

BAY TOWNSHIP PLANNING COMMISSION
Regular Meeting Minutes
May 2, 2023
Bay Township Hall

CALL TO ORDER

Dave Skornia (Chair) called the meeting to order at 7:00 PM and led with the Pledge of Allegiance. Also, in attendance were: Joe Jones (Secretary), Nancy Blandford (ZBA Rep), Steve Van Dam (Board of Trustees Rep), Daniel Lisonbee and Jamie Shepherd. Also present: Kristin Baranski (Recording Secretary-ZOOM) and Ron Van Zee (Zoning Administrator); Excused absent: Barb Mathes-Alguire (PC Vice-Chair and Parks and Rec Rep)

PLEDGE OF ALLEGIANCE

**AGENDA AND
PRIOR MEETING MINUTES**

MOTION BY Shepherd, seconded by Blandford to approve the March 7, 2023 regular Planning Commission meeting minutes as presented, the April 4, 2023 regular Planning Commission meeting minutes as amended and the presented May 2, 2023 agenda passed upon unanimous affirmation vote of the Board Members.

Yeas: Skornia, Blandford, Jones, Van Dam, Shepherd, Lisonbee

Nays: None

PUBLIC COMMENTS

Public comments opened and closed at 7:02pm with no public comment.

**PUBLIC HEARING: SPECIAL USE PERMIT FOR AN ACCESSPRY DWELLING UNIT
8900 DEER RUN**

Public hearing opened at 7:05 pm.

Van Zee presented the application to the Planning Commission.

- Parcel ID: 15-001-121-001-35
- Parcel Address: 8900 Deer Run, Petoskey, Michigan 49770

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- Applicant's Name: Tarvudd Construction
- Applicant's Address: 932 Spring Street, Suite 203-A, Petoskey, Michigan, 49770
- Land Owner's Name: Mark Berg
- Requested Special Use: Establish the Berg pavilion as an Accessory Dwelling Unit
- Tarvudd is authorized to act on behalf of the homeowner
- Notices were mailed out to all property owners within 300 feet and notice was published in the Petoskey News Review
- **Newly constructed** structure is existing and is currently ~~sited~~ **cited** for violation of greenbelt- this violation has to be a condition to approval to restore the 45-foot greenbelt.
- Patio area on plan is NOT acceptable in the Greenbelt and needs to be removed

Applicant presented case:

- Intention was not to deceive by presenting a pavilion and in actuality it is an ADU
- Pavilion evolved into more than was originally ~~intention~~ intended
- Original property was essentially lawn all the way down to shoreline with a couple small trees
- Intent is to restore the 45-foot Greenbelt with all native plants to ~~protect~~ prevent runoff

Planning Commission Comments:

- PC needs to be in receipt of all Health Department and Building Department approvals/permits
- Bay Planning Commission has worked hard to incorporate **reasonable language** into Ordinance, enforce and encourage protection of the Lakes- and the ~~disturbance~~ destruction to the Greenbelt on this property is disturbing
- Paver area/ patio/ fire pit and black top to lake need to be adjusted to honor Ordinance

Pubic hearing closed at 7:41 pm and Planning Commission began deliberation.

Planning Commission can either table the application until receipt of acceptable final drawing reflecting the desired restored greenbelt or can approve with conditions. PC is requiring a final accurate drawing; accurate restoration plan must meet the Ordinance requirements such as: include all native plants (some deep ~~rotted~~-rooted/some shallow); remove firepit, asphalt driveway and patio from plan; correctly label the

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exercise room as a bedroom. Planning Commission members remain firm on the need to have corrected drawings as well as a detailed greenbelt restoration plan.

~~Jamie table Berg SPU request until June meeting when the above conditions are met, Nancy second.~~

MOTION BY Shepherd, seconded by Blandford to table the Berg SUP request until June 6, 2023 meeting passed upon unanimous affirmation vote of the Board Members.

Yeas: Skornia, Blandford, Jones, Van Dam, Shepherd, Lisonbee

Nays: None

ARTICLE 17 FINAL LANGUAGE

Van Dam will forward to Township Attorney for review.

ARTICLE 6 LANGUAGE

PC Members came to the consensus to continue working on Article 6; concern about whom to work with now ~~that~~ that Kacey Cook is no longer with Tip of the Mitt; perhaps LIAA- Skornia will reach out.

ZONING ADMINISTRATOR REPORT

Van Zee presented an oral report.

ZONING BOARD OF APPEALS REPORT

N/A

BOARD OF TRUSTEES REPORT

Van Dam presented a written report.

OTHER CORRESPONDANCES

N/A

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PUBLIC COMMENTS Public comments opened and closed at 9:17 pm.

ADJOURNMENT

MOTION by Blandford, seconded by Van Dam, to adjourn at 9:27 pm, passed upon unanimous affirmative vote of the Board Members.

Yeas: Skornia, Blandford, Jones, Van Dam, Shepherd, Lisobee

Nays: None

Respectfully Submitted,

Kristin Baranski
Recording Secretary