

ONEKAMA TOWNSHIP PLANNING COMMISSION

REGULAR MEETING THURSDAY, JULY 20, 2017

7 P.M., TOWNSHIP HALL

The meeting was called to order at 7 p.m. by Chairman Jim Trout.

The Pledge of Allegiance was said.

MEMBERS PRESENT: Al Taylor, Jon Phillips, Beata Hunt, Tom Volkema, Robert Blackmore, Roger Cody, Trout. Also present: Township Attorney Tom Grier, Bob Gezon/Windfalls Landing LLC, developer of Portage Point Inn, Attorney Kristyn Houle, representing CCPL (Concerned Citizens for Portage Lake), Recording Secretary Mary Lou Millard.

MINUTES: Motion by Cody, second by Blackmore to approve the minutes of the July 13, 2017 Special Meeting and Public Hearing. Motion carried.

AMEND AGENDA: Nothing to add.

ZONING ADMINISTRATOR'S REPORT: For the month of June, 2017: Four Land Use Permits, one variance application, public hearing set for SUP amendment for Portage Point Inn.

PUBLIC COMMENT: Comments received from Judith Spohn regarding gas tanks taken out in 1993 and 1998; Tenley Lippie, Houle, and Gezon, who pointed out he had never been a partner with Mike DeVoe.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

---PPI AMENDMENT TO EXISTING SPECIAL USE PERMIT: Trout read the Definitions of a Waterfront Resort Complex from the Onekama Township Ordinance, added by amendment, January, 1985 and approved at a special election June, 1995.

MOTION by Phillips, second by Hunt to accept and admit to the record all submissions by Houle, Karen Ferguson et al; Christopher Grobbel No.2; Braithwaite and other documents through July 20, 2017, including Greg Wycamp No.2 of July 11, 2017.

Trout said on June 15 the commission had a working meeting with Gezon and marked up the site plan. The plan was approved provided Gezon would supply "clean" copies to the commission.

MOTION by Volkema, that whereas the July, 2017 "clean copy" of the Portage Point Inn/Windfalls Landing site plan is an accurate and true depiction of the original site plan accepted in 2016, excepting the addition of certain non-substantive changes depicting alterations in parking and parking lot traffic patterns; additional and specific requirements for building appearance and design; landscaping and

berming; as well as other minor changes as required by the Planning Commission and given preliminary approval on June 15, 2017 pending receipt of a “clean copy” of the site plan reflecting those non-substantive changes, I make a motion that the Onekama township Planning Commission accept and approve the plan before us as the official and final site plan for the request to amend the existing Special Use Permit to operate a Waterfront Resort Hotel. Motion seconded by Hunt. Motion carried.

Trout said the site plan is dated July 6, 2017. If approved (today) on July 20, 2017, Gezon and Trout will both sign the site plan document.

MOTION by Cody, second by Blackmore to accept for the record the compilation of documents known as the Historical Record--Exhibits 1 through 57-- and beyond to include additional exhibits and documents as may be added during the course of Planning commission deliberations on the issue of the request to amend the existing Special Use Permit to operate a Waterfront Resort Complex known as the Portage Point Inn. Motion carried.

REVIEW OF LETTERS SENT:

---Taylor: Disagreed with letter commenting on nitrates and water quality. Data for the past 30 years has been on the website; there is plenty of water quality data available to the public.

---Volkema: Regarding the CCPL’s comments on electrical issues with swimmers: Gezon’s main concern is water safety. We didn’t take his word for it, we got opinions of other people.

---Hunt: The CCPL needs to know that the issues will be taken care of or a permit won’t proceed.

---Trout: This SUP permit is tighter than previous SUP permits. The issue of boats on the road being dangerous to pedestrians: the boats won’t be on the road except in “shoulder” seasons. The point of the traffic study was to analyze the increase in traffic going to the Inn. Increase in traffic would be minimal. Peak traffic would be 26 cars. The comment that the commission “forced” Planner Suzanne Schulz to change the amendment is not true.

---Cody: A comment by Grobbel (CCPL—environmental expert) was discussion of the how this would affect the lake. I asked the Grobbel if he knew about the Clean Marina Act; he did not.

FINDINGS OF FACT: Trout said the Findings of Fact were prepared by Atty. Grier and township staff but told the commissioners they were free to change anything in the document.

Grier said there are separate Findings for the Inn, Marina and boat Barn.

Trout reviewed the Findings, which address the standards contained in Article 86, Section 8607 of the Onekama Township Zoning Ordinance for special use permits. The proposed findings are supported by documents and exhibits contained in a set of binders and are available for public review at the township office during regular business hours.

There was an in-depth discussion and review of the Findings by the commissioners.

MOTION BY Cody that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** and following examination of: A. *“Be harmonious and compatible with and in accordance with the general objectives, intent and purposes of this Ordinance, both generally and for the particular district;”* I move that the Planning Commission, has, after review of the “Findings”-A- in the draft amended Special Use Permit, affirmed that-YES- the amended Special Use meets the requirement of 8607 **A** for each of the reasons set forth in that section (A) of the “Findings” of the draft SUP document. Seconded by Volkema. Motion carried unanimously.

MOTION by Hunt that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** following examination of: B. *“Conform to any applicable provisions of Section 1001 et.seq., Section 8602.B, Section, Section 8607, and specific special use standards in the respective district;”* I move that the Planning Commission has, after review of the “Findings”-B- in the draft amended Special Use Permit, affirmed that-YES- the amended Special use meets the requirement of 8607 **B** for each of the reasons set forth in that section (B) of the “Findings” draft of the SUP document. Seconded by Cody. Motion carried unanimously.

MOTION by Hunt that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** and following examination of: C. *“Conform to any minimum requirements established for the land use in the district in which the special use is to be located;”* I move that the Planning Commission has, after review of the “Findings”-C- in the draft amended Special Use Permit, affirmed that –YES- the amended Special Use meets the requirement of 8607 **C** for each of the reasons set forth in that section (C) of the “Findings” of the draft SUP document. Seconded by Blackmore. Motion carried unanimously.

MOTION by Taylor that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** and following examination of: D. *“Conform to any standard set forth in the definition of proposed special land use as defined in this ordinance;”* I move that the Planning Commission has, after review of the “Findings”- -D- in the draft amended Special Use Permit, affirmed that –YES- the amended Special Use meets the requirement of 8607 **D** for each of the reasons set forth in that section (D) of the “Findings” of the draft SUP document. Seconded by Phillips. Motion carried unanimously.

MOTION BY Phillips that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** and following examination of: E. *“Be designed, constructed, operated, maintained and managed to be harmonious and appropriate with the existing or intended character of the general vicinity and be compatible with adjacent uses of land;”* I move that the Planning Commission has, after review of the “Findings”:-E- in the draft amended Special Use Permit, affirmed that-YES-the amended Special Use meets the requirement of 8607 **E** for each of the reasons set forth in that section (E) of the “Findings” of the draft SUP document. Second by Taylor. Motion carried unanimously.

MOTION by Blackmore that as required by Section 8607 of the Zoning Ordinance, **Required Standards and Findings for Making Determinations,”** and following examination of: F. *“Be served adequately by*

essential public facilities and services such as streets and roads, police and fire protection, drainage structures, refuse disposal, or the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;" I move that the Planning Commission has, after review of the "Findings"-F- in the draft amended Special Use Permit affirmed that-YES-the amended Special Use meets the requirement of 8607 **F** for each of the reasons set forth in that section (F) of the "Findings" of the draft SUP document. Seconded by Volkema. Motion carried unanimously.

MOTION Cody that as required by Section 8607 of the Zoning Ordinance, **Required Standards and Findings for Making Determinations,**" and following examination of: G. *"Not be hazardous or disturbing to existing or future neighboring uses:"* I move that the Planning Commission has, after review of the "Findings"-G- in the draft amended Special Use Permit, affirmed that –YES-the amended Special Use meets the requirement of 8607 **G** for each of the reasons set forth in that section (G) of the "Findings" of the SUP document. Seconded by Blackmore. Motion carried unanimously.

MOTION by Phillips that as required by Section 8607 of the Zoning Ordinance, **"Required Standards and Findings for Making Determinations,"** and following examination of: H. *"Not create excessive additional requirements at public cost for facilities and services;"* I move that the Planning Commission has, after review of the "Findings"-H- in the draft amended Special Use Permit, affirmed that-YES- the amended Special Use meets the requirement of 8607 **H** for each of the reasons set forth in that section (H) of the "Findings" of the draft SUP document. Seconded by Cody. Motion carried unanimously.

MOTION by Blackmore that as required by Section 8607 of the Zoning Ordinance, **"Required Standards and Findings for Making Determinations,"** and following examination of: I. *"Be consistent with the general public health, safety and welfare of the Township:"* I move that the Planning Commission has, after review of the "Findings"-I- in the draft amended Special Use Permit, affirmed that-YES-the amended Special Use meets the requirement of 8607 **I** for each of the reasons set forth in that section (I) of the "Findings" of the draft SUP document. Seconded by Hunt. Motion carried unanimously.

MOTION by Volkema that as required by Section 8607 of the Zoning Ordinance, **"Required Standards and Findings for Making Determinations,"** and following examination of: J. *"Conform to the Land Use Plan for physical development of the Township as embodied in this Ordinance and in any master plan or portion thereof adopted by Onokama Township;"* I move that the Planning Commission has, after review of the "Findings" –J- in the draft amended Special Use Permit affirmed that –YES-the amended Special Use meets the requirement of 8607 **J** for each of the reasons set forth in that section (J) of the "Findings" of the draft SUP document. Seconded by Hunt. Motion carried unanimously.

MOTION by Blackmore that as required by Section 8607 of the Zoning Ordinance, **"Required Standards and Findings for Making Determinations,"** and following examination of: K. *"Conform to any specific standards given with special (or) temporary uses listed elsewhere in this Ordinance;"* I move that the Planning Commission has, after review of the "Findings"-K- in the draft amended Special Use Permit, affirmed that –YES- the amended Special Use meets the requirement of 8607 **K** for each of the reasons set forth in that section (K) of the "Findings" of the draft SUP document. Seconded by Volkema. Motion carried unanimously.

MOTION BY Phillips that as required by Section 8607 of the Zoning Ordinance, **“Required Standards and Findings for Making Determinations,”** and following examination of: *L. Conform, in design, to all applicable general regulations and specific district regulations listed elsewhere in this Ordinance:”* I move that the Planning Commission has, after review of the “Findings;-L- in the draft amended Special Use Permit, affirmed that –YES- the amended Special Use meets the requirement of 8607 L for each of the reasons set forth in that section (L) of the “Findings” of the draft SUP document. Seconded by Cody. Motion carried unanimously.

MOTION by Trout, second by Blackmore to accept the General Findings of Fact No. 1-17 as an accurate and truthful statement of the Findings of fact. Motion carried.

The commission recessed at 9:24 p.m.

The meeting was called to order by Trout at 9:30 p.m.

MOTION that after over 15 months of review, including multiple input from the community and careful study of reports submitted by expert professionals in the respective fields of Traffic, Marina design/environmental impact, and analysis of the entire proposal to amend the existing Special Use Permit to operate a Waterfront Resort Complex known as the Portage Point by nationally renowned and accredited City Planner S. Schulz: I move that the Onekama Township Planning Commission fully approve the request from Windfalls Landing LLC/Robert Gezon ,to amend the existing Special Use Permit subject to all of the terms and restrictions imposed by the Planning Commission as set forth in the Final Amended Special Use Permit and site plan dated July 6, 2017 and approved July 20,2017. Motion carried unanimously.

The Amendment to the Special Use Permit is hereby approved. The site plan, dated July 6, 2017, was signed on July 20, 2017 by Gezon and Trout.

LITTLE EDEN: Little Eden Executive Director Wayne Faber addressed the commission on the request for an amended SUP and the site plan. He said to put rumors (of number of campers at the cabins) aside, if we do all of the cabins and are at capacity, we’d have 500 additional campers.

Trout: We can’t get into the SUP until we look more at the site plan.

Little Eden architects Dennis Meekhof and Dean DeKryder of DK Design discussed the maintenance building. There is natural screening on both sides of Woodland Drive for the maintenance building. The building we propose is not out of character. There will be a maintained green space.

On the proposed activity center- it is a safety issue to have the center stay in the same area. We’ve rotated the (proposed) building 90 degrees and tucked it into the hill to minimize the height. With the amount of grade change—we are not adverse to doing whatever we need to do—we want to make sure we don’t have too steep a slope. Exits are at the east side of the building.

Faber: we are willing to do whatever the state wants us to do for traffic. Trout suggest that they get an analysis impact study of traffic.

Faber said the pedestrian problem is at the well. People stand around the well; it's dangerous.

Volkema: Do all these kids cross at one time?

Faber: The hub of activity is at the lodge, we are proposing a crosswalk. The concerns are traffic and the building site change.

DeKryder said any crosswalk would have to be approved by MDOT and their engineers would include a traffic study.

Faber: I don't see any major plans now, we just need to know we're on the right page.

MOTION by Cody, second by Blackmore to accept the site plan on the condition of development of a green belt screen and berms, and discussion of a traffic study, subject to approval by the Planning Commission. Motion carried.

Trout: The site plan is tentatively approved.

A public hearing for Little Eden (**NOTE: THE MEETING DATE IS CHANGED FROM THURSDAY, AUG. 19 TO WEDNESDAY, AUG. 18, 2017**).

PUBLIC COMMENT ON OTHER THAN AGENDA ITEMS: None.

MOTION by Volkema, second by Hunt to adjourn the meeting.

ADJOURN: 10:47 p.m.

Submitted by

Mary Lou Millard

Recording Secretary

Jim Trout, Chairman

Tom Volkema, Secretary