

MELROSE TOWNSHIP PLANNING COMMISSION MINUTES
MELROSE TOWNSHIP HALL

REGULAR MEETING OF SEPTEMBER 26, 2022

I. Call to Order/Roll Call

A. **Call to Order:** Chair Bart Wangeman called the meeting to order at 5:31 PM.

B. **Members present:** Bart Wangeman, Julie Christy, Dan Nowland, Charley Zimmer, and Tim LaGasse (arrive 5:34 PM).

C. **Members absent:** None.

D. **Staff present:** Township Supervisor Vern Goodwin and Zoning Administrator Ken Lane.

II. Approval of Agenda

There was discussion amongst the Planning Commission to address the rezoning application submitted by Scott Eriksen under unfinished business. By consensus the agenda was approved as presented.

III. Approval of Minutes

Chair Wangeman stated that the motion relating to the Scott Eriksen rezoning request as included in the August 22, 2022, meeting minutes should be modified to reflect that the Planning Commission failed to take any action on the request due to a tie vote. The result of the tie vote was not a denial, rather it served as no action on the request.

Member Christy motioned to approve the August 22, 2022, draft minutes with amendments as presented, seconded by Member LaGasse, the motion was approved unanimously.

IV. New Business

1. **Waterfront Overlay Review.** Chair Wangeman opened the review for the Planning Commission by stating that a zoning permit application had been submitted by Robinsons Landscaping to install shoreline rip rap along the beach area at 3889 M-75 N. The permit application had been submitted after the work had been completed. Chair Wangeman asked staff if they had any comments.

Supervisor Goodwin had met with the applicant while serving as Zoning Administrator. He provided that Robinsons Landscaping had completed the rip rap work in accordance with a permit they had received from EGLE, but had neglected to obtain a zoning permit as required in the Waterfront Overlay District.

Chair Wangeman asked if the applicant would like to address the Planning Commission. Cameron Robinson introduced himself and said he was available if the members had any questions.

Chair Wangeman referred the Planning Commission to the Waterfront Overlay District standards found in Article VI, Section 6.11 of the Township Zoning Ordinance. Chair Wangeman suggested that the Planning Commission initially consider the site plan data requirements listed in Section 6.11 (2) of the Zoning Ordinance. Chair Wangeman addressed each of the requirements:

(a) Chair Wangeman offered that the applicant had met the requirements of Section 6.11 (2) (a) by submitting the appropriate plans for review. The remainder of the Planning Commission agreed.

(b) Chair Wangeman suggested that the plans submitted by the applicant comply with the requirements of Section 6.11 (2) (b) and that the inclusion of topographic data was irrelevant. The remainder of the Planning Commission agreed.

(c) Chair Wangeman suggested that Section 6.11 (2) (c) was not applicable because the project had no outdoor lighting. The remainder of the Planning Commission agreed.

(d) Chair Wangeman offered that the plans submitted by the applicant detailed the plan that had been used for controlling traffic meeting the requirements of Section 6.11 (2) (d). The remainder of the Planning Commission agreed.

(e) Chair Wangeman suggested that Section 6.11 (2) (e) did not apply because the project area was less than 5000 sq ft and there had been no cut and fill. The remainder of the Planning Commission agreed.

(f) Chair Wangeman suggested that the permit obtained by the applicant from EGLE adequately addressed the soil erosion requirements of Section 6.11 (2) (f). The remainder of the Planning Commission agreed.

(g) Chair Wangeman offered that the last page of the submitted plans detailed the areas that were cleared of vegetation in compliance with Section 6.11 (2) (g). The remainder of the Planning Commission agreed.

(h) (i) Chair Wangeman offered that the submitted plans complied with the requirements of Section 6.11 (2) (h) & (i). The remainder of the Planning Commission agreed.

Chair Wangeman asked the other members of the Planning Commission if there was further discussion or comment on the requirements. The remainder of the Planning Commission agreed the requirements had been met.

Chair Wangeman suggested that the Planning Commission consider the site plan approval standards listed in Section 6.11 (1) of the Zoning Ordinance. Chair Wangeman went through each of the standards:

(a) Chair Wangeman offered that the applicant had complied with the requirements of Section 6.11 (1) (a) because the submitted plans demonstrated the impact on vegetation. The remainder of the Planning Commission agreed.

(b) Chair Wangeman again suggested that the permit obtained by the applicant from EGLE adequately addressed the soil erosion requirements of Section 6.11 (1) (b). The remainder of the Planning Commission agreed.

(c) Chair Wangeman suggested that Section 6.11 (1) (c) may not be applicable because the work conducted was not a development that had any visual impact, but added that the completed rip rap and landscaping looked nice. The remainder of the Planning Commission agreed.

(d) Chair Wangeman suggested that the cedar trees planted along the shoreline complied with the requirements of Section 6.11 (1) (d). The remainder of the Planning Commission agreed.

(e) Chair Wangeman offered that Section 6.11 (1) (e) was not applicable because no structure was built. The remainder of the Planning Commission agreed.

(f) Chair Wangeman stated that Section 6.11 (1) (f) was not applicable because administrative review by the Zoning Administrator was not an option due to the amount of lake frontage being more than 120’.

Chair Wangeman added that despite being submitted after the fact, the application and supporting plans met the standards and requirements under the Township Zoning Ordinance. Chair Wangeman asked the remainder of the Planning Commission if they disagreed, and there was no disagreement.

Chair Wangeman asked if the applicant had paid the corresponding permit fee. Supervisor Goodwin responded that the fee had not yet been paid, and it will be calculated as a permit issued after the fact.

A motion was made by Member Zimmer, seconded by Member Christy, to approve the Zoning Permit application submitted by Robinsons Landscaping, allowing for the installation of shoreline rip rap along the beach area at 3889 M-75 N, based upon the submitted application and plans meeting the standards and requirements of the Township Zoning Ordinance as stated by Chair Wangeman. Motion was unanimously approved.

Chair Wangeman introduced the new Township Zoning Administrator, Ken Lane, and apologized for not making the introduction sooner.

2. Recreation Plan Review. Chair Wangeman welcomed Jennifer Neal, Community Planner with Networks Northwest. Ms. Neal informed the Planning Commission that a Parks & Recreation Plan survey had gone out in Melrose Township, and the presentation materials included in the Planning Commission meeting packet contained the survey results. To date, there has been 28 responses to the survey. Ms. Neal stated that she will go through portions of the presentation materials and that the most important aspect of a parks & recreation plan is community involvement, because it is a community plan. Ms. Neal stated that the Michigan DNR requires submission of a parks & recreation plan by February 1 of a given year. So, the target submission year for Melrose Township will be 2024. This will provide plenty of time to engage the community and meet all the Township's objectives.

Ms. Neal noted that the Planning Commission will lead the parks and recreation plan update for the Township, and she and Networks Northwest will be there to assist during every step in the process.

Ms. Neal went through the Township demographics as outlined in the presentation materials. Ms. Neal noted that Melrose Township is younger in terms of resident age in comparison to most other communities in Charlevoix County. Ms. Neal commented that this is important to know, because resident age can impact the types of recreation activities and facilities a community desires.

Chair Wangeman asked what percentage of residents typically respond to a parks and recreation survey. Ms. Neal stated generally the response is 10% of residents in a given community, but she was hopeful to receive 20-25% response in Melrose Township. Ms. Neal suggested getting the Township's Downtown Development Authority involved with the survey to boost responses.

Ms. Neal informed the Planning Commission that the topics for the next survey will focus on recreation facility inventory to compile a list of what exists in the Township, and what facilities the community wants to see added. Ms. Neal stated that a public meeting is often a good way to kick off a facility inventory survey.

Chair Wangeman confirmed with Supervisor Goodwin that the goal in updating the Township's parks and recreation plan is to create eligibility for grant funding from the state of Michigan.

Ms. Neal provided that the next survey can be distributed online and will go out with the Fall newsletter and utility bills. The survey will not be restricted to Township residents. Ms. Neal encouraged the Planning Commission to solicit survey responses.

Chair Wangeman thanked Ms. Neal for her presentation.

V. Unfinished Business

Chair Wangeman reminded the Planning Commission of the need to take final action on the rezoning request submitted by Scott Eriksen. Chair Wangeman asked if anyone in attendance was there on behalf of Mr. Eriksen or otherwise wished to speak on the rezoning request. There was no response.

Chair Wangeman asked the Planning Commission members if they wanted to further discuss the rezoning request. None of the members indicated further discussion was necessary.

Chair Wangeman made the following motion: After consideration of the rezoning application and supporting documents, hearing testimony during the public hearing on August 18, 2022, and after Planning Commission deliberation and findings on the rezoning evaluation criteria, I move to recommend denial of the May 18, 2022, application for rezoning submitted by Scott Eriksen, requesting to rezone the parcel at 00731 US 131 N, Tax ID #15-010-033-007-00 from FF to B1, based upon the following:

- The proposed rezoning is not consistent with the Melrose Township Master Plan and its Future Land Use Map which designates the parcel as FF;
- The proposed rezoning is not compatible with surrounding parcels which are zoned (FF) Farm & Forest or (CR) Forest Conservation;
- There has been no evidence presented that shows the property cannot be used as currently zoned or that the parcel is mistakenly zoned; and
- The proposed rezoning would constitute impermissible spot zoning.

The motion was seconded by Member LaGasse and was unanimously approved.

VI. Other Communications/Reports

Zoning Administrator Lane stated that a site plan had been received from Performance Engineers for a mixed use development at 04036 M-75 N in the C-3 Zoning District on property owned by Walloon Lake Holdings, LLC.

Supervisor Goodwin stated that the Walloon Lake Country Club was waiting on plans and hoped to come before the Planning Commission in October.

VII. Zoning Board of Appeals Report

Nothing to report.

VIII. Planning Commissioner Comments

Some discussion about what was happening at the old roller rink.

IX. Citizen Comments on Non-Agenda Items

APPROVED

None.

X. Next Meeting Scheduled

Monday, October 24, 2022 at 5:30 PM.

XI. Adjournment

At 6:45 PM.

Prepared by:

Planning Commission Approval by:

Ken Lane, Zoning Administrator/Recording Sec.

Charley Zimmer, Secretary

Copies: Melrose Township Board, Planning Commission Members, www.melrosetwp.org