

PLANNING COMMISSION MEETING MINUTES – MAY 11, 2023

The meeting was called to order by chairperson Larry Shaffer at 6:05pm.

MEMBERS PRESENT: Larry Shaffer, Lou Lundquist, Jenny Irvine, Phil Bontrager, Christine Lundquist, Jeff Cuthbertson (via zoom).

AGENDA: Larry requested the addition of discussion of the North 45 contract related to updating the zoning ordinance be added to the agenda. The amended agenda was approved on a motion by Christine with support by Lou.

MINUTES: Minutes of the April 4, 2023 meeting were approved on a motion by Phil with support by Jenny.

PUBLIC COMMENT: Larry invited public comment on matters unrelated to the property on Coast Guard Point. Pat Grasser asked if the “dark skies” question was included in the Master Plan. Committee members believe it was included in the actions near the end, but noted the Master Plan was now with the Township Board for consideration.

CLASS A NON-CONFORMING USE HEARING: Larry opened the hearing related to the proposed cabins the applicant would like to place on the property currently occupied by the Northshore Lodge. The Zoning Administrator, Calvin McShane explained why the conditional use permit originally submitted was not useable. He indicated the Township’s attorney has advised that the Class A Non-conforming Use process was an acceptable alternative based upon recent court cases.

Christine asked if we could get a legal opinion as to whether an onsite manager could be required when the property is opened for business. The Township Supervisor indicated she would ask for something in writing from the attorney to find out if this was an option.

Larry asked Dean Dingman what they are planning for the property. Mr. Dingman passed around pictures of the proposed cabins, indicating they were planned for a maximum of 4 people per cabin and up to 24 cabins in total. He indicated they would rent them by the night, with an anticipated charge of \$350 per night. He indicated all required setbacks have been taken into consideration in the plans. He indicated there would also be a small outbuilding for storage. The Township Supervisor asked about parking. Mr. Dingman indicated two parking spaces per cabin were planned. He indicated that parking for snowmobile trailers could be an issue.

Paul Williams asked if other hotels and cabins in town required onsite management. An audience member indicated there is a set of cabins east of town and one local motel that do not currently have someone living onsite. Christine indicated she would still like to know if it an option, given that neighbors have expressed concerns about the proposed development.

Paul Dame asked about beach erosion issues on the bay side of the development.

Lori McShane asked about the status of the site plan. Calvin indicated it is still in process. Larry indicated a number of issues still need review, including the “phase in” option. He noted the Commission would want to see the phase in steps and the regulatory issues involved.

Barb (Bizek) Christ indicated she had concerns about the piping plover nesting areas. She asked who had received notifications about the proposed development and indicated she was opposed.

Cathy Eger indicated she did not think an onsite manager presence was necessary.

Paul Brady indicated the property has been surveyed and all required setbacks would be honored.

Larry read into the record letters received from the Dame family, the Christ family, and Jan Ogden. Larry noted that one of the issues noted in Ms. Ogden's letter related to the 18 month abandonment issue was no longer being held up in courts according to the Township attorney.

Sara Secrest noted ongoing discussions about air B&Bs in town and indicated she thought the cabins were a good idea.

Bill Egert asked about the rolls of various Township or other organizations in the process. Larry said there is a whole host of additional information that will be required from the developer.

Richard Williamson said he appreciates that they are considering opening a business on the abandoned property. Sherri Shafer noted that the Welkers had started the business back in the 1930s and zoning codes were not comparable at that time.

Cathy Eger noted that the piping plovers do not nest in the same place every year, and they nested in the area when the motel was operational, so she does not think the plover are an issue. She is in favor of the development proposed.

Lee Durwalker asked if public access will be allowed by the property owners. He indicated ham radio operators have used the area historically.

Paul Williams noted that onsite managers are not required for air B&Bs. It was noted that they are not found in groups of 24 around town.

Eric Okerstom asked if the developer has done any comparable projects.

Lou Lundquist indicated he was surprised by the indicated charge per night. He indicated more detailed site plans are needed and wondered if more explanation was needed for the public related to conditional class A vs. B. He encouraged the public to continue giving input.

Larry noted that Class B is non-transferable and cannot be a commercial business.

Paul Brady indicated they were only recently told about some of the additional issues and would be addressing each of them.

Jeff Cuthbertson (via zoom) indicated that at the last meeting we said we needed a section 604 compliant application. Jeff expressed concern about the wisdom of a Township-sponsored non-conforming use application for the termination of one non-conforming use/buildings to an entirely different, new non-conforming use (and perhaps non-conforming buildings) involving a near complete rebuilding of the site when there appears to be a legal, conforming, conditional use pathway for the project under Section 310(D)(1) of the zoning ordinance. He expressed his frustration that his good-faith inquiry on this point has not been meaningfully addressed, and he asked that Larry ask the Township attorney return his call to close that loop. Jeff repeated his request from April 4 that the Township prepare a short report for the public and the Planning Commission informing which other agencies, such as health department, DNR, etc. need to approve the proposed development and what matters those other agencies regulate.

Jenny indicated she would like clarification about what we are asking of the developer. She noted a management plan would be helpful and that protection of natural habitat should be addressed.

Christine noted that a management plan could potentially negate the need for an onsite manager, but with limited police coverage in the area, she remains concerned.

Phil noted that Section 704 indicated the development cannot be disturbing to neighbors. He indicated target customers would probably not be an issue. He asked about snow removal and handicap accessibility. He asked about access paths to the beach. The developer indicated access would be limited to the two existing paths.

A motion was made by Jenny with support by Phil that additional information be required related to the following items:

- Parking Plan including snowmobile trailers
- Handicap accessibility plans
- Management plan
- Shoreline protection
- Design/appearance of cabins
- Storage building plans
- Elevation and storm water management
- Snow management plan
- Phases of building plans being considered
- Written notification be sent to all property owners on Coast Guard Point related to the proposed project even if Township ordinance only requires notice to those within 300 feet of the property.

MOTION CARRIED.

Sherri Shaffer noted that they may want to incorporate storage facilities already available in the area for things like trailer storage.

COASTAL GRANT UPDATE & NORTH 45 CONTRACT: Larry noted that Barry Hicks will attend a meeting in the near future to update us on the status of the Coastal Grant application.

Pat Coleman from North 45 will be scheduling a time to meet about the zoning ordinance in the near future.

OTHER: The next meeting is scheduled for June 15 at 6:00 pm. Christine reminded the Commission members about the zoning training scheduled for next week.

PUBLIC COMMENT: There were no additional public comments.

ADJOURNMENT: The meeting was adjourned on a motion by Lou with support by Jenny.