

**CHARTER TOWNSHIP OF GARFIELD
PLANNING COMMISSION MEETING
July 10, 2024**

Call Meeting to Order: Chair McManus called the July 10, 2024 Planning Commission meeting to order at 7:00pm at the Garfield Township Hall.

Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

Roll Call of Commission Members:

Present: Molly Agostinelli, Joe Robertson, Pat Cline, John Racine, Chris DeGood, Robert Fudge and Joe McManus

Staff Present: Planning Director John Sych and Deputy Planning Director Steve Hannon

1. **Public Comment (7:01)**

Brandy Waslawski commented on the Findings of Fact pertaining to her application.

2. **Review and Approval of the Agenda – Conflict of Interest (7:04)**

Agostinelli moved and DeGood seconded to approve the agenda as presented.

Yeas: Agostinelli, DeGood Fudge, Cline, Racine, Robertson, McManus

Nays: None

3. **Minutes (7:02)**

a. **June 26, 2024 Regular Meeting with Township Board**

Fudge moved and Cline seconded to approve the June 26, 2024 Regular Meeting minutes as presented.

Yeas: Fudge, Cline, Robertson, Agostinelli, DeGood, Racine, McManus

Nays: None

4. **Correspondence (7:06)**

Sych noted that there was no correspondence.

Township Board Report

Agostinelli stated that the Township Board approved adoption of the Master Plan and had some discussion regarding Traverse Connect.

Planning Commissioners

i. **Zoning Board of Appeals**

Fudge had no report.

ii. **Parks and Recreation Commission**

DeGood reported that there was no meeting.

Joint Planning Commission

Racine had no report.

Staff Report

Sych stated that the Township Board adopted the Master Plan and the Planning Department is working on finalizing the document. He added that in the May/June Edition of Michigan Planner, there is an interview with the Garfield Township Planning Department related to housing.

6. Unfinished Business

a. PD 2024-47 – Potter’s Home Retreat B&B Special Use Permit – Findings of Fact (7:09)

This application is requesting a Special Use Permit (SUP) for use of an existing single-family residence at 492 West Potter Road as a Bed & Breakfast Establishment. According to the applicant, the proposed bed and breakfast “is intended to serve anywhere from 1 to 6 guests per stay.” Bed & Breakfast Establishments are permitted via SUP in the A-Agricultural zoning district.

Hannon mentioned that a timeline was put together for the proposed special use permit. The zoning ordinance has definitions of a *Bed & Breakfast* and *Home Rental*, and there are elements missing for this application to meet either definition. There has been no additional written submittal on behalf of the applicant as far as meeting the definition of *Bed & Breakfast* or a *single-family residence*. Commissioners discussed the definitions of “*single family home*” and “*two family home*” or “*duplex*” as they pertained to this application. Commissioners noted that each time she leaves the upper level to live in the lower level, the home becomes a duplex and a violation occurs. The applicant stated that she has not begun any work on the home to make it compliant with the zoning ordinance since it is a costly undertaking if the application is going to be refused. She indicated that she could easily add a staircase and an egress window to the lower level very quickly. Commissioners suggest having an attorney review the application and the zoning ordinance definitions as they pertain to this application.

Racine moved and Robertson seconded that the township attorney review the application, and all materials and provide guidance as to how this application can move forward, if possible.

*Yeas: Racine, Robertson, DeGood, Agostinelli, Fudge, Cline, McManus
Nays: None*

DeGood asked for procedures regarding asking for attorney guidance to the Planning Commission.

Racine moved to table Potter's Home Retreat B&B Special Use Permit application to seek guidance from the township attorney. Fudge supported the motion.

*Yeas: Racine, Fudge, Agostinelli, Robertson, Cline, DeGood, McManus
Nays: None*

b. PD 2024-51 Tower North Wireless Comm Facility Special Use Permit – Update

This application requests a Special Use Permit (SUP) for a wireless communication facility (cell tower) at 2767 Zimmerman Road. The applicants propose a 155-foot-tall monopole tower with associated antenna equipment within a 60' x 60' fenced compound. Wireless communication facilities are permitted via SUP in the A-Agricultural zoning district. The applicant provided written answers to questions that commissioners raised at the last meeting. Hannon consulted with the township engineer regarding the location of other towers in the area. The proposed tower is ¾ mile away from any other cell tower. Cell equipment is located on an old water tower in an R-1 district and the use is legal non-conforming. The proposed tower needs to be located 155 feet from the lot line in any direction. The proposed tower is also within the 155-foot setback from residential uses. To meet ordinance language, the tower would need to be moved or the house would need to be a non-residential use. The application would violate the ordinance because it would be placed on a residential site and the lot line issue would persist. Applicant Representative Mackenzie Trager Fox clarified that there is an agreement with the property owner on the site to buy the home that exists on the lot and use it as office space or some other non-residential use. Commissioners asked questions and discussed the application. The applicant will work with staff to meet the ordinance. Common areas of a PUD were also discussed and commissioners asked staff to determine if a common area of a PUD was still considered a residential area.

Agostinelli moved and Fudge seconded to table the Tower North Wireless Communication Facility Special Use Permit until the applicant had a chance to work with staff to meet the ordinance.

*Yeas: Agostinelli, Fudge, Racine, Robertson, DeGood, Cline, McManus
Nays: None*

7. New Business

None

8. Public Comment (8:29)

None

9. Other Business (8:29)

Sych stated that dirt is being moved in the BATA housing project. Commissioners discussed at what point an occupancy permit would be issued. Staff indicated that the Board would determine what "beginning construction" meant for the project.

Copies of the new Master Plan will be circulated and commissioners are invited to bring in their old plans and they would be updated with the new Master Plan.

10. Items for Next Agenda – July 24, 2024 (8:34)

- a. Zoning Ordinance Updates – R-3 District, Signs and Vacation Home Rentals
- b. City of Traverse City Master Plan Review

11. Adjournment

Fudge moved to adjourn the meeting at 8:40pm.



Joe Robertson, Secretary
Garfield Township Planning
Commission
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