

Cleveland Township Planning Commission

Cleveland Township Hall, Leelanau County, Michigan

Draft Regular Minutes, May 5, 2021

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, Secretary Yarrow Brown, Board Rep Todd Nowak, and Commissioner Kim Hayes.
2. **Consideration of the Agenda:** Accepted as presented.
3. **Public Comment:** None
4. **Pronouncement of any Conflict of Interest:** None declared
5. **Consideration of April 7, 2021 Regular Planning Commission Minutes:** Members reviewed the minutes and approved as amended. **MOTION BY NOWAK AND SECOND BY HAYES TO ACCEPT THE MINUTES AS PRESENTED. Motion passed 5-0.**
6. **Report by Chair:**
 - a. Contacted Dick Figura to get clarity on redevelopment and triggering the Watershed Overlay District.
 - b. Forwarded emails from Joe VanderMuelen and Ted Gilmer in regards to campgrounds, clarified to them that the Planning Commission and Zoning Administrator have consisted stated when asked that the campgrounds are a non-compliant use.
 - c. Received from FEMA a notice of additional meetings. Does not look like the current mapping and insurance will change. <https://www.fema.gov/preliminaryfloodhazarddata>
7. **Reports and Correspondence by Members:**
 - a. Had a conversation with Tim Johnson of Centerville Township, in regards to what they are doing about short-term rentals, light ordinances and AG districts. Tim Johnson shared information about House Bill 4722, a bill that attempts to pull zoning of short-term rentals away from local authorities. Michigan Township Association is strongly opposing (due to the fact that the bill would allow short-term rentals in all districts) and asks that you contact representatives. Secretary Brown stated that Housing North also supports opposition of the bill. Granicus currently works with Suttons Bay Township and Elmwood Township.
 - b. Granicus did a presentation for Centerville Township on the short-term rentals in the township and what Granicus could do for them, once an ordinance was in place. Granicus can also provide a draft ordinance. Free presentation for Centerville Township and something to consider for Cleveland Township.

- c. Summer class for Citizen Planner Training, is available for free. Six Wednesday nights from 6 PM to 9 PM. July 14th - August 18th, 2021.
- d. Secretary Yarrow encouraged the Planning Commission to consider the free presentation from Granicus. Housing North may be providing a webinar as well. 13 units of government in the 10 county area use Granicus.
- e. Chair Manikas has been in touch with Granicus for over a year. Will either need to have an enforcement officer or create an ordinance.

8. Report by Zoning Administrator:

- a. Two Land Use Permits issued in April – residential use pole barn and agricultural use pole barn and storage building.
- b. Received phone calls and emails from two property owners on School Lake Rd with concerns about possible campgrounds (campfire smoke, noise, traffic, and other nuisances.) Complainants stated their opposition to commercial campgrounds in the township. Spent a lot of time on the phone with complainants to find out what they would consider for a campground.
- c. Received lots of call from builders and homeowners about what they can do with their properties.
- d. Marked water's edge for a surveyor.
- e. Visited two potential building sites, one in Viewshed Overlay District and the other near the Composite Wetlands (permit was issued) along with various other site visits.

9. Continuing Business:

a. Master Plan Environment, Objective 2, Action Step 1

Section 4.20 is a point that the Planning Commission might want to consider as a place to start. The section does apply to lake and shoreline usage.

Planning Commission needs to decide on a specific vegetative shoreline buffer. Glen Lake Association is more robust and Chair Manikas is more inclined to go with Tip of the Mitt. Lime Lake Association chose 10', Tip of the Mitt chose 20' and allowed 25% of shoreline to be open, Glen Lake Association chose 30' and allowed 20% of shoreline to be open.

- Commissioner Hayes felt that the best option would be to go with Glen Lake Association.
- Board Representative Nowak initially felt that 30' was too much and felt that 10' was a better option.
- Secretary Brown felt mixed, and respects Tip of the Mitt's work and choice. 10' is too small; however the Glen Lake Associations recommendation was a good option.
- Vice Chair Stowe felt like 30' was a lot but using the maximum amount of buffer is trying to meet the community concerns. It seems like a lot but he does support 30'.

- Chair Manikas agreed with Tip of the Mitt due to their work and knowledge. This is not an overlay it affects any property that abuts water.

After discussion the Planning Commission agreed on the 30' and 20% option.

Zoning Administrator Valentine III felt that hardened seawalls could just be prohibited by zoning and then property owners would need to approach the ZBA and show necessity. Commissioner Hayes and Secretary Brown inquired about the ZBA and the process that happens when a property owner brings an item to them. Vice Chair Stowe pointed out that the way it was written it would be up to one person, while putting it in the hands of the ZBA would put it in front of multiple people. Hardened seawalls will be prohibited.

Change the intent of the hardened seawalls section. Vice Chair Stowe will work on a modification of the hardened seawalls section and submit to the Planning Commission. Hardened seawalls definition would be altered to include permanent and non-permeable surfaces.

In the purpose section include a statement that this is to address the values expressed by Cleveland Township residents. All of the items that come after this section were based on Master Plan surveys answered by residents.

Identify impervious and permeable in the definitions. Commissioner Hayes will provide the definitions.

Chair Manikas will make changes and include discussed information and present the Planning Commission with a second draft for the June 2021 meeting.

10. Continuing Business:

a. Scenic Viewshed Overlay site plan determination

Per Section 4.16(e)(i) Minor Project, the Planning Commission can waive their right to a full site plan review.

Commissioner Hayes had several questions for Zoning Administrator Valentine III; can additional trees be planted to ensure that viewshed will not be impacted? The house on the property does have a public vantage point that can be seen from parts of Little Traverse Lake (ie. the Cleveland Township Park). The garage will be built in the shadow of the house. The garage is not adding to the impact on the viewshed, since the house is already there. Only possible impact would be if the property owner clear cut the bank.

The area where the garage would go was already cleared. A permit was issued in 2017 for the garage. The initial plan was a two-story garage and this version has now been scaled back.

Since the garage is right on the bluff, water erosion should be considered. The driveway is asphalt. The garage is approximately 5' from the slope.

Chair Manikas would be comfortable with waiving the site plan review if the property owner could provide a plan for water retention on the property, without the water flowing down the bluff (ie. gravel trench under overhangs.)

MOTION TO WAIVE CLEVELAND TOWNSHIP PLANNING COMMISSION RIGHT TO A FULL SITE PLAN REVIEW WITH THE UNDERSTANDING THAT THE PROPERTY OWNER WILL FIRST PROVIDE A WATER MANAGEMENT PLAN IN REGARDS TO RUNOFF FROM THE GARAGE ROOF AND AN ASSURANCE THAT NO OTHER TREES WILL BE REMOVED BY MANIKAS AND SECOND BY STOWE. Motion passed 5-0.

b. Master Plan Agriculture, Objective 1, Action Step 2

Continue to allow Agriculture lands to benefit from tourism and reduce barriers as to further opportunities as appropriate provided they do not adversely affect neighbors or the serene rural nature of the area.

Clean water, scenic views and quiet all had 90% plus support by the community.

Commissioner Hayes had expressed an interest in leading the charge on how the Planning Commission can support farm viability, tapping into what already exists in Cleveland Township.

Secretary Brown suggested finding other way to encourage residents to engage with Planning Commission on these objectives. Chair Manikas agrees there will be a need to assess where people stand on these items.

Commissioners Hayes past and present work in Leelanau County does involve working with farmers about how to hold onto their farmland and other options for generating income. She has been investigating AG tourism ordinance from other areas. Ensure that farming is still happening in those locations as well.

Secretary Brown stated that while people come up here to buy land and enjoy the area, we are a farming and rural community and Planning Commissions should be trained about what their duty is to the township. Since we tend to hear opposition more often is it important to get more input from other residents. Encourage residents to tell us what they like, what they want and not just the complaints.

Tim Stein invited the Planning Commission to plan an open house to get real time input as we are working on these objectives. Commissioner Hayes suggested that we make sure to be aware of the timing for farmers and seasonal residents. Secretary Brown suggested multiple types of interaction and perhaps multiple times of the year.

Board Representative Nowak will take the suggestions for getting interaction from residents to the board to get a budget number for putting this into effect.

Chair Manikas will add input into the Master Plan as an agenda item to discuss.

- c. Secretary Brown is resigning as secretary and a commissioner. Feels that it is best for the township to find a secretary that has more time to focus on the Planning Commission.

The Planning Commission expressed their appreciation of Secretary Brown and everything she has been a part of.

11. **Public Comment:** None

12. **MOTION TO ADJOURN BY NOWAK AND SECOND BY BROWN. Motion passed 5-0.**

13. **Adjournment at 8:51 PM.**