

BAY TOWNSHIP PLANNING COMMISSION

May 8, 2019 MEETING MINUTES

CALL TO ORDER

Dave Skornia called the meeting to order at 7:00PM and led with the Pledge of Allegiance. Also in attendance were Steve Van Dam, Wendy Simmons, Joe Jones, Xavier Gaudard, Planner Claire Karner and Zoning Administrator Ron Van Zee. Lynn Maxwell and Jamie Shepherd were absent (excused).

PRIOR MEETING MINUTES

MOTION by Gaudard, seconded by Jones, to dispense with the reading of the April 2, 2019 Planning Commission regular meeting minutes, passed upon unanimous affirmative vote of the Board Members.

MOTION by Simmons, seconded by Jones, to approve the April 2, 2019 Planning Commission regular meeting minutes as amended, passed upon unanimous affirmative vote of the Board Members.

AGENDA APPROVAL

MOTION by Van Dam, seconded by Gaudard, to approve the agenda as presented, passed upon unanimous affirmative vote of the Board Members.

PUBLIC COMMENT

None received.

ZONING ORDINANCE ZONING MAP UPDATE, ARTICLE XIII, AND VARIOUS FLOW CHARTS PUBLIC HEARING

Skornia explained there will be three separate public hearings on the following proposed zoning ordinance amendment items:

- Correct Illustration Errors on the Bay Township Zoning Ordinance Map
- Zoning Ordinance Article 13 "Special Use Permit" text amendments
- Proposed Flow Charts to better illustrate the following:
 - a. Zoning Ordinance Amendment Adoption Process (Article XIX)
 - b. Special Uses Process (Article XIII)
 - c. Planned Unit Development Process (Article 11.6)
 - d. Zoning Permit Application Process

Public Hearing #1

Skornia opened the first public hearing on the following proposed rezoning amendments to the Bay Township Zoning Ordinance Zoning Map at 7:07PM. In 1997 the Bay Township Zoning Map was adopted. In 2000, one parcel (the Robinsons) near Horton Bay was rezoned and the Zoning Map was subsequently updated to reflect this rezoning. There has been no further rezoning in the township since 2000.

It has come to the Planning Commissions attention, that errors were made in how the zoning are depicted in the Bear Cove area, on several parcels along Ruffed Grouse Lane and Fox Run, and one parcel on Zenith Heights Road. These are clerical errors, which can easily be corrected and do not require Township Board action.

Furthermore, in March of 1991 the Planning Commission approved Harrington's rezoning request from R-1 to commercial (now known as Bear Cove Marina) and on April 11, 1991 the Board of Trustees approved the rezoning request. There are a number of properties in the Bear Cove marina area that were not ~~rezoned~~ ~~illustrated~~ correctly. In order to correct this issue, the Township needs to ~~rezone~~ ~~illustrate~~

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correctly on the zoning map thirteen parcels in the Bear Cove area. The ~~proposed new zoning~~ corrected map will match how these properties are currently being used.

Skornia opened the public hearing up to public comment at 7:25PM, and with no public comment received, immediately closed public comment.

MOTION by Simmons, seconded by Van Dam to forward the proposed Bay Township Zoning Ordinance Map corrections to the Charlevoix County Planning Commission for their review and comment, passed upon unanimous affirmative vote of the Board Members.

Public Hearing #2

Skornia opened the second public hearing on the following proposed text amendments to the Bay Township Zoning Ordinance Article XIII Special Uses at 7:31PM.

Skornia explained in December 2017, the Planning Commission reviewed and agreed with proposed language to be added to the zoning ordinance Article XII (Special Uses) requiring "...an approved special use is to be filed with the Charlevoix County Register of Deeds within 45 days of being issued a special use permit." This language was supposed to be "bundled" with the lot width and building envelop definitions, but was subsequently forgotten.

Skornia opened the public hearing up to public comment at 7:33PM, and with no public comment received, immediately closed public comment.

MOTION by Simmons, seconded by Gaudard to forward the proposed text amendments to the Bay Township Zoning Ordinance Article XIII to the Charlevoix County Planning Commission for their review and comment, passed upon unanimous affirmative vote of the Board Members.

Public Hearing #3

Skornia opened the third public hearing on incorporating various flow charts into the Bay Township Zoning Ordinance for Article XIII Special Uses, Article XIX Amendments, update the flow chart for Article XI Planned Unit Development and a proposed flow chart for the zoning permit application process at 7:35PM.

The Planning Commission reviewed the proposed Zoning Ordinance Attachment "A" PUD flow chart, and agreed additional minor updates need to be incorporated into the document.

The Planning Commission reviewed the proposed Zoning Ordinance Attachment "B" which is a flow chart on the zoning ordinance amendment process. The planning commission members deliberated on where in the process legal review should take place and to what extent the Board of Trustees can make further amendments to the Planning Commission's proposed text amendments.

Simmons read a letter from Board of Trustees member Bill Wehrenberg, regarding his objections to the Planning Commission sending proposed text amendments for township legal review, as he feels this is the authority of the Board of Trustees. The Planning Commission reviewed the proposed Zoning Ordinance Attachment "C" which is a flow chart on the special use process, and agreed additional minor updates need to be incorporated into the document.

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The Planning Commission reviewed the proposed Zoning Ordinance Attachment "D" which is a flow chart on the zoning permit application process, and agreed additional updates need to be incorporated into the document.

Skornia opened the public hearing up to public comment at 8:22PM, and with no public comment received, immediately closed public comment.

The Planning Commission agreed that since there is additional work to be done on the various flow charts that the document is not ready to forward onto the County Planning Commission for their review.

PARKS & RECREATION UPDATE

Skornia explained that Heather Huffstutler (Director of Conservation Programs at the Walloon Lake Trust & Conservancy) is no longer working there. Jac Talcott was present and introduced himself to the Planning Commission. Talcott explained he is the Watershed Stewardship Coordinator for the Walloon Lake Trust & Conservancy, and he has taken over the Maplecrest Preserve Trail project that Huffstutler was working on.

Talcott explained he has found a contractor wanting to do the parking lot construction, and another contractor who wants to build the trail system. Talcott would prefer to have one contractor do both projects. A Memorandum of Understanding still needs to be drafted for Bay Township's signature, which would describe the funding source, explain the various "Building Healthy Communities" grant source requirements, and various other project details and/or requirements.

Skornia updated all on the following park activities:

- Camp Sherwood Park pit toilet and wooden deck area has been demolished. Discussed with the MDEQ on what can/cannot be constructed in the former wood deck area.
- Camp Michigania has removed the dead trees on their property across from Camp Sherwood Park.
- Dead trees have been removed from Sumner Road boat launch area onto Walloon Lake.
- Tip of the Mitt vegetative buffer grant has fallen through.

OTHER

Karner briefly discussed the 2015 Medical Marihuana Act and the 2018 Recreational Marihuana Act, and possible actions the township board of trustees may want to consider.

ZONING ADMINISTRATORS REPORT

Zoning Administrator Ron Van Zee reviewed the past months activities regarding Zoning Permits issued, Zoning Ordinance enforcement actions taken, and other related zoning activities..

BOARD OF TRUSTEES REPORT

Note: See the Board of Trustees April 11th, 2019 minutes for further detail.
Simmons reported on the Board of Trustees April meeting.

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ZONING BOARD OF APPEALS

No recent meetings.

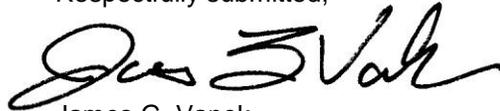
PUBLIC COMMENT

None received.

ADJOURNMENT

MOTION by Van Dam, seconded by Gaudard, to adjourn the meeting at 9:16PM, passed upon unanimous affirmative vote of the Board Members.

Respectfully submitted,



James G. Vanek
Planning Commission Recording Secretary

Corrections submitted,

Kristin Baranski
Deputy Clerk