

GLEN ARBOR TOWNSHIP

Planning Commission
Glen Arbor, Michigan 49636

October 6, 2022

CALL TO ORDER:

Chairman Lance Roman called the meeting of the Planning Commission to order at 7:30P.M.

ROLL CALL:

In attendance: Lance Roman, Bill Thompson, Bob Ihme, Bob Hawley, Dave Burton
Jeff Gietzen and Andy Dotterweich.

Tim Cypher, Zoning Administrator was also present.

PLEDGE OF ALLEGIANCE

AGENDA:

Accepted as presented

MEMBER CONFLICTS OF INTEREST

There were no member conflicts of interest.

APPROVE MINUTES OF THE PREVIOUS MEETING:

The minutes of the September meeting were approved by a motion from Ihme and supported by Thompson. The motion carried. Dotterweich requested that the format of the minutes be changed to move Public Comments heading to after the Business heading.

CORRESPONDENCE:

There was no correspondence.

TOWNSHIP BOARD REPORT:

Hawley reported the Township Board has appointed John DePuy as Township Trustee to fill Peppler's vacant seat.

ZONING ADMINISTRATORS REPORT - Cherry Republic

Cypher met with the new legal counsel that provided comments regarding Cherry Republic's off street parking requirements. Three bullet points were suggested:

- The applicant provide an easement agreement, as opposed to deed restrictions, to be approved by the Zoning Administrator and the Planning Commission, that reserve dedicated parking on parcels that are different locations than

the business being permitted.

- The applicant provide a title search for parcels confirming ownership and no underlying building or ease restrictions.
- The approval should provide that Cherry Republic be the leasee and if there is a new leasee they will need to establish compliance with the offsite parking requirements.

They should also provide coordination by the lender and if an easement is extinguished by foreclosure the site plan approval is revoked unless it is confirmed by the foreclosing mortgagee.

A quick response was received by Cherry Republic's legal council that a response should be heard tomorrow.

Cypher: If the site plan is not approved, the two shipping containers, used to service customers, could be null and void. It is important to have this clarified. Parking is being contested and basically all that is being done is to memorialize what is in the site plan.

Hawley commented that originally the Planning Commission went through a long process to establish the number of parking places Cherry Republic had.

Cypher commented that 50 more seats have been added and the two fore mentioned shipping containers.

A discussion regarding parking ensued by the Planning Commission with some insight from Hawley, who was Zoning Administrator at the time the original Cherry Republic parking was approved.

Cypher is sending a notice to John Martin regarding his containers in Coffee Roasters lot. The containers were to have been removed after Labor Day and they have not been removed. Cypher will notify them that they will need to come up to the Planning Commission to review and a change in an authorization to remove that parking and use the parking places they have in the back of the establishment.

ZONING BOARD OF APPEALS REPORT:

Dotterweich commented that there is no activity upcoming.

Cypher commented that he just heard from an attorney named Tom Greer who is representing Glen Arbor in a law suit. It was contended that there was information that was not available to the applicant but available to the ZBA members. There was an 80 page document in which 20 of 21 disputed documents were already in the applicants application.

BUSINESS:

1. Watershed proposal review against current ordinance - Andy D.
Dotterweich presented a draft comparison chart between Glen Arbor zoning and the watershed proposal. The Commission discussed..
2. Review ordinance reorganization:
Roman presented a revised Table of Contents of the 2019 version of the Zoning Ordinance. Would like ideas on how to proceed getting Ordinance to flow better and clarify areas while maintain neutral content.

PUBLIC COMMENTS:

Jim Dutmers commented on the Watershed project. Tom Dutmers also commented. Roman will add the Watershed Proposal to the Agenda when contacted by the Dutmers. November is their target.

COMMISSION MEMBER COMMENTS:

Burton questioned if there was any interest in a Windmill Ordinance
Cypher notified the Commission he will be out of town the first eight days of November.

ADJOURN:

Planning Chairman Roman adjourned the meeting at 9:25PM

Respectfully Submitted
Dotti Thompson
Recording Secretary
Planning Commission