

# CLARK TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

January 8, 2019 AT 7:00 PM

**CALL TO ORDER:** Meeting called to order by Mr. Merchberger, and  
**PLEDGE OF ALLEGIANCE** conducted at 7:04 PM

**Roll Call: Members Present** – Merchberger, Koster, Kozma, Patton, Pieri  
**Absent:** Speidel, Wilcox, Keighley

**Others Present:** Robert and Krista Brown; Richard Freel; Andy Krino and wife; Dave Murray *Deputy Supervisor*.

## **APPROVAL OF MINUTES: December 10, 2018**

Mr. Koster said the December minutes may have given the impression he was pushing for a facility. He said he's neither for it or against it. His intention was to find out what we are to do and be proactive, and not wait for something to happen. He said he thinks "it would be a mistake to sit back and then go on the defensive later. That the Planning Commission is there to represent the people of the Township and do the things they want us to do. That this is an opportunity to analyze the situation and be proactive." He said he heard on the news that Traverse City had approved 13 sites for recreational marijuana dispensaries and that Charlevoix was in the process of opting out, "so there is the full of what decision we ought to make, and that every community must look at what's best for them. And that going straight at it and figuring out what we want to do for ourselves is what I meant. I don't want to give the impression that we are go-go-go, that we ought to do this. I think we ought to take the steps necessary, that we have a standard, that we create our own standards instead of having someone else try to make it up for us."

December 10 minutes state Mr. Bloch is "employed" by DeTour. It should read he is "contracted by" DeTour.

***Motion:*** *Moved by Ms. Patton, seconded by Mr. Kozma to approve minutes of December 10, 2018 with Mr. Koster's clarification included and language correction.*  
***Vote:*** *All ayes. Motion carried.*

**Case #257 Gary and Jesse Falkenberg request for a Special Land Use Permit to construct a 40 ft by 40 ft boat house atop new crib docking. Mr. Richard Freel was present to represent the Falkenbergs.**

Mr. Kozma said he would abstain from voting as his name was listed as the contractor to be used.

Question arose regarding Mr. Freel's official status as representing the Falkenbergs as there was not included in the Commission members packet a notarized letter stating such. (*Mr. Murray spoke with the Building inspector Wednesday January 9 and he affirmed there is a notarized letter from the Falkenbergs.*)

***Motion:*** *Moved by Mr. Koster, seconded by Ms. Patton to approve the Special Land Use Permit request citing meets size and setback requirements of ordinance, attractive and pleasing design, and no objection from nearby neighbors.*

**Roll call vote:**

***Pieri: yes***

***Merchberger: yes***

***Seidel: absent***

***Kozma: abstain***

***Koster: yes***

***Keighley: absent***

***Patton: yes***

***Wilcox: absent***

**Motion passed.**

**Case #258: Robert and Krista Brown request a Special Land use Permit to construct a 38 ft by 40 ft open sided boathouse; remove an older existing dock, and replace with a floating dock**

General questions about color of roofing and siding.

***Motion: Moved by Mr. Kozma, seconded by Ms. Patton to approve the Special Land Use request citing meets size and setback requirements of the ordinance and no objections from neighbors.***

**Roll call vote:**

***Pieri: yes***

***Merchberger: yes***

***Seidel: absent***

***Kozma: yes***

***Koster: yes***

***Keighley: absent***

***Patton: yes***

***Wilcox: absent***

**Motion passed.**

**PUBLIC COMMENT:** Presentation from Andy Krino on Economically Efficient Dwellings (handout) and residential building within commercial districts.

Mr. Krino described his background as a builder and artist, his family roots to Les Cheneaux, his development of a community garden in Holland, MI, and his desire to live here with his family of four. His objectives, as stated on his handout: **Promote** new development and redevelopment which is of similar scale and character as the existing cottage-like development found throughout much of the Township; Encourage compact dense development with upper level residential units in the core areas of Hessel and Cedarville to support the development and identity of these areas as walkable centers.

Mr. Krino described the demographics and developing artisan, small business culture of the area and the need for more, affordable housing for younger persons to enable them to live here. His ideas would include more, smaller and planned housing within commercial districts especially in the downtown core area of Cedarville, to promote walkability, young family and community engagement, while maintaining the resort-cottage imagery of Les Cheneaux.

Mr. Koster said similar development has been occurring in the area through site condominiums, such as Kulpa's Cottages, Hessel on the Lake, and Torsky's. He noted that such developments are occurring in other places such as Mexico Beach, and they are attractive. He cited an individual at his business who lives in the Soo because he cannot find housing in this area.

Ms. Patton expressed concern about persons finding good jobs to help them afford living in the area. Ms. Krino said that starting a business always carries a risk, but if persons can find affordable housing, they might be more willing to take that risk. Mr. Pieri noted that more people are working from home as well.

Board members recommended that Mr. Krino initiate his plan, apply for zoning variances to start and see how it progresses before the Township amends or develops new ordinance language.

**ADDITIONS TO AGENDA:**

Mr. Koster requested removing Short Term Rental Inspection Forms from Old Business.

**ZBA REPORT:** ZBA will meet January 22

**TOWNSHIP BOARD REPORT--Ms. Patton**

Ms. Patton said she did not attend the Township board meeting (December 18, 2018) but was speaking from what she understood had occurred. The Fire Department presented the bids for new turn out gear; the department is researching whether to build new or to renovate the fire hall, though this is not an immediate issue; John Hessel was awarded the bid for snowplowing the airport.

Mr. Merchberger added the fire department will evaluate the current building first before proceeding with any other plans.

**OLD BUSINESS**

**NEW BUSINESS: Review Draft language for medical marijuana ordinance**

While a draft was not developed, Mr. Koster requested the Commission to continue with discussion about the issue. He stated the Commission and Township have three options: a) do nothing, b) opt out, c) allow it with conditions. If text amendments were prepared, it would require a public hearing which would provide public input.

Mr. Merchberger stated the Commission needs to keep focus on tourism as the economic driver of the community. He added he doesn't think the community needs a medical marijuana facility and that he prefers the Township to opt out.

Mr. Kozma stated he would like to recommend the Township Board pursue a text amendment using Mr. Bloch's knowledge. Mr. Kozma preferred the Township pursue a medical facility first. This would position the Township later for a recreational dispensary when LARA completes its writing of licensing regulations. He added that the State will be pooling the tax money collected from recreational dispensaries across the state and each community with a dispensary will get a portion of that money based upon the number of dispensaries within their jurisdiction.

Mr. Koster said in his discussions with law enforcement that if the Township pursues a facility, that the facility be in a highly visible area. He repeated his concern for the Township to get ahead of the situation by determining where, how many and what kind of dispensary could be allowed through its ordinances. He noted the Commission and Township has some time yet to develop an ordinance as LARA has until the end of 2019 to present its regulations. Mr. Kozma said if the Commission waits until LARA acts, then the Commission must be prepared to act quickly.

Mr. Merchberger said he would like the Commission to concentrate on little houses rather than marijuana issues.

Board members agreed to continue the discussion at the next meeting when more Commission members are present.

**ADDITIONAL PUBLIC COMMENTS:** None.

**ADJOURNMENT:** ***Motion:** Moved by Mr. Koster, seconded by Ms. Patton, to adjourn the meeting.*

***Vote:** All ayes. Motion passed.*

***Meeting adjourned at 9:36 pm.***