

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, JUNE 28, 2022, 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.

Meeting was called to order at 5:30 p.m. by Chairman Yoder who led the Pledge of Allegiance. The Meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI.

ROLL CALL

Members Present: S. Yoder, R. Miller, T. Nixon, G. Carlson, M. Black, M. Lautner,

Members Absent: D. Hubbell, A. Trumbull
(prior notice)

Members Absent: C. Noonan
N. Griswold (resigned), K. Todd,(resigned)

Staff Present: T. Galla, Director, G. Myer, Senior Planner

Public Present: Julie Dick

CONSIDERATION OF AGENDA

Yoder stated he would like to add “Planning Commission Vacancies” as item #2 under “New Business.”

Motion by Lautner, seconded by Nixon, to accept the agenda as amended. Motion carried 6-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT – None.

STAFF COMMENTS

Galla congratulated Yoder on his recent marriage. Members also offered congratulations.

Galla continued, updating members on recent collections. 135 mattresses were collected at the first mattress recycling event. There could possibly be another collection in the fall. Around 1200 tires were collected the same day. The number of tires being collected is coming down a little, there are no plans for a second tire collection this year. The second HHW & Electronics Collection was held at Glen Lake School, no numbers are available yet for that. Staff is working on the U.S. Environmental Protection Agency (EPA) grant the county received in the amount of \$250,000.00. The Brownfield Redevelopment Authority will administer it on their behalf. It will be used for assessment on properties in the county. Galla concluded by saying that the recycling sites are extremely busy, staff

has been making calls to Green For Life (GFL) for additional pickups. She is working on lining up additional Recycling Ambassadors to help keep the sites clean. It is a continuous process to monitor the sites and keep them as clean as possible.

CONSIDERATION OF MAY 24, 2022 MEETING MINUTES

Motion by Nixon, seconded by Miller, to accept the minutes as presented. Motion carried 6-0.

OLD BUSINESS

CIP Revision

Galla asked members for a little more input and direction. What would they like to see that would help them with ranking the CIP items? She also mentioned acquiring an interactive CIP that would allow a person to view the CIP online and click on items for more information and the location of the project.

Miller said some of the abbreviations used in the CIP requests were not fully understood by all members and some requests needed a little more explanation or reason why.

Nixon said he would like more description on items, some were a little too brief.

Yoder agreed, in the past there was a document included along with each item, detailing what the project entailed.

NEW BUSINESS

PC06-2022-02 Centerville Township Text Amendment – Micro-Breweries

Galla reviewed the staff report, saying that the Township Master Plan does not specifically address this amendment, but does mention Agricultural Support Goal in Chapter 7: Community Goals and Objectives. The Leelanau General Plan does not specifically address the amendment.

Galla continued, a public hearing was held on June 6, 2022, at which time, a member of the public suggested also adding “ale” and “stout” to the list. Following the public hearing, the township planning commission unanimously passed a motion to forward the proposed amendment to the LCPC. Staff found no issues with the text being compatible with other language in the zoning ordinance or any issues of greater than local concern. At the township planning commission meeting May 2, 2022, John Heekin presented a proposal from French Valley Vineyards/Bel Lago Ventures, requesting that the township consider an amendment to allow a micro-brewery and a beer tasting room at their French Valley Vineyard winery location. The draft minutes of this meeting indicate discussion ensued on specific language that could be integrated into the Zoning Ordinance that would allow the inclusion of beer tasting into wine tasting rooms in the township. The main concerns were continuing to assure that any operations are tied to local agriculture and kept small. The township worked on a proposed amendment which would amend Article IX Agricultural District, Section 9.6 Wineries, Meaderies and Cideries to include “micro-breweries”.

Galla continued, saying that the minutes from the townships May 2, 2022 show there was discussion on beer tasting rooms and whether the township should have stand-alone micro-breweries versus allowing a winery and micro-brewery combination. Galla concluded by saying staff included a copy of the Opinion in the Court Case No. 1:20-cv-1008, Wineries of the Old Mission Peninsula Association, et al,

vs Peninsula Township. This case was heard in the United States District Court Western District of Michigan Southern Division. Plaintiffs challenged the zoning regulations in Peninsula Township, arguing that sections unconstitutionally regulated their commercial speech such as: not allowing weddings, receptions, and other social functions for hire, sale of logo merchandise, floor area, accessory uses for guests only, etc. The Court granted in part and denied in part, the Plaintiffs request. This was sent out to all of the townships. The Centerville Township Planning Commission Chairman stated they had reviewed it, and felt they were okay with their ordinance requirements. If they needed to change anything in the future, they would address it then. The court case may get challenged and then it will be tied up or a couple years before there is any answer.

Lautner said the amendment was pretty straight forward. She just questioned why in #4 the word “fruit” wasn’t removed from the first line since it was removed everywhere else. Miller said using “agricultural products” would keep it consistent. Lautner added that “product grown by producer” could also be used.

Miller pointed out the following questions and concerns:

2.a – “agricultural production intended in the use of wine, cider, mead or beer,” is this for each product or any one if multiple from this list, proposed for production and sale? Do they have to have the agriculture product for each of those, or just one, and the others can be from others sources?

2b. – Does this mean an additional 10 acres of land contiguous owned by the same person? If so, why not just say 14 acres of land? If owned by someone else, does the product have to be from those 14 acres? What is the intent of this?

4. - What does two 5,000 gallons produced mean? Is it up to 5,000 gallons for each product produced or for all the product combined?

6. - Does this mean on any single level or in total? Is the total above ground area in capped at 20,000 square feet?

7. - Remove “related paraphernalia” in the first sentence and replace with “product related.” Selling growlers would be related to beer.

9c. - “Outside activities **must** commence after 30 minutes before sunrise?” Why “must” commence? “may commence no earlier than 30 minutes after sunrise” might be more appropriate.

9d. - What does this mean? This is open ended and needs rewording to be enforceable. Lautner commented yes, who is going to enforce this? Black agreed that this should be reworded.

Motion by Lautner, seconded by Nixon, to forward the staff report, minutes and all comments to the Centerville Township Planning Commission. Motion carried 6-0.

Lautner commented that what she is finding, is that we are seeing anti-growth in the county, which is what we have always seen. The growth they do want to allow is agricultural related. The Farm Club is out in the middle of nowhere and wasn’t even a farm to begin with. They put this restaurant there and are buying vegetables from offsite. It is always busy and is probably a great tax source for the township.

Planning Commission Vacancies

Yoder said Nate Griswold and Kim Todd submitted their resignations to staff, so they now have two open positions that need to be filled. There are a couple applications on file, but those individuals are currently serving on other committees or commissions within the county. It might be wise for them to recommend to the County Board, that they place an ad in the paper.

Motion by Lautner, seconded by Nixon, to request the County Board advertise for these open positions.

Discussion continued.

Nixon said that Griswold and Todd each represented a certain category, so we should clarify that when advertising. Galla said yes, those categories were set up by a county ordinance developed by the LCPC and approved by the County Board. Categories must be selected according to the state statute referenced in the ordinance. The open categories are Business and Transportation.

Motion on the table carried. 6-0.

Miller asked for clarification regarding the quorum pending those two positions being filled. Is the quorum based on the number currently on the board, or the number that should be on the board? Galla said the bylaws state “a quorum is the majority of the appointed members of the commission at a regular or special meeting.” Galla will check on the rules regarding quorum.

REPORTS

Housing Action Committee

Lautner said the Habitat For Humanity Project in Maple City just received approval from Michigan Department of Environment, Great Lakes, and Energy (EGLE) for the sewer permit. They are still fundraising to cover the \$165,000.00 gap per unit to build them. Kasson Township was asked to approve a Tax Increment Financing (TIF) plan. They decided to wait a month instead of taking any action at their June meeting. It is a 30-year plan, which would help Habitat for Humanity cover some of the gap. This money can then be used for future projects. In conclusion, Lautner said Peninsula Housing received its 501 C-3 so they are moving forward in some way to help with affordable housing.

Galla mentioned the Marek Rd. project that Homestretch is working on. They are about \$150,000.00 - \$160,000.00 short of their fundraising goal to build these apartments in Suttons Bay. Long-term year-round leases are really needed.

Discussion ensued on a development near M-72 and Bugai Rd.

Parks & Recreation Committee

Lautner said they had kids fishing day on Sunday which was an overwhelming success. They probably had the biggest crowd ever. The playground equipment will be built on site in July at Old Settlers Park. Work is currently being done on trails at Myles Kimmerly Park. Also, they have been asked to sell the vacant field across from Myles Kimmerly Park. Centerville and Kasson Township would like to build their future fire department there. The Parks & Recreation Committee has not made a recommendation to the full Board of Commissioners on this yet.

Report from LCPC members of attendance at township/village meetings, or other meeting/trainings

Nixon said his township is adjusting to a new supervisor. They just installed security cameras in their building to match the state law requirement, to have some visibility of after-hour ballots. The board has been asked to consider the installation of a dog park within Herman Park.

COMMUNICATIONS

Galla stated a notice of intent to plan was received from the City of Traverse City, on their master plan.

PUBLIC COMMENT

Julie Dick, who lives in Miami, but owns property in Suttons Bay, has worked a lot in growth management in the Florida Keys where there are a lot of affordable housing issues. A lot of the focus is on conservation and maintaining the character of the area along with growth and a prosperous economy. Dick said she was happy to hear about some of the efforts on housing here, but she has found it frustrating over the last several years. There seems to be a lot of opportunity for policies to be put in place that could incentivize maintaining the character and affordability. It is mainly workforce housing which is talked about as affordable housing. This area is advertising all over the country for people to come here in the summer, but businesses can't stay open because they can't find people to work. Dick continued, saying again, that there are opportunities to increase incentives for developers to build affordable housing. There are creative ways to make this a part of the development process. She is here to encourage policy change. This is a special place because of what is here. There is room for growth and economic development, but if people can't afford to live here to support the service economy it makes it very difficult. Dick concluded by saying she would like to see the Leelanau Trail extended further north.

STAFF COMMENTS

Galla mentioned the summary sent out from the APA Conference she and Myer attended. Also, she recently watched a video called "Motown to Grow Town" about Detroit. Galla said it was shocking to hear the number of people that have left the city and how many vacant lots and buildings they have. They are now trying to rebuild the neighborhoods and do things with the vacant lots. Galla will share the link with members.

COMMISSIONER & CHAIRPERSON COMMENTS

Black said he was in Detroit quite a bit and the mayor has done a lot for the city. He has accomplished four of the five things he said he was going to do. By lighting the city, crime rates went down. Busing has increased, and the number of first responders increased. Pride is returning to the city.

Carlson congratulated Yoder on his recent marriage.

ADJOURN

Meeting adjourned at 6:19 p.m.