

NOTICE OF MEETING

A Regular Meeting of the Leelanau County Planning Commission (LCPC)
will be held at **5:30 pm Tuesday, AUGUST 25, 2020**

A live streaming of this meeting will be available for viewing via the following link –
https://www.youtube.com/channel/UCNQTglgcTedF2qB8floC1GQ?view_as=subscriber

If you would like to provide comment during the meeting, please watch the livestreamed video, and call in during one of the two public comment portions on the agenda, to 231-256-8109. There will be no queue, and calls will be taken in the order they are received. Emailed comments are also welcome prior to the meeting, and can be addressed to planning@co.leelanau.mi.us

Due to COVID-19, this session will be held virtually via Zoom, and in the Commissioner Meeting Room, Leelanau County Government Center, Suttons Bay, Michigan.
(Please silence any unnecessary cellular/electronic devices)

DRAFT AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL

CONSIDERATION OF AGENDA

CONFLICT OF INTEREST *(refer to Section 3.7 of the Bylaws)*

PUBLIC COMMENT

STAFF COMMENTS

Member terms expiring
CIP Approval
September 23 ZBA Training
Poster Map

CONSIDERATION OF JULY 28, 2020 MEETING MINUTES *pgs 2-6*

NEW BUSINESS

- A. PC06-20-03 Cleveland Township Text Amendment – Site Plan Review *pgs 7-19*
- B. Outreach to Townships & Villages

REPORTS

- A. Education Committee – (Yoder-Chairman, Carlson, Winkelman, Nixon)
- B. Housing Action Committee (Lautner)
- C. Parks & Recreation Committee (Noonan)
- D. Report from LCPC members of attendance at township/village meetings, or Other Meetings/Trainings

COMMUNICATIONS

PUBLIC COMMENTS

STAFF COMMENTS

COMMISSIONER & CHAIRPERSON COMMENTS

ADJOURN

LCPC Members

Victor Goldschmidt –Chair
Casey Noonan-Vice Chair
Steve Yoder-Chair Pro-Tem
Melvin Black
Gail Carlson
Dan Hubbell
Melinda Lautner
David McCulloch
Robert Miller
Tom Nixon
Eric Winkelman

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, JULY 28, 2020, 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 Goldschmidt who led the Pledge of Allegiance.

The meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI and via ZOOM.

ROLL CALL

Members Present: D. Hubbell (5:36), R. Miller, T. Nixon, S. Yoder, C. Noonan
(via ZOOM)

Members Present: V. Goldschmidt, E. Winkelman, D. McCulloch,
(At Government Center) G. Carlson, M. Black, M. Lautner

Members Absent: None

Staff Present: T. Galla, Director, G. Myer, Senior Planner
(At Government Center)

Public Present: None

CONSIDERATION OF AGENDA

Motion by McCulloch, seconded by Winkelman, to accept the agenda as presented. Motion carried 10-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT – None.

STAFF COMMENTS

Galla said the 2021 budget has been submitted to the County Board and they were able to hold the numbers steady. The next Household Hazardous Waste & Electronics Collection on September 12th in Peshawbestown, will include document shredding and the September 19th Tire Collection, will be held at the Government Center. Galla concluded, saying the Housing Action Committee’s presentation to the County Board will be in August.

(Hubbell present)

CONSIDERATION OF JUNE 23, 2020 MEETING MINUTES

Motion by McCulloch, seconded by Carlson, to accept the minutes as presented. Motion carried 11-0.

NEW BUSINESS

Capital Improvement Program (CIP)

Goldschmidt mentioned two items for review, a PolyCom and new server. Galla stated the current PolyCom System belonged to the courts and the county would like to purchase their own at a cost up to \$9,000.00. The new server cost is \$20,000.00. The PolyCom ranked a Priority 1 and the server ranked a Priority 2.

Motion by Winkelman, seconded by Black, to accept the CIP as amended, including page numbers on the table of contents.

Discussion ensued.

Winkelman suggested the table of contents page include the page numbers associated with each part. Lautner supported his suggestion and pointed out a typo on page 25.

Motion on the table carried 11-0.

Poster Plan for General Plan

Winkelman questioned where and how this document would be used. Galla stated it was a quick summary of the Leelanau General Plan and the idea is to have it available as a hand out, distribute them to municipalities and the Chamber of Commerce. Winkelman asked if it could be used as an introductory document on the county website to precede the Leelanau General Plan.

Nixon stated it was reader friendly. Yoder commented that it was a very attractive document. Miller questioned how the Map 5-2d looked on the printed copy because the contours seemed distorted to him. Hubbell praised staff for doing a good job.

Winkelman said it was a good beginning, staff should update it and bring it back for approval.

Motion by McCulloch, seconded by Winkelman, to accept the Poster Plan as presented, without modification. Motion carried 11-0.

Winkelman suggested sending a copy to Tom Nelson at the Leelanau Conservancy.

Proposed changes to Bylaws

Galla explained this was taken directly from the County Board of Commissioners Rules of Order and Procedures. Slight modifications were made to reflect the County Planning Commission members, instead of the Board.

Goldschmidt requested the proposed amendment be read. Galla read the amendment which was included in the meeting agenda packet.

Motion by McCulloch, seconded by Winkelman, to accept the proposed amendment to the Bylaws as read.

Discussion continued.

Nixon said #2 is troubling, we can only attend via ZOOM twice a year? Galla said this rule did not apply during COVID 19. Lautner said the two-meeting rule was put into place by the County Board in the beginning. It was for “dipping their toe” into the idea of attending via ZOOM. If the county is successful at getting the technology needed, she wouldn’t be surprised if the Board of Commissioner increased that number. Nixon said given that

explanation, do we even need #2 right now? Maybe we should wait until the pandemic is over to discuss amending the bylaws.

Hubbell agreed, he doesn't know if #2 is needed right now. Attending remotely removes the comradery, but until they figure out what is acceptable, they should just leave the bylaws alone. Miller agreed, item #2 should be deleted and revisited after COVID 19. He questions if Section 4.2 is saying individuals participating via ZOOM are not part of the quorum, do their votes count? McCulloch stated the quorum consists of those people on site, but the votes via ZOOM do count. Miller asked how that would stand up in court. Carlson questioned what the definition of "present" was. You are counted as present at the beginning of the meeting, and she feels that counts as part of the quorum.

Miller asked if those attending via ZOOM are not counted as part of the quorum in attendance, what is the majority vote is based on? Galla thought the reason for the onsite quorum is because if technical problems arise and those on ZOOM are lost, the meeting could continue if a quorum was on site. Lautner suggested staff take this amendment back to the County Administrator, through their attorney who helped draft the language, if members are not comfortable with the document. She does not want to stray too far away from the rules that the Board of Commissioners has set, because they were based on some logic. She is comfortable with #2, because once COVID 19 is over, it will already be in place.

Hubbell didn't see any language implementing procedures after the pandemic. The language as drafted, doesn't fix the quorum issue if the pandemic gets worse and it's not possible to attend in person. We need something to allow us to move forward via ZOOM. Yoder said the executive order allows them to move forward while attending via ZOOM. Once that lifts, then the amendments to the bylaws would take effect. The amendment doesn't affect what is happening right now. Nixon felt those present via ZOOM should be just as much a part of the quorum as those present in person.

Winkelman suggested approving the amendment, and passing their comments and concerns along to the County Administrator and the County Board, to see if they share in those concerns. Lautner supported this idea.

Ayes – 6 (Noonan, Yoder, Black, Carlson, Hubbell, Lautner, McCulloch)

No – 3 (Goldschmidt, Miller, Nixon)

Motion passed.

Galla stated if you pass this, it is going into your bylaws. Then you want to send your concerns to the County Board? Shouldn't the questions be raised first so that the county's attorney can respond before it goes into the bylaws? Goldschmidt stated if they are not satisfied with it, they should get their act together before they put it into the bylaws. The only motion to go ahead with now is to postpone the vote or make a motion to suspend or table the motion. Lautner stated that the motion had already passed by a majority vote.

Motion by Winkelman to put the "passed motion" in a state of suspended animation until they hear from the County Administrator and the County Board. Motion failed for lack of second.

Goldschmidt said staff could simply take this as an "action item" to go along with the previous motion passed.

Galla said she interrupted earlier because she felt the members attending via ZOOM didn't hear the motion and were not sure which way they were voting. However, commissioner Lautner is correct, you did already have a majority vote to pass the motion.

Lautner stated the number of meetings allowed via ZOOM will be addressed once the pandemic is over. Meeting via ZOOM is confusing, disruptive, and you clearly can't hear what is going on. Nixon asked for clarification on what the approved motion included because he wanted to be sure that they approved the proposed changes as

presented. Lautner assured members that as the County Board representative, she will take all the comments and concerns to the County Board.

Elmwood Township – Uses & Procedures for Approval in Neighborhood Commercial (NC)

Galla briefly reviewed the staff report, stating this amendment is changing some of the uses and procedures in Neighborhood Commercial (NC). The intent of the townships NC District is to develop it as a seamless blend of commercial, public, and residential uses. NC zoning district uses shall be designed with pedestrian accessibility in mind to minimize auto dependency. Galla continued, stating staff didn't find any concerns with the language. This amendment changes #56 Kennels from site plan review with planning commission approval (Psp) to Special Use Permit (SUP). The proposed text also removes #68, seasonal indoor vehicle storage including boats, and removes #75, Vehicle Service, from Section 5.4. The online edition of the township zoning ordinance shows #74 as Vehicle Service, not #75. Galla concluded, saying the proposed text also amends #83, Mini Warehouse, but the online edition shows Mini Warehousing as #82 in Section 5.4, not #83.

Goldschmidt noted in the motion made at the township, the transfer for public hearing does not go to the township board, it comes to the county Planning Commission. Also, no one was present at the public hearing for this hot topic, were proper procedures followed with regard to publishing the notice?

Motion by Winkelman, seconded by McCulloch, to forward staff report, minutes and all comments to Elmwood Township Planning Commission. Motion carried 11-0

ZBA Training Session – September 23 (webinar)

Galla stated this session will now be a webinar and they need to decide on a time and if they will charge participants to attend. In the past, they have charged \$20.00 - \$40.00, which included food and handouts. Mary Reilley's charge for this webinar is \$300.00. Do members want to take this out of their Training budget? Galla explained that if they use money from their budget to cover the cost, then only residents of Leelanau County will be invited.

Discussion ensued.

Galla asked if members wanted to open enrollment up to people outside Leelanau County. Nixon asked about pre-enrollment to get an idea of how many people might participate.

Members agreed to the 5:30 – 7:30 p.m. time for the webinar.

Motion by Nixon, seconded by Yoder, to use funds currently in the training budget to host this webinar, to begin at 5:30 p.m. Motion carried 10-0. Winkelman opposed.

Outreach to Townships/Villages

Noonan said Empire Township passed a motion to put a mileage increase for the fire department on the ballot.

Hubbell mentioned the sewer point of sale inspection ordinance Centerville Township is working on. Goldschmidt said he wants to get in touch with the townships to find out what they want from the Planning Commission. How can they have a better relationship? He would like to revisit this again next month.

REPORTS

Education Committee

Winkelman suggested discussing tourism in the future because the county is doing very well right now with everyone coming up here instead of flying somewhere else. Leelanau County is enjoying a hidden benefit of COVID 19, but in the future this benefit could go by the wayside.

Housing Action Committee – Nothing to report.

Parks & Recreation Committee

Noonan said remodeling of the grub shack is taking place soon and they are still working on Veronica Valley grant.

Reports from LCPC members of attendance at township/village meetings, or other meetings/training

Nothing to report.

COMMUNICATIONS – Planning & Zoning News was available.

PUBLIC COMMENTS – None.

STAFF COMMENTS – None.

COMMISSIONER & CHAIRPERSON COMMENTS

Winkelman stated work on Bohemian Rd. will be done the end of August. He also mentioned the article in the *Leelanau Enterprise* about the county road commission and said the election may solve some of their issues.

Goldschmidt said “thank you, we have a great gang!”

Meeting adjourned at 6:51p.m.

TEXT AMENDMENT REVIEW

PC06-20-03 Cleveland Township

Text Amendments – Sections 4.16 Site Plan Review

Reviewing Entity: Leelanau County Planning Commission

Date of Review: August 25, 2020

Section 1: General Information

Date Request Received: August 5, 2020

Last Day of Review Period: September 4, 2020 (30-day review period under the Michigan Zoning Enabling Act)

Requested Action: Review and comment on proposed amendments to the township zoning ordinance Section 4.16 Site Plan Review.

Applicant: Cleveland Township Planning Commission

Section 2: Proposal

See Appendix for a copy of the proposed text amendments.

Section 3: Other Planning Input

Township Plan: The Cleveland Township Master Plan (2017), Chapter 2 includes information on Wetlands and states:

“The Township has a number of wetland areas surrounding its inland lakes, found primarily in the areas south of Lime Lake, along Maple City Road, and along Bohemian Road.”

“The Michigan Department of Environmental Quality regulates development within some of the state’s wetlands, **though the Township is permitted to be even more restrictive of development in wetland areas.**” (Emphasis added)

The Master Plan includes two action steps regarding the regulation of wetland development and the need to protect and restore current wetlands.

Chapter 6 – Goals, Objectives, and Action Steps:

Objective 5: Protect and enhance the many benefits that wetlands provide to people, infrastructure, and the environment.

- Action Step 1: Adopt a local wetlands ordinance to give Cleveland Township the ability to regulate development near small wetlands that MDEQ does not oversee.
- Action Step 2: Work with research groups, conservancies, and lake associations to identify ongoing threats to existing wetlands and opportunities to restore wetlands.

Objective 8 in the Master Plan includes Action Steps to protect water quality, the environment, and development from the damaging effects of flooding in residential areas.

Leelanau General Plan: The Leelanau General Plan (2012) lists several goals and action statements regarding protection of environmentally sensitive areas, including wetlands, dunes, steep slopes, shorelands, and wildlife corridors and the use of overlay zoning districts to accomplish this.

Township Planning Commission:

A public hearing was held on August 5, 2020 and following the public hearing, the township planning commission incorporated a minor suggestion, and then passed a motion to send the amendment to the county for review.

Section 4: Analysis

Compatibility

A. Is the proposed text compatible with other language in the zoning ordinance? Yes

B. Are there any issues with the proposed text (such as poor wording, confusing text, unenforceable language, etc.)? See staff comments.

C. Do the land uses or other related dimensional standards (height, bulk, area, setback, etc.) in the proposed text amendment(s) conflict with the existing zoning ordinance? No

Issues of Greater Than Local Concern

A. Does the proposed text amendment(s) include any issues of greater than local concern? Please list.
No

Comparison with Local Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the community's plan? Please list.
No

Comparison with County Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the General Plan? Please list.
No

Current Zoning District:

For Current text, Link to the Township Zoning Ordinance at:

<https://www.leelanau.cc/clevelandtwpod.asp>

Section 5: History

The township adopted an amendment to Section 4.16 Site Plan Review in 2019 (county staff report PC11-19-03) which added language so all developments, roads, easements, driveways, including single family homes, identified by the Leelanau County Composite Wetland Area Map, have to follow requirements of Site Plan Review. (This was a result of a home being built within the township that did NOT require a DEQ/EGLE permit but it was within the area noted in the Composite Wetland Map.)

The proposed amendment will address the township's wetlands in their site-plan review process.

Section 6: Staff Comments

The current **Section 4.16 Site Plan Review** of the Cleveland Township Zoning Ordinance reads as follows:

Site Plan Review and approval of all development proposals listed below is required by the provisions of this Section. All single family residential developments are exempt from site plan review, **except as noted in 1. Below.** *(Note: Staff could not find this section in the zoning ordinance. What is the township referring to?)* The intent of this Section is to provide for consultation and cooperation between the developer and the Planning Commission so that both parties might realize maximum utilization of land and minimum adverse effects upon the surrounding land uses consistent with the requirements and purposes of this Ordinance. Through the application of the following provisions, the attainment of the aims of the Cleveland Township Comprehensive Development Plan will be assured and the Township will develop in an orderly fashion.

The Township Board shall have the final authority to approve, deny, or approve with conditions all development applications, upon recommendation by the Planning Commission which shall have review and recommending authority for such applications.

The proposed amendment will **insert the following sentence in Section 4.16 Site Plan Review:**

Section 4.16 Site Plan Review

“Site Plan Review and approval of all development proposals listed below as required by the provisions of this section. ***All site Plans must demonstrate compliance with all applicable zoning ordinances, overlay and land use district requirements.*** All single family ...”

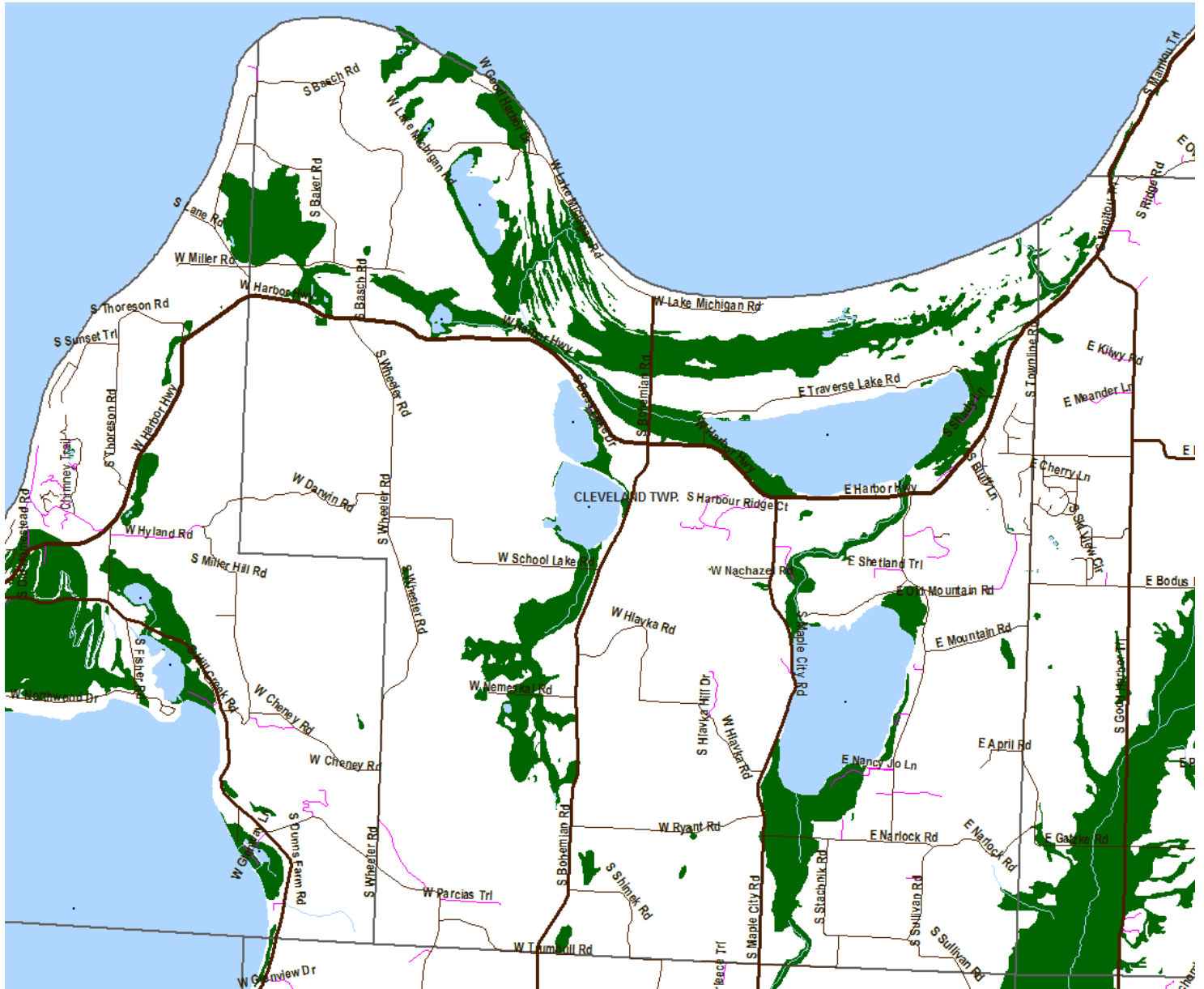
The proposed amendment will also **add** a new number 20. under **Section 4.16 (h) Standards for Granting Site Plan Approval** as follows:

20. Projects in the Composite Wetlands Map Overlay district

- a) Fill may not be used on the site to build a dwelling. Dwellings and accessory buildings must be on certified (EGLE or registered surveyor selected by the Township and financed by the property owner) upland sites.
- b) Fill may be used for driveways to a dwelling with fill not to exceed one (1) cubic yard per one (1) foot of driveway on the most direct route possible from road to dwelling causing the least impact on wetlands.
- c) Fill shall consist of inert materials, which will not cause siltation nor contain soluble chemicals or organic matter, which is biodegradable. All fill shall be contained in such a manner as not to erode into any watercourse and/or wetland. All banks shall be stabilized with native wetland seed and lightly mulched (max 4 – inches deep) as necessary to prevent erosion.
- d) Side-slopes adjacent to wetland areas shall be 3:1 or gentler.
- e) Construction materials must not harm the environment (e.g., no wood treated with toxic substances, uncured concrete)
- f) Installation of holding tanks, after securing necessary permits, must sit above the water table and be covered in native Michigan vegetation.
- g) Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site to prevent erosion.

Cleveland Township worked with staff from Networks Northwest and EGLE to develop this language to add to their site plan review process. Staff found no issues with the proposed amendment. It will be up to the township to administer and oversee this additional layer of regulation for those parcels that fall within the areas identified as wetlands on the Composite Wetland Area Map.

COMPOSITE WETLAND AREA MAP



COMPOSITE WETLANDS

This map was created by the Northwest Michigan Council of Governments with funding from the Michigan Department of Environmental Quality and the U.S. Environmental Protection Agency.

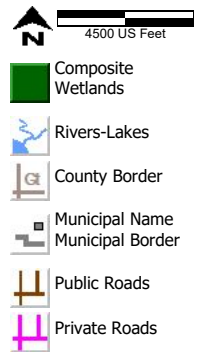
Wetlands are those areas between terrestrial and aquatic systems where the water table is at, near, or above the land surface for a significant part of most years. The hydrologic regime is such that it permits the formation of hydric soils or it supports the growth of hydrophytic vegetation. Hydrophytes are usually established on wetlands, although some alluvial deposits and mud flats may be nonvegetated. Examples of wetlands include marshes, mud flats, wooded swamps, and floating vegetation situated on the shallow margins of bays, lakes, rivers, ponds, streams and man-made impoundments such as reservoirs. They include wet meadow or perched bogs and seasonally wet or flooded basins or potholes with no surface water outflow. Open water areas deeper than two meters (6.7 feet), and permanently or semi-permanently flooded shallower water areas with less than 30 percent vegetative cover are classed as Water.

The map is a composite of three sources of wetland information: the National Wetland Inventory conducted by the U.S.D.A. Fish and Wildlife Service using aerial photography and topographic data, the Michigan Resource Information System (MIRIS) Land Use/Land Cover interpretation from 1990 aerial photographs, and the U.S. Soil Conservation Service Soil Survey of Leelanau County which identifies hydric soils and soils with hydric inclusions and/or components.

This map is intended to indicate the possible presence of wetland areas, but should not substitute an on-site inspection by a qualified expert. For additional information on the importance and function of wetlands, and regulated activities within wetlands, see the Wetlands Information in the General Information screens.

DISCLAIMER: This map has not been field checked and should only be used for general planning purposes.

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Appendix - Transmittals from Cleveland Township

Trudy Galla

From: Dean Manikas <manikasdean@gmail.com>
Sent: Wednesday, August 5, 2020 8:00 PM
To: Trudy Galla
Cc: Tim Stein; Jan Nowak
Subject: Cleveland Township Zoning Amendments
Attachments: Amendments to 4_edited_8-5-2020.docx

Please find the attached amendments to support our composite wetlands soil overlay ordinance through our site plan review process. As background, we used consultation with staff from Networks Northwest and EGLE (most of the language is from a recent building site permit). It is simple but gives more clarity to what exists in current wetland protection (essentially, cause no harm but nothing specific).

We had a Public Hearing tonight. You mentioned that the next County Planning Commission is on August 27. Please let me know if this will make it on the agenda and I can plan to attend.

Thank you for your ongoing support and guidance.

Draft Amendments to 4.16 July 2020

Section 4.16 Site Plan Review

Site Plan Review and approval of all development proposals listed below as required by the provisions of this section. ***All Site Plans must demonstrate compliance with all applicable zoning ordinances, overlay and land use district requirements.*** All single family residential... (Recommended 6/3/20)

Recommended (7/1/20) 4.16 (h) Standards for Granting Site Plan Approval

Add:

20. Projects in the Composite Wetlands Map Overlay district:

- a) Fill may not be used on the site to build a dwelling. Dwellings and accessory buildings must be on certified (EGLE or registered surveyor selected by the Township and financed by the property owner) upland sites.
- b) Driveways must be made of permeable materials. Fill may be used for driveways to a dwelling with fill not to exceed one (1) cubic yard per one (1) foot of driveway on the most direct route possible from road to dwelling, with structures (e.g., culverts) if necessary to allow the flow of water, causing the least impact on wetlands.
- c) Fill shall consist of inert materials, which will not cause siltation nor contain soluble chemicals or organic matter, which is biodegradable. All fill shall be contained in such a manner as not to erode into any watercourse and/or wetland. All banks shall be stabilized with native wetland seed and lightly mulched (max 4 - inches deep) as necessary to prevent erosion.
- d) Side-slopes adjacent to wetland areas shall be 3:1 or gentler.
- e) Construction materials must not harm the environment (e.g., no wood treated with toxic substances, uncured concrete)
- f) Installation of holding tanks, after securing necessary permits, must sit above the water table and be covered in native Michigan vegetation.
- g) Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site to prevent erosion.

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Draft Public Hearing Minutes, August 5, 2020

1. **Call to Order** – Chair Manikas called the public hearing to order at 6:45 PM
Roll Call – Present: Chair Dean Manikas, Board Rep Todd Nowak, Paul Stowe, Secretary Yarrow Brown, Recording Secretary Andrea Stevenson, Zoning Administrator Nello Valentine III, Members of the public present who identified themselves: None

2. **Topic for hearing: Proposed amendment to Article IV, Section 4.16.**
All Site Plans must demonstrate compliance with all applicable zoning ordinances, overlay and land use district requirements.
4.16(h)20 Projects in the Composite Wetlands Map Overlay district:
 - a. **Fill may not be used on the site to build a dwelling. Dwellings and accessory buildings must be on certified (EGLE or registered surveyor selected by the Township and financed by the property owner) upland sites.**
 - b. **Fill may be used for driveways to a dwelling with fill not to exceed one (1) cubic yard per one (1) foot of driveway on the most direct route possible from road to dwelling causing the least impact on wetlands.**
 - c. **Fill shall consist of inert materials, which will not cause siltation nor contain soluble chemicals or organic matter, which is biodegradable. All fill shall be contained in such a manner as not to erode into any watercourse and/or wetland. All banks shall be stabilized with native wetland seed and lightly mulched (max 4 – inches deep) as necessary to prevent erosion.**
 - d. **Side-slopes adjacent to wetland areas shall be 3:1 or gentler.**
 - e. **Construction materials must not harm the environment (e.g., no wood treated with toxic substances, uncured concrete)**
 - f. **Installation of holding tanks, after securing necessary permits, must sit above the water table and be covered in native Michigan vegetation.**
 - g. **Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site to prevent erosion.**

3. **Public comment on Proposed amendment:**
 - a. **Zoning Administrator Nello Valentine II** – suggested modifying 4.16(h)20(b) to include “driveways must be made of permeable materials.” Also suggested restrictions for maximum sizes for structures in regards to the size of the property.

4. **Chair Manikas adjourned the Public Hearing at 7:00 PM.**

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Draft Regular Minutes, July 1, 2020

1. **Call to Order:** Chair Manikas called the regular meeting to order at 7:00 PM
Roll Call: Chair Dean Manikas, Vice Chair Paul Stowe, Board Rep Todd Nowak, Planning Commissioner Yarrow Brown, Zoning Administrator Nello Valentine III. Members of the public present who identified themselves: None
2. **Consideration of the Agenda:** Accepted as presented.
3. **Public Comment:** None
4. **Pronouncement of any Conflict of Interest:** None declared
5. **Consideration of June 3, 2020 Regular Planning Commission Minutes:** Chair Manikas had one edit where the minutes are missing a comma on the 3rd page. **MOTION BY BROWN AND SECOND BY NOWAK TO ACCEPT THE MINUTES AS CORRECTED. Motion passed 4-0.**
6. **Report by Chair:** None
7. **Reports and Correspondence by Members:**
 - a. Brown inquired about having the Leelanau Housing Action Committee to present and review the Housing Ready Checklist. The consensus was to wait until we have the vacant seat on the Planning Commission filled and move forward on amendments before we move forward on this.
8. **Report by Zoning Administrator:**
 - a. An agreement was reached on the Marker property and a permit was issued. The new builder is Shugart. The footprint was made smaller and different solution was reached for the holding tanks. Discussion followed.
 - b. Two permits were issued, and one is pending.
 - c. There were some complaints to the Supervisor about the Swanson Realty site and a citation was issued. Valentine III will look into what the site plan states and send a certified letter. Discussion followed.
 - d. Discussion also followed over section 5.02 and R-1 districts as it relates to accessory buildings and size limitations. Valentine III was looking for clarification on the purpose of the ordinance and how it is interpreted. Discussion followed. Consensus was to keep track of this concern and address at another meeting.

- e. Stowe asked about the site plan review process and what we are reviewing exactly? Manikas explained that is the next step. Stowe suggested the concern over the number of structures be addressed in the site plan review.

9. **New Business.**

- a. **Elect Secretary.** With Joe Vandermeulen's resignation, the Secretary position is vacant. Manikas made a motion for Yarrow Brown to be the Secretary Nowak Seconded.
Motion passed 4-0

10. **Continuing Business:**

- a. Amendments to Site Plan Review- Manikas inquired about whether or not the commission wanted to draft an amendment to the site plan review (Article IV General Provisions, Section 4.16, Site Plan Review) to include language protecting wetlands and the driveway/access language. Draft language was handed out and reviewed. Discussion followed. Valentine III asked if the Commission wanted to address fences in the wetlands. Discussion followed. It was decided that fences were covered in section 2.14 page 21. Discussion turned back to whether or not the language addressed fences (example on page 30). Stowe suggested we address this concern during the full zoning ordinance review which is upcoming in 2020. Discussion followed.

Stowe made a motion to hold a public hearing on Article IV General Provisions, Section 4.16, Site Plan Review. Manikas seconded. **Motion passed 4-0.**

Manikas went over the public hearing would be in August and then to the full Board in September. Then the commission will address the next topic such as the Housing Ready Checklist.

11. **Public Comment:** None

12. **MOTION TO ADJOURN BY NOWAK AND SECOND BY STOWE. Motion passed 4-0.**

13. **Adjournment at 7:54 PM.**

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Draft Regular Minutes, August 5, 2020

1. **Call to Order:** Chair Manikas called the regular meeting to order at 7:00 PM
Roll Call : Chair Dean Manikas, Vice Chair Paul Stowe, Board Rep Todd Nowak, Secretary Yarrow Brown, Recording Secretary Andi Stevenson, Members of the public present who identified themselves: Jim Anderson
2. **Consideration of the Agenda:** Accepted as presented.
3. **Public Comment:** None
4. **Pronouncement of any Conflict of Interest:** None declared
5. **Consideration of March 4, 2020 Regular Planning Commission Minutes:** Members reviewed the minutes and clarifications were provided by Chair Manikas. **MOTION BY BROWN AND SECOND BY NOWAK TO ACCEPT THE MINUTES WITH CLARIFICATIONS ADDED. Motion passed 4-0.**
6. **Report by Chair:**
 - a. Kim Hayes will be coming before the board next Tuesday to become new planning commission member.
 - b. Need a Vice Chair, either Paul Stowe or Kim Hayes. **MOTION BY NOWAK AND SECOND BY BROWN TO VOTE PAUL STOWE AS VICE CHAIR. Motion passed 4-0**
7. **Reports and Correspondence by Members:** None
8. **Report by Zoning Administrator:**
 - a. Two land use permits issued in July – A front porch addition and a new deck.
 - b. No complaints.
 - c. Estimated value of projects for reporting period is \$62,000 same time last year was \$486,000.
 - d. \$800,000 house near the Little Red School House.
 - e. Addition on S. Lime Lake Road
 - f. Campground on School Lake; checked out online and it is a campground. Received a phone call from a friend of the person developing. Four campsites with up to 6 campsites, they can have generators. In AG district, not an allowed use. Sent a certified letter and has not heard back. Told owner that they had 30 days to stop operating. May approach Planning Commission about changing zoning. Possibly something Cleveland Township needs.

- g. Swanson Realty property that had plans for 6 cabins was sent a letter, property owner contacted ZA and said he has equipment to tear down old building and start on 2nd cabin.
- h. Attended ZBA meeting for Gary Flohr deck project. Talked to Gary, he has plans to tuck the deck in to meet the setbacks based on ZBA suggestions.
- i. New house on 992 E. Traverse Lake Rd, being built by Douglas Verellen. Had received variances for roadside setback but not the lakeside. Revoked land use permit due to lakeside setback violation of anywhere from 2.5 ft to 4 ft.

9. New Business:

- a. Suggest Sharon Oreo come from Leelanau Housing Action Committee to talk about housing and some housing needs. Relating to workforce housing and the need for people to have creative solutions for work and housing. Adding to next month agenda.

10. Continuing Business:

- a. **Amendment to 4.16(h)20** : Consider change to include permeable driveway materials and allowing water from public hearing comments. Considered the idea of restricting coverage. Chair Manikas does not currently have a formula for that, feels like since certified upland site is specified, that should restrict the size in a wetland.

MOTION BY MANIKAS AND SECOND BY BROWN TO AMEND 4.16(H)20(B) TO STATE DRIVEWAYS MUST BE MADE OF PERMEABLE MATERIALS. FILL MAY BE USED FOR DRIVEWAYS TO A DWELLING WITH FILL NOT TO EXCEED ONE (1) CUBIC YARD PER ONE (1) FOOT OF DRIVEWAY ON THE MOST DIRECT ROUTE POSSIBLE FROM ROAD TO DWELLING, WITH STRUCTURES (E.G. CULVERTS) IF NECESSARY TO ALLOW THE FLOW OF WATER, CAUSING THE LEAST IMPACT ON WETLANDS. Motion passed 4-0.

MOTION BY NOWAK AND SECOND BY STOWE TO REFER THE AMENDMENT TO 4.16(H)20 ON TO THE LEELANAU COUNTY PLANNING COMISSION . Motion passed 4-0.

11. Public Comment: None

12. MOTION TO ADJOURN BY NOWAK AND SECOND BY BROWN. Motion passed 4-0.

13. Adjournment at 7:25 PM.