

**Burtchville Township
Planning Commission**

**4000 Burtch Road
Lakeport, Michigan 48059**

Minutes of June 28, 2022 Planning Commission Special Meeting;

The Chair Dave Klinesteker, called the meeting of the Burtchville Township Planning Commission to order at 7:00 p.m.; Pledge of Allegiance Recited

Members Present: Dupuis, Klinesteker, Minnie, Richards, Schmitt, Vargo and Wollenweber.

Excused: None.

Citizens present: Pam Patterson, Zoning Administrator; S Douglas Touma, Township Attorney; Cindy Hudson, Marshall Hudson, Mark Harrington, Bill Loane, Henry Mehta and Shilpa Mehta

Minutes: Motion by **Schmitt**, second by **Minnie**, to approve minutes of June 7, 2022 meeting with amendment to members present. Motion was unanimously approved by voice vote.

Close Special meeting at 7:02 p.m. and open Public Hearing: Rezoning for 3835 Franklin Road

Public Hearing: Rezoning application 3835 Franklin Street

Chairman Klinesteker explained that holding public hearing on application of SHM, LLC – Henry Mehta to rezone 3835 Franklin Street, commonly known as Lakeport Elementary School property, to multifamily zoning to use the current school for independent living for seniors by modifying current classrooms to facilitate for bath, kitchen areas and utilize it with minimum upgrade needed to convert each room. Mr. Mehta expanded on plans for school and eventually to put single-family dwellings on the property. At this point utilize classrooms. Mrs. Mehta explained feels it is a very nice and peaceful area. Mr. Mehta plans to convert 19 classrooms to rental apartments, gymnasium, library and common areas convert later. Rental rate between \$600.00 and \$1,000.00; staffing would be minimal – cleaning staff and lawn maintenance. May not use second level for seniors, the second floor may be used for offices. Strictly independent living – no assistance living apartments. Future use is gym, library can be converted for residents to use for parties or banquet facilities. Third phase would be constructing single family dwellings possibly 20 on the land surrounding the property. Trying to create for people 55 or 65 and older. Want to keep it quiet and peaceful.

Public comment: Cindy Marshall Hudson – concern about asbestos throughout the building and assurance safe abatement process will be followed. Once rezoned what's to say doesn't turn into low income apartments. Attorney advised this is first of potentially four hearings, lot of questions relate to other areas; this hearing is a public hearing to look at whether the commission will or will not recommend to the board of trustees to approve rezoning. Ms. Hudson, I am not in favor of multifamily. Mark Harrington, concern

about long term of building, roads; not in favor of multifamily. Bill Loane it is my front yard, 6th Street wasn't there when I moved there, was land locked. Commented that 2 cars cannot drive down the street without driving on his front lawn. He is not in favor of rezoning. Mr. Mehta wants to work with neighbors.

Close public hearing 7:20 p.m.

Re-open Special Meeting 7:21 p.m.

New Business:

1. 3835 Franklin Street – Rezone to Multi Family (RM). **Chairman Klinesteker** advised that there will be more meetings for each step of the process. **Richards** comment once rezoned cannot put single family dwellings on that property; should have known when bought property about road variance needed. **Chairman Klinesteker** indicated received more information as to plans than were provided on the application. Noted there are more requirements that Mr. Mehta will need to address as go forward. **Mr. Touma** reminded the only issue tonight is rezoning. Anything that is permitted in an RM district that does not require special land use would be possible without further hearing by the Planning Commission provided that they meet other technical requirements of the ordinance. **Richards** made motion to recommend to the Board to turn down the application, **Wollenweber** second. Roll call vote: Dupuis, no; Minnie, no; Richards, yes; Schmitt, no; Vargo, Abstain; Wollenweber, yes; Klinesteker, no. We have 4 votes no, 2 yes and one abstain. **Motion denied.** **Schmitt** made motion to recommend approval to the Board for rezoning as requested; **Dupuis** second motion. Roll call vote: Dupuis, yes, Minnie yes; Richards, no; Schmitt, yes; Vargo, abstain; Wollenweber, no; Klinesteker, yes. Four in favor, two against and one abstain. **Motion passed** to recommend to Board of Trustees that approve application for rezoning of 3835 Franklin Street, Parcel 74-11-475-000, to multifamily.
2. Approval of Attendance record for year. Members indicated that information is correct.

Old Business:

1. Short Tern Rental Ordinance review requested by Zoning Administrator
 - a. Short Term Rental – 154.135 - No discussion.
 - b. Lots with frontage on Lake Huron – 154-.008 – No discussion.
 - c. A/R Agricultural/Residential Property – 154.055 – No discussion.
 - d. Public Gatherings – Ordinance 90.00 – No discussion.
 - e. Boats, RV, and Hobby Vehicles in Yard – 154.028 – No discussion
2. Bylaws for planning commission – no discussion.

Public Comments: None.

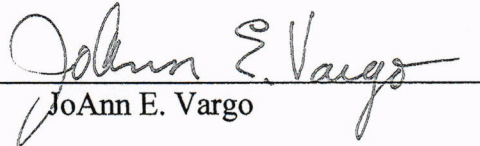
ZBA Report. No report.

Board Liaison report: None.

Correspondence: None

Next Regular Meeting: September 8, 2022 @ 7:00 p.m.

Adjournment: Motion by Wollenweber second by **Richards** to adjourn at 7:51 p.m.
Motion passes unanimously on voice vote.



JoAnn E. Vargo



Approved