

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Draft Regular Minutes, September 2, 2020

1. **Call to Order:** Chair Manikas called the regular meeting to order at 7:00 PM
Roll Call: Chair Dean Manikas, Board Rep Todd Nowak, Secretary Yarrow Brown, Commissioner Kim Hayes, and Recording Secretary Andi Stevenson. Members of the public present who identified themselves: Kevin Jackson and Steve Hoskins
2. **Consideration of the Agenda:** Accepted as presented.
3. **Public Comment:**
 - a. **Kevin Jackson – 2150 W. School Lake Road:** Mr. Jackson has been in discussion with Zoning Administrator regarding camping business on property. He understands that they need a proposal to be placed on the official agenda and is looking for clarification on what a proposal should be. He thought this was going to be on the agenda. The local ordinances state it is a non-compliant use and Zoning Administrator has given them until the end of the month to stop providing this activity. He would like to work with Planning Commission to be able to continue with the campground.
 - b. **Steve Hoskins:** Mr. Hoskins was here to be a spectator, has been in contact with Zoning Administrator regarding the issue as well. Chair Manikas recommends working with the Zoning Administrator and the ordinances to review your options. The options do require a proposal to present to the Planning Commission. We will also need advance notice to add this to the agenda. Mr. Hoskins requested to connect with the Zoning Administrator for clarification on what is needed for a proposal.
4. **Pronouncement of any Conflict of Interest:** None declared
5. **Consideration of August 5, 2020 Public Hearing and Regular Planning Commission Minutes:** Members reviewed the minutes and one spelling correction was made. **MOTION BY BROWN AND SECOND BY HAYES TO ACCEPT THE MINUTES AS CORRECTED. Motion passed 4-0.**
6. **Report by Chair:** Held for continuing business.
7. **Reports and Correspondence by Members:**
 - a. Secretary Brown shared that there is a bill sponsored by Tristan Cole which will propose allowing a homestead tax credit for owners that make their rental property available year-round for workforce housing. Secretary Brown has more information if anyone would like.

8. Report by Zoning Administrator:

- a. Three land use permits were issued in August. These include one addition with deck and two single family homes with attached garages.
- b. The estimated value of projects for reporting period is \$1,250,000 same time last year was \$921,000.
- c. The ZA has been following up on outstanding permits and requests.
- d. No complaints have been received.
- e. The ZA is hearing from a lot of realtors and prospective re: wetlands parcels, wedding barns, and zoning. Questions were raised about a wedding barn on a property on Bohemian Road that has an airplane hangar. This property will be sold as either a house and 10 acres or the house and 70 acres. Tim Cypher confirmed paperwork from Beau White for a land division. The ZA told the realtor, Amber, that wedding venues are only currently allowed in the Sugar Loaf area.
- f. It was discovered that the Palmer Woods project for The Leelanau Conservancy is not actually in Cleveland Township and Chair Manikas stated the proposed project would not need a permit.
- g. Ted Moore, owner of Swanson Realty property has had difficulties getting permits from Soil Erosion as they were out of office. He appears to have made some progress in the tear down.
- h. The Land Use Permit for 992 Traverse Lake Rd. was reinstated since the builder did cut back the deck.
- i. The County is asking all private roads to be renamed; approval was given to rename the private road near the Little Red School House.
- j. It was pointed out in an email that the Agricultural district does not list Residential 1 as an allowed use. Chair Manikas state that he believes everything in Residential 1 is included, it is just not explicit, may need to be clarified.
- k. The ZA reviewed ordinances for campgrounds and found they are allowed in Government zones and Commercial Resort, however tent camping is not mentioned specifically. Options could be conditional rezoning or special use permit. However conditional rezoning may not be the best practice since it is making one change for just one person. A special use permit appears to be the only option. The ZA has not heard from the landowner directly, and will need to tell Mr. Jackson and Mr. Hoskins that he must speak to the owner. Secretary Brown mentioned that since there are many uses allowed in the agricultural district that could be quite significant or cause interruption to the land, maybe the PC could consider adding campgrounds, with limitation, as a use to the Agricultural district the ordinance.
- l. The ZA was asked not to enforce the violation for the campground with fines until the end of September, 2020. Chair Manikas stated that with a non-compliant use enforcement is the Zoning Administrators responsibility.

9. **New Business:**

- a. **Amendments to the Site Plan Review process** – There were no objections from the Leelanau County Planning Commission on these amendment. There are items that should be addressed before recommending the amendments go forward to the board including:
1. The boundaries of the township should be designated on the County’s Composite Soils and Wetlands map used in our ordinance. – Per Secretary Brown this is already done.
 2. Chair Manikas will be in touch with someone at the Park Service just to inform them of our zoning.
 3. The County PC questioned the amount of fill. – The EGLE allowed amount was used in the proposed language.
 4. It was suggested to insert length after driveway in 4.16 (h) 20 (b). – **MOTION BY MANIKAS AND SECOND BY BROWN TO INSERT “LENGTH” AFTER DRIVEWAY IN THE THIRD LINE OF 4.16(h)20(b).** Commissioner Hayes expressed concern about wording of the most direct route. Was there discussion about the direct route, fill, and impact? This was discussed and the wording “causing the least impact on wetlands” was included to limit meandering drives, but allow for twisting and turning to compensate. **Motion passed 4-0.** The Planning commission unanimously voted the amendments on to the Township Board.
 5. Chair Manikas reviewed the Glen Lake/Crystal River watershed overlay district plan, and it recommends adding an (h) Lawn and plant fertilizer containing phosphorus shall not be applied. **MOTION BY BROWN AND SECOND BY HAYES TO ADD (h) LAWN AND PLANT FERTILIZER CONTAINING PHOSPHOROUS SHALL NOT BE APPLIED, TO PROPO(SED AMENDMENT 4.16(4)20. Motion passed 4-0.**
 6. Commissioner Hayes asked the PC might want to consider adding language in regards to invasive species. Commissioner Hayes would like time to look into it, if not time sensitive. Chair Manikas stated would like to get it in as soon as possible due to timing. Discussion followed over who do the job of monitoring the project and where the materials came from. Secretary Brown felt that it should be addressed for the bigger picture, not just the wetlands. Commissioner Hayes agreed she would like more time to review as it is a bigger issue.
 7. **MOTION BY BROWN AND SECOND BY HAYES TO SEND THE AMENDMENT 4.16(h)20 AS AMENDED ONTO THE CLEVELAND TOWNSHIP BOARD. Motion passed 4-0.**

10. **Continuing Business:**

- a. Secretary Brown wanted to invite Sharon Oriol back to present from the Leelanau Housing Action Committee on the Housing Ready Checklist and Housing needs in our

Township. Cleveland is one of two townships who have not heard the presentation. After the presentation the PC can decide if we want to do the checklist or a pared down version of the checklist. **MOTION BY MANIKAS AND SECOND BY HAYES TO INVITE SHARON ORIEL TO THE NEXT MEETING TO TALK IN THE CONTEXT OF GOAL ONE OF THE MASTER PLAN. Motion passed 4-0.**

- b. Chair Manikas spoke with Mary Reilly about the review of township ordinances. Technically this does not have to be done. The Master Plan must be reviewed every five years. It is however a good thing to review township ordinances when a Master Plan has been created. It is recommended by Chair Manikas that everyone review the Master Plan, especially Chapter Six – Goals, Objectives, and Action Steps. The first goal listed is Housing. Manikas believes the survey information in the appendices is very powerful.

Chair Manikas is looking for ideas on how best to approach the review. It can be done page by page or by starting with finding by the Recording Secretary and Zoning Administrator or another strategy. Secretary Brown likes the idea on going by the input from the Recording Secretary and Zoning Administrator.

It was agreed to start by everyone looking at the Master Plan, especially chapter six, then a presentation from Sharon Oriel in October and finally having the Recording Secretary and Zoning Administrator presenting the items that they have found.

- 11. **Public Comment:** The zoning Administrator feels it is great what was stated in the wetland ordinance about no fill. An old permit had a lot of fill and it was disappointing to see. He understand there is certain of amount of fill that has to happen when a house is being built. Commissioner Hayes asked on the difference between fill and grading. Discussion followed. Commissioner Hayes also mentioned the possible legal definition differences for fill.
- 12. **MOTION TO ADJOURN BY NOWAK AND SECOND BY BROWN. Motion passed 4-0.**
- 13. **Adjournment at 7:54 PM.**