

Approved

GLEN ARBOR TOWNSHIP
Planning Commission
Glen Arbor, Michigan 49636

January 2, 2009

CALL TO ORDER: The meeting of the Glen Arbor Township Planning Commission was called to order by Chairman Lance Roman at 7:34 P.M.

ROLL CALL: Present were Kent Kelly, Jim Seeburger Frank Wilcox, Barbara Gordon, Lois Saltsman, and Lance Roman. Jerry Geisler was absent.

AGENDA: Jim Seeburger added the New Pine Street Walkway topic to New Business.

APPROVAL OF MINUTES: Jim Seeburger moved the minutes of the December meeting be approved, Frank Wilcox supported the motion and it passed with Kent Kelly abstaining.

CORRESPONDENCE: A letter from Sue Nicols regarding the parking and site plan for the Miniature Golf Course, a meeting notice for 2009 Planning Commission, and a Grand vision informational booklet.

TOWNSHIP BOARD REPORT:

Kent Kelly reported on the December 16 regular meeting of the Township Board: Of particular note: Andy DuPont will be appointed Chairman to ESAC in August 2009. Batterson will continue to serve as Chairman until then. Leelanau School's dormitory turning radius and building specifics will be presented to the Planning Commission and will meet fire Marshall safety specifications. John Dodson believes that the Board should get acknowledgement for support of the Emergency Services. Calls are up 40%. A petition was distributed for signatures to designate Cheney Road as a Natural Beauty Road. Signees did not have to live on Cheney Road. The Road Commission makes the decision as to whether to make the designation. The certificate of occupancy has been issued for the Public Restrooms. There is a small list of things left to do in the spring. A copy of the Township minutes are filed with January Commission minutes.

ZONING ADMINISTRATORS REPORT:

Bob Hawley reported he issued two permits in December.

ZONING BOARD OF APPEALS REPORT:

Barbara Gordon reported that there was no meeting of the ZBA in December.

PUBLIC COMMENTS:

Sarah Litch gave a presentation regarding hilltop and hillside preservation. Bill Batterson and John Hoagland both commented favorably on exploring this issue as they both felt you could build a house that cannot be seen from the lake and still have a view of the lake from the property.

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NEW BUSINESS:

The Commission voted on retaining the Officers as they are for another term. Lance Roman as Chairperson, Frank Wilcox as Vice Chair, and Jim Seeburger as Secretary. Jim Seeburger moved this slate be accepted and Frank Wilcox supported. The motion passed unanimously.

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Lance reported that he has not had the chance to get in touch with Attorney, Dick Figura regarding the *Memorandum of Understanding* submitted by Mike Sutherland. Lance did speak with Mark Wycoff regarding preventing selling off parcels. Wycoff said it should be mitigated through the site plan review and a definition of a lot or site as one or more described parcels. The Planning Commission has to police any change in the parcels that the Miniature Golf Course encompasses. To date the site plan is still not to scale.

Sue Nicols questioned issuing citations if the Miniature Golf Course does not comply with the approved site plan. There is concern over the issuing of a permit for a septic system but this is an issue for the Health Department. Zoe Smith said there is a \$250.00 fine applicable for civil and municipal infractions.

Lance stated that the Zoning Administrator interprets the Ordinance and it goes to the ZBA. The Planning Commission only is responsible for reviewing the site plan. Bob Hawley reported that Sutherland did not have any new construction and only improved the grounds. His parking requirement was for 2400 square feet of buildings would indicate the need for 26 parking places.

Barbara Gordon asked that a legible site plan be provided by Sutherland.

Amy Peterson felt the Miniature Golf Course provided a good time for a lot of families.

Kent Kelly cited the Zoning Ordinance on Page 17 4.4 regarding the legal requirements for lots. It was stated that the Planning Commission hurried to approve an incomplete site plan so Sutherland could get the Golf Course open. Sutherland was to have completed the site plan by the next Planning meeting and it was not submitted as complete for several months.

Lance will speak with Dick Figura regarding the content of the *Memorandum of Understanding*.

Sue Nicols requested her comments and past emails correspondence be attached to the minutes for record. The chair asked her to re-send the minutes in electronic format to make them easier to attach. These emails and correspondence are provided as an addendum to the January 2009 minutes.

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Jim Seeburger reported on the progress of the Pine Street walkway. Ted Peterson provided drawings of concepts of bridges that might be used to cross two swales. The walkway would be a hard surface to accommodate wheel chairs. Jim thought that Bob Kuras might be interested in providing some lighting along the path. County and

DEQ permits will probably be required. The Planning Commission members were in favor of this project providing the funding does not come out of public funding.

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OLD BUSINESS:

No old business was discussed and will be continued until the February regular meeting.

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PUBLIC COMMENTS

No further public comments.

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COMMISSION MEMBER COMMENTS:

No further Commission member comments.

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ADJOURNMENT:

Lance Roman adjourned the regular meeting of the Glen Arbor Township Planning Commission at 9:08 PM

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Respectfully submitted,
Dotti Thompson
Recording Secretary
Planning Commission

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Addendums to January 2009 Minutes

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Dear Lance:

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I have recently read over the December Meeting Minutes and found that some key points I had made had not been included. I specifically asked that my comments go on record and they were ignored.

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I would like this letter as well as my previous letters attached to the meeting minutes, along with the responses I received. I will bring in hard copies to the January 2009 Planning Commission Meeting as well as forward hard copies to both the Planning Commission and the Glen Arbor Township Board.

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My main concern in the acceptance of an updated site plan from Mike Sutherland in regards to the miniature golf course is as follows:

1. 1. A site plan was submitted in October, 2007 that was offered by Mike Sutherland and accepted by the Glen Arbor Planning Commission with 34(thirty four) parking spots with an additional nine near the golf course building for future parking. This is the only accepted plan on record by the Glen Arbor Planning Commission to date.
2. Somewhere along the way the Planning Commission and/or Administrator changed the parking in location and amount. The location has been moved and the amount of parking has been reduced by 1/3 to only 23 (twenty parking spaces).
3. A land use permit was given to Mike Sutherland for the Miniature Golf Course without following the Planning Commission criteria listed under permit requirements with a request from the Planning Commission for an updated plan to be given at a future date.

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I have asked questions both in writing and in person of the board members and the administrator and I have not received an answer as to exactly what meeting the parking was relocated and reduced. There has been no variance given to my knowledge and no vote/motion was made to make changes to the original submitted and accepted site plan.

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It is my understanding that if a site plan is submitted, even though it may have been inadequate as to the standards set by the Planning Commission, that if there are changes to be made it would have to go through the Zoning Board of Appeals in order to be changed.

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I respectfully ask that my questions/comments are attached to the January, 2009 Planning Commission Meeting Minutes under correspondence.

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Thank you,

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Suzanne Nichols
PO Box 296
Glen Arbor, MI 49636
(231)334-3876

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--- On Tue, 1/6/09, Sue Nichols <slnlake@yahoo.com> wrote:

From: Sue Nichols <slnlake@yahoo.com>
Subject: Correspondence for Glen Arbor Planning Commission
To: rj@roman-jones.com
Cc: barbaragordon@chartermi.net, "Sue Cohen" <susan@susanecohenlaw.com>, djseeburger@yahoo.com, "Greg Halik" <greg@halik.net>, hawley@centurytel.net, kentkgl@chartermi.net, lody@centurytel.net, "Bonnie Quick" <glenarbor@charterinternet.com>, "Zoe & Mike" <zoenmike@centurytel.net>

Date: Tuesday, January 6, 2009, 7:16 AM

Dear Lance:

I would appreciate if we could have an active discussion at the January 6, 2009 Planning Commission Meeting on the chain of events leading to the acceptance and issuance of a land use permit based on the Miniature Golf Course plan from both October, 2007 and May, 2008.

I had sent a letter, via email, on December 31, 2008 to the Commission Members and other interested parties. I am still just trying to confirm how the procedure works as far as replacing a submitted/accepted plan and taking on a secondary plan for the same property before the first plan has even been given final approval.

The original plan had 34 parking spaces on the other side of the stream, with future parking marked alongside the building. There was no street parking and that was discussed as a good thing because of Oak Street being a main road used by the EMS vehicles.

I am still concerned as to how this plan was discarded and a new plan has taken its place with off street parking listed as only 17 spaces, the rest is back on Oak Street and the whole parking lot has moved from its original location.

The parking and lot measurements are still not listed as required by the Zoning Ordinance, Version 4.2, May 2008 and I do feel that if the Planning Commission is going to accept yet another plan on this issue that it at least be accurate by all standards and measurements to avoid further confusion.

Thank you,

Sue Nichols
PO Box 296
Glen Arbor, MI 49636
334-3876

--- On **Wed, 12/17/08**, Clay McNitt <CMcNitt@bldhd.org> wrote:

From: Clay McNitt <CMcNitt@bldhd.org>
Subject: RE: Sewer Permit for Miniature Golf Course
To: "Sue Nichols" <slnlake@yahoo.com>
Date: Wednesday, December 17, 2008, 9:38 AM

Sue,

To date the Benzie Leelanau District Health department has not received a septic permit application for the proposed miniature golf course use. The department has done preliminary work under site survey applications to verify a limited amount of septic area available, and the department has issued a well permit for initial irrigation uses. If you have any questions regarding this information please feel free to contact me at 231 256 0215, or by email.

Thanks

Clay W. McNitt

Environmental Sanitarian

From: Sue Nichols [mailto:slnlake@yahoo.com]
Sent: Wednesday, December 17, 2008 8:44 AM
To: Clay McNitt
Subject: Sewer Permit for Miniature Golf Course

Dear Clay:

I was wondering if you can give me a date when Mike Sutherland applied for a septic/sewer permit from the Health Department regarding the Miniature Golf Course?

I would also like to know when and if it had been approved.

Thank you,

Sue Nichols

PO Box 296

Glen Arbor , MI 49636

334-3876