to review applications ahead of the meeting. Schaub feels that he was not provided adequate information to support the recommendation and Kellogg feels that she provided support for her recommendation and was not asked for additional information when she provided her recommendation.

x. **Planning and Zoning Issues**

- **Old Business**

- **Northgate/Leelanau Pines**

- Kellogg commented that this has been largely covered in Supervisor's Report. Lawyers informed Kellogg that we should expect a written

ruling from the judge within a couple of months on Northgate's appeal to ZBA decision regarding their first application submitted in 2022.

- **Amoritas/Under Canvas**
 - Kellogg reported that there has not been much since last meeting, but that Mansfield submitted a project timeline and an aggrieved party letter to the Township Board of Trustees voicing disappointment with the decision to approve a moratorium and their frustration believing that they were further along in the process than they were.
 - Grobbel commented that he has had numerous conversations with the applicant on this process and has repeatedly informed them how the process would work including meeting with them onsite at their office last summer at which point he said explicitly that it was not a pre-application meeting.
- **Discussion and review of ZO regarding revisions**
 - Grobbel discussed process of review and that he is highlighting things for consideration, not making recommendations. Also discussed how changes, additions, deletions will be indicated.
 - Grobbel walked PC through entire ZO draft and highlighted the areas that will need to be reviewed and discussed in upcoming meetings, including:
 - New boilerplate language for consideration on page 7.
 - Lot coverage definition page 14 with improvements to explicitly define what constitutes lot coverage and expand it to include impervious surfaces and structures not limited to just building as it is stated in currently Zoning Ordinance.
 - Discussed lot coverage being an enabler of protecting water quality as it is how you can then manage water runoff and development that could negatively impact water quality.
 - Park Mobile Recreational Vehicle definition on page 15. Grobbel suggesting good to define them in the event that you want to do anything with them in the future. Without a definition in the Zoning Ordinance, it is difficult to regulate them in the future.
 - Updates to environmental and sensitive areas on page 17.
 - Substantial construction definition on bottom of page 18.
 - Wetlands definition on page 19 brought up to date consistent with state level definitions.
 - Section 3.13 Trailer Homes. Grobbel pointed out that we allow two trailer homes on a parcel while most townships only allow one. (p30)
 - Page 39 updates to lighting to ensure it is shielded and downward directed to protect night sky.

- AgTourism on page 59. Grobbel encouraged PC members to spend time focused on this ahead of next meeting and to think about this in terms of what the township's agtourism district is, what constitutes agtourism, etc. Grobbel noted on page 60 there are ideas around whether camping, glamping, etc. are part of agtourism, and commented that if there are events he recommends requiring them to comply with event requirements of cideries, wineries, meaderies for consistency across township.
- Page 77 has added category of distilleries. There currently are not any in Centerville but good to have a definition in event there is a desire for a potential land use in the future.
- Site Plan Review section (pp. 82-83), Grobbel recommended improving project impact statement requirements. Grobbel commented that impact statements are not just environmental but should also touch on other areas of concerns like infrastructure, traffic safety, public safety, water and septic, shoreline. Grobbel also suggested adding requirement to address MEPA in project impact statements.
- Consider defining trees and requesting inventory of trees to be impacted on page 84.
- Consider clearly establishing and stating clear rules and requirements for the distance between buildings for compliance (p. 84 #6).
- Need to review septic and sewer items on p. 84 #13.
- Work on requirements for the identification of any site amenities, cultural, or natural features (e.g., old school houses) on p. 85 #22.
- Need to establish minimum perimeter buffer p. 85 #19
- Need to add requirements related to views p. 85 #23
- Consider adding new requirement that documents related to a Site Plan Review must be received 14 days in advance or earlier of a scheduled meeting in order to be considered (p. 85).
- Clarify the pre-application process and how the Planner or Zoning Administrator will determine when an application is ready for PC to add it to their agenda.
- Clarify process that first meeting with the Planning Commission is not a public hearing and that PC will determine when they are ready for a public hearing.
- Standards for Special Land Uses on pp. 97-105. Grobbel encouraged commissioners to spend time reviewing this section in preparation for upcoming meetings.

- Mosher commented that the PC should also consider a Shoreline Overlay District as Lake Leelanau Lake Association presented on last year. Grobbel agreed this is the right time. Doing so will require clear definition of shoreline.
 - Mosher commented that he will circulate the materials from LLLA on the waterfront/shoreline overlay district ahead of the next meeting.
 - Kellogg suggested PC also look at township's existing septic point of sale ordinance and compare with the one enacted by the county and determine if PC sees need for any amendments.
 - **PC review of goals/action items for future:**
 - **Vice Chair PC member seat vacant**
 - Kellogg reported that we still have this role open and need to fill the open PC position. Mosher reported that a new Recording Secretary – Cindy Kacin – has been hired and she is the RS for the township board as well.
 - **Short-Term Rental citizen committee**
 - Mosher reported that the subcommittee has completed their work and would like to invite them to upcoming meeting. PC agreed to have them come to upcoming meeting to present findings.
 - **Inventory special uses and sensitive land areas goal**
 - Kellogg reported on how this goal contributes to a more comprehensive understanding of the township. Strategic Land Conservation Program – Kellogg is a staffer at Leelanau Conservancy and Tom Nelson has agreed to provide Centerville information from GIS data which can be part of consideration in future land use discussions. Grobbel commented that if this is something that we will use in site plan reviews then it needs to be publicly available and included in SPR in zoning ordinance.
- **New Business**
 - **Site Plan Application Moratorium**
 - Kellogg reported that the moratorium was passed and so we now have a limited time to update the zoning ordinance. Grobbel commented that this only pertains to Site Plans and not more routine work done by the Zoning Administrator.
 - **PC Member continuing education requirements/reporting**
 - Kellogg reported that she will be distributing the annual continuing education requirements to everyone. Mosher will follow up with Beeker to track what training she completed last year which was a partial year.

- Grobbel reported he is willing to provide training to the Planning Commission on a variety of topics to help us further develop competence in our roles as planning commissioners.
 - **PC Member terms and vacancies**
 - Kellogg reported on terms and vacancies given that we have had so much turnover, and we need clarity on what terms are and when they end.

xi. Public Comment

- a. Derenda Lafevre: invited commission to include ADA and disability language in the zoning ordinance to ensure compliance with legal requirements. Also, would like to see this reflected in site plan review as this is a federal law but there is no enforcement body in place and site plans are the time to do it.
- b. John Popa: thanked the planning commission for great work done. Suggested that we include both setback and frontline setback definitions to address confusion that came up in the Leelanau Pines expansion application. Also commented on need to consider new permits needing to comply with current requirements. New permits do not get grandfathered. Encouraged the Supervisor to ensure that if discussions with Northgate resume the concerns of the planning commission need to be addressed. Commented on need to look at STRs in terms of septic/sewage as well as driveways that are shared. STRs can significantly increase traffic on driveways and the people that share them need to have their interests protected. If a STR is a commercial use, then this changes how you look at driveways.
- c. Kerry Onon: constituent asked a series of questions to the PC:
 - i. How do we view Planners suggestions on the changes to the Zoning Ordinance?
 - ii. As a member of the STR subcommittee, how do we get access to the information that Chris referred to?
 - iii. Who is the county planning group?
 - iv. What is the end goal of the special use inventory.
- d. Tim Onon: recognized Planner Grobbel on his work walking the planning commission through 120 pages of zoning ordinance changes.
- e. Mosher said that he will post the draft ZO changes document Planner Grobbel prepared to the township website, so it is accessible to the public.

xii. Adjournment

- a. Kellogg adjourned the meeting at 8:45PM.

Respectfully Submitted,

Joe Mosher
 Planning Commission Secretary