

LELAND TOWNSHIP PLANNING COMMISSION
Wednesday, August 24, 2022
Leland Township Library, Munnecke Room
203 East Cedar Street, Leland, MI 49654

I. Call Meeting to Order/Pledge of Allegiance

Chairman Korson called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Present: Dan Korson, Chairperson; Clint Mitchell, Township Board Rep;
Ross Satterwhite, ZBA Rep

Excused: Sam Simpson, Secretary; Skip Telgard, Vice Chairperson

Staff Present: Tim Cypher, Zoning Administrator; Allison Hubley-Patterson,
Recording Secretary

Staff Excused: Larry Sullivan, Planner

There were three (3) members from the public in attendance at various times throughout the meeting. Guests included Mr. and Mrs. Mikowski and Mr. Michael Fitzhugh.

II. Motion to Approve Agenda

Chairman Korson moved to table all items under “Old Business” to the October 5, 2022 meeting; Satterwhite seconded. All present in favor; motion carried.

Chairman Korson asked for a motion to approve the August agenda based on the previous motion that he made to table “Old Business” to the October 5, 2022 meeting. **Satterwhite moved to approve the August agenda based on the previous motion made by Chairman Korson to table “Old Business” to the October 5, 2022 meeting; Korson seconded. All present in favor; motion carried.**

III. Declaration of Potential Conflicts of Interest - None

IV. Approval of Minutes from June 1, 2022

Chairman Korson asked for a motion to approve the June 1, 2022 minutes. **Satterwhite moved to approve the June 1, 2022 minutes as presented; Mitchell seconded. All present in favor; motion carried.**

V. Correspondence – None received

VI. Public Comment (three minutes per person unless extended by Chairperson)

Mr. Mikowski addressed the PC and noted that the seating arrangement is unusual for a township meeting. He believes that all members should face the public and requested that the PC consider changing the seating arrangement going forward.

Mr. Mikowski also discussed the issue of short-term rentals and noted that this is a problem nationwide. He distributed copies of a recent article from the Traverse City Record-Eagle titled, "Vacation towns limit short-term rentals" for PC members to review. Mr. Mikowski believes that too many short-term rentals saps the ability for younger people to purchase lower-priced homes. He also addressed the issue of parking in the area and noted that a charter boat is currently parked on the street near his home. He rhetorically inquired if this is the appearance that we want for the township.

Mrs. Mikowski addressed the PC members and asked if this body has the authority to restrict zoning so that buildings are not constructed in the park near their home. It was noted that the park has been a popular location for families and where young children often play.

VII. Reports

Township Board Rep: no report

ZBA Rep: no report

VIII. New Business – Special Land Use Permit Application – Northern Latitudes

1. Presentation by Applicant

Mr. Michael Fitzhugh presented on behalf of Mr. Mark Moseler from Northern Latitudes; Mr. Fitzhugh serves as the architect for Northern Latitudes. Mr. Fitzhugh explained that Mr. Moseler acquired two parcels of land so the distillery could move down the road. The goal now is for the business to build a new building, grow, and thrive in their own space.

Mr. Fitzhugh referenced the site plan which shows five acres; the building is 11,000 square feet and will consist of a tasting room, office space and storage. He stated that the customer entrance will be on the east and south sides of the building; deliveries to the building will be on the west side of the building. Mr. Fitzhugh spoke to Steve Christenson, Leelanau County Drain Commissioner and is currently working with Rick Prince of Prince-Lund Engineering. He noted that it makes sense to work with Mr. Prince as his firm is doing the work for a property that is adjacent to Northern Latitudes. There are areas of paved parking; overflow parking will be on the grass.

The appearance of Northern Latitudes is that of a relaxed farm environment; Mr. Fitzhugh noted that there will be nothing that is “architecturally obnoxious”. The business will operate during all four seasons.

2. PC Questions/Discussion with Applicant

Mr. Fitzhugh was asked if Mr. and Mrs. Moseler will have music. He replied that they occasionally have music inside but there would be no wedding receptions or other such events.

Cypher inquired about outdoor seating. Mr. Fitzhugh stated that there will be some loose tables in the area. Cypher asked about seating, in general, and noted that the calculation for the required number of parking spaces is based on total seating capacity.

Cypher asked Mr. Fitzhugh to please obtain comments from the various regulatory agencies before the October 5, 2022 Public Hearing so that this matter has been addressed.

3. Discussion with Staff, if Needed

Cypher stated that the application submitted by Northern Latitudes is complete. Some regulatory agency information is pending, including comments from the Fire Chief and Michigan Department of Transportation (MDOT). Cypher asked Mr. Fitzhugh if MDOT had signed off on the driveway location due to the close proximity to South Lake Leelanau Drive; Mr. Fitzhugh responded that he believes they have signed off on the driveway.

Chairman Korson asked Cypher if Northern Latitudes is within the legal limits from churches and schools. Mr. Fitzhugh commented that Mr. Moseler is currently working through the process with the Michigan Liquor Control Commission (MLCC).

Mitchell asked about the required distance from churches and schools and inquired if this also applies to parks; Cypher replied, "No". Chairman Korson asked if the PC is responsible for knowing these distances. Cypher stated that, in the past, 500 feet has been the standard but also noted that the distance standard has been relaxed by the MLCC over time.

4. Public Comment (limited to three minutes per person unless extended by chair) – no public comment
5. Applicant's Response to Public Comment – none
6. Further Discussions with Staff or Applicant, if Needed

Mitchell asked about the loading area, including what would be the frequency of deliveries and what time of day would these deliveries be made. Mr. Fitzhugh stated that there will be a few deliveries each week but he is not sure as to the exact delivery schedule. Mitchell expressed concern about the time of day for deliveries and suggested that Mr. Fitzhugh work with the owners regarding trees and other screening.

Mitchell also noticed that the second retention pond shown on the site plan is near a park. He commented that there will most likely be small children playing in this area so the retention pond should somehow be enclosed for safety reasons.

Cypher inquired if semi-trucks would have the space to turn around on the property; Mr. Fitzhugh replied, "Yes". Cypher also asked about snow removal, including whether snowplows would be able to turn around and would there be room to store the snow.

Satterwhite asked about hours of operation. It was noted that the business will be open from 10:00 a.m. to approximately 7:00 p.m. or 8:00 p.m. Chairman Korson added that the business currently has very nice hours; they are not open on Sunday. Mr. Fitzhugh added that Northern Latitudes does not wish to be a "bar" but this is really what the business becomes if they are open beyond 8:00 p.m.

Cypher added that the business is a retail operation. Chairman Korson asked if, as a retailer, the owner was required to come before the PC previously. Cypher stated that Mr. Moseler did come before the PC in the past.

7. Consideration of Motion by PC to set Public Hearing for October 5, 2022

Chairman Korson asked for a motion to set the Public Hearing in the matter of Northern Latitudes for October 5, 2022. **Satterwhite moved to set the Public Hearing in the matter of Northern Latitudes for October 5, 2022; Mitchell seconded. All present in favor; motion carried.**

IX. Old Business – all items in this category have been tabled to the October 5, 2022 meeting.

- A. Bunbury Zoning Amendment – review Proposed Draft Language – tabled
- B. Master Plan – Status Update from Planner - tabled
- C. Short Term Rentals – Update status from State of Michigan – tabled

X. Zoning Administrator Comment – no comment

XI. Planning Commission Comment – no comment

XII. Public Comment (limited to three minutes per person unless extended by Chairman) – no public comment

XIII. Adjournment

There being no objection, Chairman Korson adjourned the meeting at 7:25 p.m.

The next scheduled meeting will be held on Wednesday, October 5, 2022 at 7:00 p.m. at the Leland Township Library (Munnecke Room).

Respectfully submitted,
Allison Hubley-Patterson
Recording Secretary

APPENDIX A

Leland Township
Zoning Administrator's
JUNE 2022 REPORT

To: Leland Township Board & Leland Planning Commission

From: *Timothy A. Cypher* 7/6/2022

Land Use Permits Issued:	10	YEAR TO DATE	33
Signs / Home Occupation	2		
Single Family Residences (SFR)	2		
Additions to SFR	2		
Garages / or additions to	1		
Decks & Porches / MISC.	0		
Accessory Buildings	1		
Commercial Construction	0		
Stairs & Landings	0		
Agriculture construction	1		
Demolitions	0		
Boat houses	0		
Solar Panels	0		
Renewal of / Change of use	0		
Z.B.A. proceedings	0	1 INQUIRY	
Special Land Use Permits	2	2 INQUIRY	
Lot Consolidations	2	1 INQUIRY	
Land Divisions	0	1 INQUIRY	
Property Line Adjustments	1	1 INQUIRY	
Private Roads / Driveways	1	1 INQUIRY	
Zoning / Site Plan Reviews	0	2 INQUIRY	
Construction Inspections	14		
Violations/Investigations	0	**VIOLATIONS**	
		1 INVESTIGATIONS PENDING	
		RV USE AS SINGLE FAMILY DWELLING	

I supplied information via 68 phone calls & 48 emails to Township residents & others.
I attended the Planning Commission and Township Board meetings.
Please feel free to contact me with any questions.

tjm@alpermits.com

Phone 231-360-2557

APPENDIX B

LELAND TOWNSHIP - ZA'S MONTHLY SUMMARY

		Period: JUNE		2022			
DATE	PERMIT #	NAME	USE	REC. #	CK.#	AMOUNT	
009-028-001-00	6/10/2022 LUP 22-24 4297 E. DUFEX	ELLIOTT NEW DWELLING DECK	LAND USE	202224	1287/1294	\$ 90.00	1,360 S.F.
009-021-027-60	6/10/2022 LUP 22-25 34 S. MANITOU TRAIL	SIMPSON TRUST AG ACCESSORY BUILDING	LAND USE	202225	33499	\$ 50.00	9,600 S.F.
009-136-010-00	6/10/2022 LUP 22-26 7805 E. ALPERS ROAD	NELSON ACCESSORY BUILDING - GARAGE	LAND USE	202226	5814	\$ 40.00	1,280 S.F.
009-136-001-00	6/10/2022 LUP 22-27 7768 E. KOLARK ROAD	DUNHAM DWELLING ADDITION - BEDROOM	LAND USE	202227	CASH	\$ 40.00	288 S.F.
009-610-204-00	6/10/2022 LUP 22-28 206 W. AVENUE A	FISHTOWN PRESERVA. DWELLING ADDITION - DECK REPLACEMENT	LAND USE	202228	80666	\$ 90.00	553 S.F.
009-010-014-00	6/10/2022 LUP 22-29 2223 WARDENS POINT RD	STRICOF NEW DWELLING ATT.GARAGE DECK PORCHES	LAND USE	202229	2577	\$ 130.00	7,730 S.F.
009-580-702-00	6/18/2022 LUP 22-30 111 N. FIFTH STREET	LELAND METHODIST NEW SIGN - LELANDU CHILDRENS CENTER	LAND USE	202230	37622	\$ 50.00	12 S.F.
009-750-401-00	6/18/2022 LUP 22-31 102 N. MAIN STREET	MAIER WALL SIGN & ADDITIONAL PROJECTED SIGN	LAND USE	202231	13037	\$ 100.00	17 S.F.
009-023-033-00	6/18/2022 LUP 22-32 6555 E. PLAMONDON CT.	WICHERN DRIVEWAY & PICKLEBALL COURT	LAND USE	202232	1009	\$ 40.00	5,598 S.F.
009-125-011-20	6/30/2022 LUP 22-33 5083 N. EAGLE HWY.	ASHLEY ACCESSORY BUILDING	LAND USE	202233	6912	\$ 40.00	160 S.F.
009-024-024-00 009-024-018-10	6/30/2022 LOT CONSOLIDATION M-204	NORTHERN LATITUDES LOT CONS. LOT CONSOLIDATION FOR BUILDING PURPOSES		202201	6480	\$ 50.00	
009-600-125-10 009-600-127-00	6/30/2022 LOT CONSOLIDATION S. CHANDLER STREET	DROUILLARD LOT CONSOLIDATION FOR BUILDING PURPOSES	LOT CONS.	202202	1124	\$ 50.00	
009-022-030-20 009-022-016-00	6/10/2022 PLA 22-01 E. RYANS WAY	WARMBIER / LATTIMORE PROPERTY LINE ADJUSTMENT		202201	2531	\$ 50.00	
TOTAL						\$ 820.00	

SIGNED:

TIMOTHY A. CYPHER

DATE: 7/6/2022

TIMOTHY A. CYPHER
LELAND TOWNSHIP ZONING ADMINISTRATOR
231-360-2557

APPENDIX C

Leland Township Zoning Administrator's JULY 2022 REPORT

To: Leland Township Board & Leland Planning Commission

From: *Timothy A. Cypher* 8/5/2022

Land Use Permits Issued:	4	YEAR TO DATE 37
Signs / Home Occupation	0	
Single Family Residences (SFR)	0	
Additions to SFR	0	
Garages / or additions to	0	
Decks & Porches / MISC.	1	
Accessory Buildings	1	
Commercial Construction	2	
Stairs & Landings	0	
Agriculture construction	0	
Demolitions	0	
Boat houses	0	
Solar Panels	0	
Renewal of / Change of use	0	
Z.B.A. proceedings	0	1 INQUIRY
Special Land Use Permits	0	2 INQUIRY
Lot Consolidations	0	1 INQUIRY
Land Divisions	1	1 INQUIRY
Property Line Adjustments	0	1 INQUIRY
Private Roads / Driveways	0	1 INQUIRY
Zoning / Site Plan Reviews	0	2 INQUIRY
Construction Inspections	7	
Violations/Investigations	0 **VIOLATIONS**	
	1 INVESTIGATIONS PENDING	
	RV USE AS SINGLE FAMILY DWELLING	

I supplied information via 31phone calls & 19 emails to Township residents & others.
I attended the Township Board meeting and there was no Planning Commission meeting.
Please feel free to contact me with any questions.

tim@allpermits.com

Phone 231-360-2557

APPENDIX D

LELAND TOWNSHIP - ZA'S MONTHLY SUMMARY

Period: JULY 2022

DATE	PERMIT #	NAME	USE	REC. #	CK.#	AMOUNT
7/18/2022	LUP 22-34	KERR	LAND USE	202234	5784	\$ 90.00
009-740-014-00	445 N. TWIN PINES	ACCESSORY BUILDING - DECKS			770 S.F.	
7/18/2022	LUP 22-35	LELAND TOWNSHIP	LAND USE	202235	TREAS. HAS	\$ 500.00
009- RIGHT OF WAY	TOWNSHIP WIDE	METRO ACT - INSTALLING FIBER OPTIC CABLE				
7/19/2022	LUP 22-36	LELAND LODGE	LAND USE	202236	80809	\$ 100.00
009-580-800-00	565 E. PEARL STREET	FENCES STORAGE CONTAINERS DECK EXPANSION			1,665 S.F.	
7/31/2022	LUP 22-37	STIMSON	LAND USE	202237	110	\$ 40.00
009-585-001-00	3999 TRILLIUM DRIVE	DECK			192 S.F.	
7/21/2022	LDA 22-01	MOUNTAIN HARBOR	LAND DIV. LDA22-01	781883		\$ 50.00
009-024-018-30	E. DUCK LAKE ROAD	LAND DIVISION CREATING ONE PARCEL - DEED RESTRICTED - NO STORAGE UNITS				

TOTAL \$ 780.00

SIGNED:

TIMOTHY A. CYPHER

DATE: 8/5/2022

TIMOTHY A. CYPHER
LELAND TOWNSHIP ZONING ADMINISTRATOR
231-380-2557