

# BAY TOWNSHIP PLANNING COMMISSION

JANUARY 6<sup>TH</sup>, 2021

## CALL TO ORDER

Dave Skornia (Chair) called the ZOOM meeting to order at 7:00PM and led with the Pledge of Allegiance. Also, in attendance were Nancy Blandford, Steve Van Dam (Vice Chair), Joe Jones, Xavier Gaudard (Board of Trustees Rep), Jamie Shepherd, Lynn Maxwell (Secretary) and Ron VanZee (Zoning Administrator). Kristin Baranski (Recording Secretary), Shawn Winter (BRI) were also in attendance.

## PRIOR MEETING MINUTES

**MOTION by Maxwell, seconded by Shepherd, to correct and dispense with the reading of the December 1st, 2020 Planning Commission regular meeting minutes, passed upon unanimous affirmation vote of the Board Members.**

**A roll call was taken:**

**Yeas: Blandford, Van Dam, Jones, Gaudard, Skornia, Shepherd, Maxwell**

**Nays: None**

**MOTION BY Gaudard, seconded by Maxwell, to approve the minutes of the December 1st, 2020 Planning Commission regular meeting as amended passed upon unanimous affirmation vote of the Board Members.**

**A roll call was taken:**

**Yeas: Maxwell, Van Dam, Jones, Gaudard, Skornia, Shepherd, Blandford**

**Nays: None**

## AGENDA APPROVAL

**MOTION by Maxwell, seconded by Shepherd to approve the agenda as presented, passed upon unanimous affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Maxwell, Van Dam, Jones, Gaudard, Skornia, Shepherd, Blandford**

**Nays: None**

## PUBLIC COMMENTS

Public comments open and closed at 7:09 pm with no comment.

## ELECTION OF OFFICERS

**MOTION by Van Dam, seconded by Maxwell, to open the nominations for the Officer positions of Bay Township Planning Commission.**

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**MOTION by Van Dam, seconded by Maxwell, to elect Dave Skornia as Bay Township Planning Commission Chair, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Van Dam, Gaudard, Jones, Shepherd, Skornia, Blandford, Maxwell**

**Nays: None**

**MOTION by Maxwell, seconded by Gaudard, to elect Steve Van Dam as Bay Township Planning Commission Vice-Chair, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Van Dam, Gaudard, Jones, Shepherd, Skornia, Blandford, Maxwell**

**Nays: None**

**MOTION by Skornia, seconded by Gaudard, to elect Lynn Maxwell as Bay Township Planning Commission Secretary, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Van Dam, Gaudard, Jones, Shepherd, Skornia, Blandford, Maxwell**

**Nays: None**

**MOTION by Skornia, seconded by Maxwell, to appoint Nancy Blandford as Bay Township Planning Commission Representative to the Zoning Board of Appeals, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Van Dam, Gaudard, Jones, Shepherd, Skornia, Blandford, Maxwell**

**Nays: None**

**SET 2021 MEETING DATES**

**MOTION by Jones, seconded by Maxwell, to approve the Planning Commission 2021 meeting dates as presented, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Van Dam, Gaudard, Jones, Shepherd, Skornia, Blandford, Maxwell**

**Nays: None**

**YEAR IN REVIEW**

**Bay Township Planning Commission  
Annual Report to the Board of Trustees for calendar year 2020**

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The primary activities and actions of the Bay Township Planning Commission (PC) during 2020 are summarized as follows:

1. The PC started the year continuing to work on the Bay Township Master Plan. After the minimally updated Master plan was submitted to the County Planning Commission, the County Planning Commission requested that Bay Township update the Master Plan in full. After deliberation, the Bay Township PC voted unanimously to engage Beckett & Raeder Inc (BRI) to do a complete review and update of the Master Plan. The PC requested that BRI condense the plan as much as possible and format it to be easily updated in the future.
2. After review of the Master Plan revisions and updates from BRI, in September the PC forwarded the draft plan to the Board of Trustees (BOT) for distribution and mandatory 63-day review by the general public and other governmental and non-governmental entities.
3. After the 63-day review process, deliberation and minor text changes, the PC voted unanimously in December to recommend that the BOT adopt the new Master Plan.
4. The PC continued with work that was started in 2019 on the Village Overlay District boundary map. In March, the PC held a public hearing on the district boundaries, development standards, and minor text changes to correct past errors.
5. After receipt of comments from the Charlevoix County Planning Commission, the PC deliberated and made minor text corrections based on those comments. In October, the PC unanimously approved sending zoning amendment 41, establishing permitted uses and special uses, applicable design standards, and the location of the Village Overlay District in the text and on the map, to the BOT for approval.
6. The PC reviewed and discussed the Bay Township zoning map that was supplied by Charlevoix county over the course of several meetings.
7. In February, the PC reviewed a special use permit application for a dog kennel and boarding facility on Horton Bay Road by Mark and Becky Lipchik. After a public hearing, where several neighbors voiced objections, the PC deliberated and unanimously voted to deny the Special Use Permit request.
8. April and May PC meetings were cancelled due to Covid19 challenges.
9. In July, the PC reviewed a new/revised special use application for a dog kennel and boarding facility on Horton Bay Road by Mark and Becky Lipchik. After a public hearing where several neighbors again voiced objections to the request, the PC had a lengthy deliberation and voted 5 to 2 to deny the Special use Permit request.
10. In July, the PC reviewed two special use permit applications by the Collins Family Revocable Trust. The first was for an accessory building without a principal structure on VanHoesen Road. With no public comment during the public hearing, the PC deliberated and unanimously approved the Special Use request with conditions. The Second application was a request to convert an existing small dwelling unit into an Accessory Dwelling Unit (ADU) on a parcel upon which the owners would like to build a new

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principal structure. With no public comment during the public hearing, the PC deliberated and unanimously approved the Special Use Request with conditions.

11. The PC did not meet in August.
12. The Collins Family Revocable Trust informed the Zoning Administrator that their plans had changed as pertained to the two Special Use Applications that the PC had approved in July. Consequently, the PC voted unanimously in the September meeting to rescind the two special use permits that were granted in July.
13. In September, the PC started discussions on updating the language for green belts in the Waterfront Overlay District.
14. In September, the PC started a discussion on best practices for the Special Use Permit process
15. In October, the PC held an educational training session conducted by BRI, during their regular meeting, on the Special Use Permit process. The session clarified the roles and responsibilities of the PC members in in the approval/denial process.
16. In November, the PC reviewed a Special Use Permit Application from Susan Panasuk and Douglas Fielder to replace an existing legal non-conforming “guest house” on a lot with a primary structure with a new conforming Accessory Dwelling unit (ADU). With no public comment during the public hearing the board deliberated and unanimously approved the Special Use Permit request.
17. In November, the PC discussed reviewing the language in Article 17.5, Lawful Lots of Record, in the Zoning Ordinance. After deliberation, the PC asked BRI to review the language and make recommendations for changes if appropriate. In December, BRI reported back to the PC on their review and had no recommended changes to suggest. After deliberation, the PC decided the language in the ordinance should stay the same.
18. In December, the PC was made aware of a numerical error on one parcel in the Village Overlay District and set a public hearing for January to start the process to correct the error.
19. In December, the PC discussed clarifying and improving the public hearing process. Work on this will continue in 2021.
20. The PC set the following goals for 2021:
  - a. Set a schedule to review the goals and priorities in the Bay Township. Master Plan on an annual basis with a focus on prioritizing timelines to accomplish those goals.
  - b. Finish documenting a clear process for public hearings.
  - c. Finish clarifying Greenbelt requirements.
  - d. Finish work on lot averaging (equivalent density) language clarification.
  - e. Review Article 13, Special Uses, and its use in the Zoning Ordinance.
  - f. Review the language and requirements on all Zoning Applications and Land Division Applications.

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The Planning Commission had a lengthy debate about the development of a Parks and Recreational Committee, with Board of Trustees direction, to best serve Bay Township.

### VILLAGE OVERLAY CORRECTION PUBLIC HEARING

Public hearing open and closed at 8:07 pm with no comment.

**MOTION by Van Dam, seconded by Gaudard, to recommend approval to the Township Board of zoning amendment 041 establishing permitted uses and special uses, applicable design standards, and location of the Village Overlay Zoning District in the text and on the zoning map, along with other minor text corrections related to accessory buildings in the remaining zoning districts, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Maxwell, Van Dam, Gaudard, Jones, Shepherd, Skornia,  
Blandford**

**Nays: None**

### GREENBELT PROTECTION LANGUAGE REVIEW

The draft zoning ordinance amendment (042) regarding the Waterfront Overlay District was sent to the Township attorney for review. The comments received were minor regarding language. The Planning Commission discussed protecting the Greenbelt while allowing land owners to be able to utilize their property.

**MOTION by Van Dam, seconded by Shepherd, to set a public hearing for the regular Planning Commission meeting on Tuesday, February 2, 2021 at 7:00 pm to gather public input on Zoning Amendment 042 to modify the standards related to the Waterfront Overlay District in Article VI of the Bay Township Zoning Ordinance, passed upon affirmative vote of the Board Members.**

**A roll call was taken:**

**Yeas: Maxwell, Van Dam, Gaudard, Jones, Shepherd, Skornia,  
Blandford**

**Nays: None**

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**ZONING ADMINISTRATOR REPORT:**

VanZee presented a zoning activity report.

**ZONING BOARD OF APPEALS REPORT:**

Blandford presented a Zoning Board of Appeals report.

**BOARD OF TRUSTEES REPORT:**

Gaudard presented a Board of Trustees report.

**OTHER:**

**CORRESPONDANCES:** N/A

**PUBLIC COMMENTS:** N/A

**ADJOURNMENT:**

**MOTION by Maxwell, seconded by Van Dam, to adjourn, passed upon unanimous affirmative vote of the Board Members.**

***A roll call was taken:***

***Yeas: Maxwell, Van Dam, Jones, Gaudard, Shepherd, Skornia, Blandford***

***Nays: None***

**Respectfully Submitted,**

**Kristin Baranski  
Deputy Clerk**