

# Arcadia Township Planning Commission

## Arcadia Township

Manistee County

3422 Lake Street

Arcadia Michigan, 49613

## Draft Minutes

Special Meeting

August 9, 2017 7:00PM

**Call to order and Pledge of Allegiance at 7:34 p.m.**

**Roll Call:** May, Sievert, Wisner. Urban arrived late. **Quorum present.**

**Recognition of Visitors:** Jeff Cockfield (Engineer), Orin Campbell (Architect), Craig Rolfe (Attorney), Sharron May (Recording Secretary) and 76 members of the public.

a) Public Comments concerning agenda were heard.

b) Approval of Agenda

**Motion to approve Agenda moved Wisner, seconded Sievert, all ayes, motion passed.**

c) Approve minutes of past meetings – The minutes of the Regular Meeting held on August 2 will be available in 3 more days.

## Business

**Public Hearing** Resumed on Proposed Swan Resort Special Use Permit

**Craig Rolfe**, Attorney gave an overview of the township's role and the process to determine whether the land use is allowable as zoned. The proposed Swan Resort property is split-zoned Restricted Commercial and Resort Residential, with no development proposed on the residential portion. Rolfe explained that the two categories of principle uses for zoning are: Permitted Use and Special Land Use. A Permitted Use is a use by right. For example, single-family dwellings are a permitted use in a residential district. You don't need a Special Land Use permit. A Special Land Use is where the Planning Commission and Board in enacting the ordinance have determined a use is generally consistent with the purpose of the zoning district but, not necessarily on every parcel. The process is prescribed by the Michigan and Zoning Enabling Act and by the Zoning Ordinance (ZO). It starts with an application, a process to make sure that the application is completed to the satisfaction of the Zoning Administrator, and a

public hearing held by the Planning Commission. The Public Hearing was held over and resumed at this meeting.

Rolfe read the definition of Special Land Use from Chapter 20, Section 20.01 of the ZO and explained the Planning Commission's role as the sole authority to make decisions on applications like the one being reviewed. The legal parameters and rules are very clear that the decision must be based on standards specified by the ZO. Therefore the PC will probably spend a lot of time talking about the standards governing their decision on the application and determine if they are in a position to make one of three decisions: 1) deny the application, 2) approve the application or 3) approve with conditions. The conditions are limited to the criteria spelled out in the statute and the ordinance. A performance guarantee may or may not be discussed. Before the PC can make a decision on a Special Land Use application after careful deliberation they are required to make Findings and draw conclusions from those Findings. The main action for tonight is to hone in on the standards and requirements for approval. Rolfe added a clarification that this request is not a variance request, which falls under the role of the Zoning Board of Appeals.

### **The Public Hearing resumed with Public Comment**

**Sig Lynn** – What can the applicant do prior to approval of this application?

**Rolfe**, responding – Footings are a construction code issue. Site preparation work is typically not a zoning issue or addressed by a local ordinance. State laws may factor on sites. Prep work or changing aspects of a site when you are dealing with your own property is not usually restricted.

**Lynn** - Do the restrictions need to be satisfied before the project?

**Rolfe**, responding - The conditions become part of the approval and if not met at the applicable time or adhered to would be a violation of the ZO.

**Connie Yolles** – would the conditions have to be met on a continual basis after the project was there too?

**Rolfe**, responding- The approval runs with the land. If the property is sold, the next owner has that same land use approval. There is a use it or lose it aspect to it.

**Maryann Manke** – Referring to an email from Rolfe referring to Mr. Smith (applicant) as a 'jack wagon', asked Rolfe if he was biased.

**Rolfe** did not want to spend any time discussing the email. He was made aware of the social media post. Anyone reading it would not have any context for the

comment, which was not intended to be public. It was a breach of client/attorney privilege. He agreed that it would have been best if he had not used that terminology but the whole scenario has nothing to do with the Planning Commission decision this evening.

**Ed Howard** – You could have made a decision last meeting. You had the expertise of the architect, engineer and Zoning Administrator available. You failed to read all the positive letters. The comments about Starkey Road traffic had nothing to do with this project itself. The township bought land that is naturally going to draw traffic. The Lakes To Land project grant, the parking lot, bathrooms, playground, lakefront and beach is what's drawing and directing traffic down there.

**Kelly Campbell**- Are there any violations?

**Rolfe**, responding – a violation of a ZO is called a Municipal Civil Infraction. A court of law can impose a fine and has broad authority to issue all such orders as necessary to remedy the violation within certain guidelines. Not abiding is contempt of court.

**Yolles**– Would the performance guarantee make sure the job is done?

**Rolfe**, responding, paraphrased MCL 125.3505 regarding security to cover the estimated cost of improvements to ensure faithful completion. The Zoning Enabling Act defines improvements. It does not include the entire project; only those features and actions necessary to protect natural resources and the health, safety and welfare of the entire community, such as roadways, utilities, lighting, screening, drainage, etc. Not the buildings

**Richard Cobb** – If the building is not covered, what happens if the project is vacated and the building is left? Whose responsibility is it to take care of it or tear it down?

**Rolfe**, responding - If the building isn't fully built or used, there is not likely a provision for that in the ZO. There are provisions in the state construction code that might apply. But a statute allows for a dangerous buildings ordinance. If it's determined to be dangerous as defined, then the municipal hearing officer can order that building to be repaired or demolished. If it were a township dangerous building ordinance, the township would have to advance the costs upfront but later billed to the owner and treated like a delinquent property tax. That process might apply.

**Cobb**, responding - So we could get stuck as taxpayers.

**Rolfe**, responding – While that scenario may be of interest, it really doesn't link to the standards for the Planning Commission decision on the Special Land Use permit application tonight.

**Lynn** read a copy of a draft letter from three owners of the Starkey Rd. Association, who have improved and maintained the road, regarding an easement conflict. He distributed a copy to the Planning Commission.

**Jeff Cockfield**, engineer – Point of clarification, there is no work proposed for Starkey Road. We are removing the overflow parking lot officially as of right now.

**Unidentified public** stated that Starkey Point Road has nothing to do with this application and the chair should not allow those comments.

**Chip May**, responding - I'm allowing public comment. We are not in charge of designing the easement between Starkey Point and the Swan but it was important because it was adjacent to it.

**Norm Uhlrich**, Starkey Rd. - As part of the Road Committee we are concerned about traffic from a safety standpoint for walkers, strollers, joggers, bird-watchers, etc. The social aspect is important. Signage is important. We are concerned about impact on the dune. What kind of barrier will be used? We are concerned about traffic, safety, social, environmental and maintenance. Whose responsibility is it? That needs to be put into writing.

**Larry Olsen**- if the people on Starkey Point were so worried, why didn't they buy the property?

**Franco Merano**- This building is going to be the biggest building in the area. That's like a 16000 square foot building. It's going to be huge.

**Bill Beck**, Starkey Rd. What constitutes a third floor?

**May** responding to Merano and Beck - That and square footage will be part of our discussion.

**Unidentified public** - With the Doctor's office on the east side of M-22 is there any idea of making that the downtown of Arcadia? You intend to change the restricted commercial and residential to marina, which was a surprise because there was very little information put out. Are you planning to change the location of commercial in Arcadia?

**Wisner** – we have been delayed on getting draft Zoning Ordinance update documents out. It is designed so that it aligns closer to the Master Plan. There will be a public hearing.

**May-** none of that has any bearing on the matter here tonight.

**Maryann Manke-** On bond issue, did the bluffs have to put up a bond to make sure they finished their project? Has anyone ever had to put up a bond?

**Wisner-** the issue of a bond came up with the Arcadia Highlands. That's when we started adding the bond. The improvements are self-contained on Arcadia Bluff property.

**Unidentified public** – is that a yes or no?

**Wisner** – I am not aware of anyone putting up a bond, but I can't say it's never happened.

**Public Hearing closed.**

### **Planning Commission Discussion**

Rolfe reminded the PC that the focus is on standards and that it is very clear in the law that if the evidence presented as part of the record demonstrates that all the applicable standards are met, they **MUST** grant approval or approve with conditions. If when making their findings and drawing conclusions, they determine it does not meet the standard and requirements, they **MUST NOT** approve.

Rolfe read from Section 12.01 Description and Purpose of the Restricted Commercial District and the reviewed the general standards for approval, including Section 12.03 Item (d) which permits hotels and motels as a Special Use provided such use is similar in size and scale to other buildings along Arcadia Lake and does not exceed two stories in height.

Section 12.04 Area Regulations where there is no issue with minimum lot size or setbacks. There is a maximum setback but the PC may approve if it determines that it makes it more compatible. There is a maximum building height of 35 feet (Item c)

12.05 Additional Requirements allows for restaurants as an incidental portion of the business operation, onsite parking is not required for any use. The overflow parking lot was removed.

Section 12.06 Special Requirements points to the 4500 square ft. limit per level and 9000 square foot gross floor area total.

12.07 Modification and design standards are likely to be important to the deliberation. The PC has latitude to modify the standards of section 12.06 as they pertain to that project if it is demonstrated by findings that such

modifications substantially comply with the intent of each standard. Square footage was given as an example of a modification w/ findings that could be made.

Other sections noted by Rolfe were Section 4.07 on Building height, which excepts out from the building height maximum certain features like cupolas, chimneys, etc. Rolfe felt like there may be an issue on building height concerning the center.

One other provision about the overflow parking, section 20.02c requires parking areas to be in the same zoning classification as the zoning it serves. That requirement would NOT have been met because that area is zoned Resort Residential and the other is Restricted Commercial. It has been officially removed, but there may be a point of access issue that should be revised or eliminated.

Rolfe did not think the PC had a valid basis to address traffic on the basis of it being a private deed restriction that municipalities cannot address other than the access point.

The main issues to discuss are:

Section 1203(d) on Stories - Looking at the site plan you would think it was more than 2 stories. The zoning ordinance has critical definitions, including story, mezzanine and floor. Your ZA has correctly determined that this is a two-story building according to the ZO description.

Building Height - Section 12.04c and Chapter 2 have important definitions. When a term is defined in the ZO that term is binding. If not defined, case law and common usage determines what it means. The ZO defines pictorially different roof styles on page 2-5. Rolfe determined that the center is a mansard roof, which does exceed the 35 ft., height limit. The ZA determined that the mezzanine area is a hip roof style and way of measuring building height (referenced in a July 5 report to the PC). The PC has the option to follow the ZA determination but Rolfe was not convinced that is the best and most correct interpretation of the ordinance.

**Orin Campbell** – This is what I do for a living for over 30 years - we work the problem backwards. So the contention is that the Zoning Administration and Architect are being questioned and it's holding up the process. We are trying to meet and exceed the expectations for quality...

**May-** we are not here to determine whether it's going to be pretty or not. Tell us why that is not a mansard roof. How do you define it?

**Campbell** referred to Webster's definition of a mansard roof. It is trying to hide mechanical equipment.

**Rolfe** – If we were to look at the top of it from the air, what would it look like? So even though it doesn't have a point on the top it also doesn't have a two-angled slope. When we look at the pictorial definition you are confirming that's not what this is.

**Campbell** – This is not a mansard roof.

**May**- We have the authority and not the expertise. We are stuck with each other, but when we look at this as you describe it, we don't have the side view. You would see the roof on both sides and a flat deck where the mechanical is hidden (Architect brought drawing over to May and illustrated on the drawing, indicating the difference between a hip roof and a mansard roof).

**Rolfe**- You think that center part is more analogous to a hip roof than a mansard roof? Campbell drew on the diagram.

**Wisner** – you are saying that the top is flattened so that you can put the mechanical in there?

**Campbell**- You have the latitude to do the best thing. We are trying to stay away from ground mounted mechanical.

**Rolfe**- Only if it's a mansard roof does the ordinance use a different calculation. You could defer to the ZA 's determination.

**Sievert** – I just wish we had a side view. Campbell described the view from the side. It's a square. Wisner and Sievert referred to the drawings.

**Sievert** - How high will that be then, 35 feet to this line here and another 4 feet above that?

**Campbell**- Josh and I worked extensively on this to understand your code. You really have to roll up your sleeves to figure it out. I simplified it here (shows a diagram).

**Rolfe**- what's inside?

**Campbell** – roof trusses and a mechanical mezzanine.

**Rolfe**– You may have enough to choose to defer to your ZA's determination. There are some exclusions to the height requirements. I don't know what a penthouse is in this context.

**Campbell** – It's not a penthouse. It's mechanical.

**Rolfe** – Back to Chapter 12, 12.06(a) regarding square feet of gross floor area, Section 12.07 does authorize the PC to approve modification with findings. This requirement, it seems is oriented towards the building dominating the site. It's not a small parcel. It is quite a large one for this zoning district and the building takes up a small area on the lot. The basement level is below grade and doesn't really affect the size.

**Seivert-** why does the mezzanine need to be that big?

**Campbell** – I sited it 3 different ways to meet all the criteria. It has two means of egress and meets all the requirements.

**Rolfe-** In determining whether or not the mezzanine is a floor, there is an absence of definition for a "floor".

**Campbell** – your professional ZA made a determination.

**May** – he also told us to bring it to our attorney.

**Paul Smith** – the Michigan Building Code doesn't consider the mezzanine a floor.

**May** – does the Michigan Building Code supersede the ordinance?

**Rolfe** – not for purposes of this process.

**Sievert-** Is this something that is going to come back to bite us on the next building?

**Rolfe** – this could be viewed as setting a precedent in a similar situation.

**Wisner** – With the removal of the overflow parking that roadway has to be turned into a pathway. How does that fit into the site plan?

**Rolfe** – I think you can decide the Special Land Use application without the minutiae.

**Cockfield** - There's no need for a connection to Starke Rd from the development and it will be eliminated.

**Rolfe** – if they totally eliminate that it eliminates the issues on Starke Rd within your purview.

A discussion followed about the Findings according to each of the general standards and specific standards.

Rolfe reviewed the background information to set up the Findings.

**Cockfield** – You want to go through an entire Findings of Fact before the approval?

**Rolfe** –until they do their part, we don't know where we are headed.

**May** asked procedurally where to go forward,

**Rolfe** reviewed Section 20.04 page 20-2 Standards for Approval Item by Item.

**Finding of Facts:**

**TOWNSHIP OF ARCADIA PLANNING COMMISSION**

**(MANISTEE COUNTY, STATE OF MICHIGAN)**

**SWAN RESORT, LLC SPECIAL LAND USE PERMIT APPLICATION---DRAFT**  
**FINDINGS OF FACT/CONCLUSIONS FROM 8-2-17 AND 8-9-17 PUBLIC**  
**HEARINGS/MEETINGS**

1. The subject property consists of approximately 4.37 acres, comprising parcel ID nos. 51-01-600-094-00 (4.26 acres), and a small part of 51-01-600-096-00 for a proposed overflow parking lot.
2. The subject property is zoned RC Restricted Commercial District (parcel no. 5101-600-094-00) and RR Resort Residential District (parcel no. 51-01-600-096-00) pursuant to the Arcadia Township Zoning Ordinance/Zoning Map.
3. The applicant is proposing to develop an eight unit hotel (on second floor) and restaurant serving alcoholic beverages but without drive-up or drive-through facilities (on main floor), with accessory uses, on the part of the subject property zoned Restricted Commercial District.
4. The applicant's development plan as submitted also included an "overflow" parking lot on the part of the subject property zoned Resort Residential District, but this aspect of the proposed development was formally withdrawn by the applicant at the 8-9-17 Planning Commission meeting.
5. The applicant's development plan as submitted also included a connecting drive from the proposed overflow parking lot to the main part of the development, with an access across Starke Road (private road), but this aspect of the proposed

development plan was also formally withdrawn by the applicant at the 8-9-17 Planning Commission meeting.

6. Section 12.03(d) designates “hotel” (and “motel”) as a special land use in the Restricted Commercial District, “provided such uses are similar in size and scale to other buildings along Arcadia Lake and do not exceed two stories in height”.

Note: all references hereafter to a “section” are referring to the specified section of the Arcadia Township Zoning Ordinance, unless otherwise indicated.

7. Section 12.03(e) designates “restaurants and cafes which serve alcoholic beverages and which do not have drive up or drive through facilities” as special land uses in the Restricted Commercial District.
8. Section 12.02(a) incorporates by reference to Section 7.02 as permitted uses in the Restricted Commercial District “uses and structures customarily incidental and accessory to the principal use”.
9. The hotel and restaurant uses proposed by the applicant are approvable uses pursuant to all applicable special land use approval standards and related requirements.
10. The applicant’s proposed hotel and restaurant meet the “general standards” for special land use approval as specified in Section 20.04(a)-(e), as follows:
  - (a) These proposed uses are designed and will be constructed, operated and maintained so as to be compatible in appearance and function with the existing or intended character of the area in which proposed, because:
    - “New commercial uses” are intended to be allowed in the Restricted Commercial District in a manner consistent with the existing pattern of development (see Section 12.01).
    - Hotel/restaurant and uses accessory to each are expressly allowable in the Restricted Commercial District pursuant to Sections 12.03(d), 12.03(e) and 12.02(a)/7.02(i).
    - The hotel/restaurant building is on a relatively large parcel.
    - The hotel/restaurant building is designed so as to be compatible with the architectural style intended for the area.
  - (b) The proposed uses will be adequately served by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools, because:
    - The subject property abuts and will be served by two existing public streets.

- The subject property is located about two blocks from the Arcadia Township Fire Department.
  - The proposed development includes on-site water and sewage facilities that are required to be approved by Manistee County and/or the State of Michigan.
  - The proposed development will manage its own refuse disposal needs through a private service.
  - The proposed development will address drainage as required by applicable laws and regulations administered and enforced by Manistee County and/or State of Michigan.
  - The proposed development will have no apparent impact on the public school system.
- (c) The proposed development will not create excessive additional requirements at public cost for public facilities and services, because there is no evidence the eight unit hotel and associated restaurant will implicate any additional requirements for public facilities and services at public cost other than the services reasonably associated with such a development.
  - (d) The proposed use will not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors, because there is no evidence the eight unit hotel and associated restaurant will produce any of these factors excessively, if at all.
  - (e) The proposed use will be consistent with the intent and purpose of the zoning district in which such uses will be located, because (the findings at preceding paragraphs (a)-(d) are incorporated here by reference).
11. With reference to the standards in Section 12.03(d), requiring a hotel in the Restricted Commercial District to “not exceed two stories in height”, the proposed hotel will be part of a two story building because pursuant to the definitions of “story”, “basement”, and “mezzanine” in Section 2.02 the basement and mezzanine floors are not counted as a story, thereby leaving the “main level” and “second floor” as the only stories of the proposed building, for purposes of this requirement.
  12. With reference to the standards in Section 12.03(d) requiring a hotel in the Restricted Commercial District to be “similar in size and scale to other buildings along Arcadia Lake”, the Planning Commission interprets this requirement so as to avoid an absurd result, and with reference to the purpose and intent of the Restricted Commercial District as stated in Section 12.01 to allow “new commercial uses”, and with further reference to the express allowance for hotel uses in the Restricted Commercial District pursuant to 12.03(d), not exceeding two stories in height, and otherwise in accordance with the applicable building

design requirements (as subsequently concluded below). The Planning Commission finds these standards are met here, based on the foregoing reasonable interpretation of the intent of the requirements, as applied to this hotel proposed to be built on a relatively large parcel in the Restricted Commercial District, at the northerly tip of Arcadia Lake, and on a major street in Arcadia (Lake Street).

13. All of the Section 12.04 “Area Requirements” are satisfied, including the 35 foot “maximum building height” requirement specified in Section 12.04(c). As to that building height limit, several architectural features of the proposed building are excepted from the height limit pursuant to Section 4.07 (domes, spires, chimneys, cupolas). The parts of the building that are not excepted from the 35 foot height limit have been calculated (by the applicant and the Zoning Administrator) to comply with that requirement based on the definitions for the terms “building”, “building height”, and “average grade” in Section 2.02. Those parts of the building subject to the height limit involve several different roof styles, including a center section of the building that the Planning Commission determines to be more like a “hip roof” (with a flat top area in which some building structural supports and mechanical appurtenances will be concealed), rather than a “mansard roof” (due to the absence of the different roof angles as reflected in the pictorial definition for “mansard roof” on page 2-5 of the Zoning Ordinance). The height of that part of the roof of this building is therefore properly calculated as the vertical distance measured from the average finished grade to the average height between eaves/ridge, rather than to the deck line, as specified in the definition of “building height” in Section 2.02. Pursuant to this interpretation all aspects of the proposed building not otherwise excepted from the 35 foot maximum height limit pursuant to Section 4.07 are found to not exceed the 35 foot height limit of Section 12.04(c).
14. All applicable standards/requirements in Section 12.05 are met pursuant to the applicant’s special land use permit submission and/or the pending site plan approval.
15. All applicable standards/requirements in Section 12.06 are met pursuant to the applicant’s special land use permit site plan submission and/or the pending site plan approval, without modification; except one requirement of Section 12.06(a). More specifically, the Planning Commission finds the proposed building complies with the requirement of that provision to not have a gross floor area of more than 4,500 square feet on one level, based on the calculated square footage of each level as follows:
  - Basement 4,478 square feet.
  - Main floor 4,478 square feet.
  - Second floor 4,500 square feet.

- Mezzanine 2,250 square feet.

For purposes of the requirement of Section 12.06(a) that no building in the Restricted Commercial District have a gross floor area of more than 9,000 square feet, total, the Planning Commission finds the proposed building has a total floor area of 15,706 square feet, because although neither the basement floor nor the mezzanine floor is counted as a “story” for purposes of Section 12.03(d) pursuant to the definition of “story” in Section 2.02 (as discussed above), those floors of the proposed building are taken into account for purposes of Section 12.06(a) pursuant to the definition of “floor area” in Section 2.02.

However, pursuant to Section 12.07, which authorizes the Planning Commission to modify the standards of Section 12.06 as they pertain to a particular development project, the Planning Commission further finds the applicant has demonstrated that approval of a modification from the 9,000 square feet total floor area limit as applied to this proposed project will result in a proposed building which substantially complies with the intent of the 9,000 square foot total floor area limitation, because:

- The intent of the total floor area limit in the Restricted Commercial District is to avoid buildings of a size disproportionate to the lot, and avoid unreasonable view shed interference (especially the view of Arcadia Lake from adjoining public areas or private properties).
  - The lot on which the building is proposed to be built is a very large lot for the Restricted Commercial District, and the percentage coverage of the lot by the building is quite low.
  - The basement floor (4,478 square feet) will be entirely below grade.
  - The combined floor area of the main floor, second floor, and mezzanine floor, all of which will be visible above grade, totals 11,278 square feet, which represents a fairly nominal percentage in excess of the generally applicable 9,000 square foot limit (approximately 25%; not “less than 10%” as represented by the applicant at the August 9 meeting).
  - The proposed building with a total floor area of 11,278 square feet above grade, constructed on this specific relatively large parcel at the northerly tip of Arcadia Lake on the westerly edge of “downtown” Arcadia, will not be disproportionate in size to this particular property, and will not create an unreasonable interference with view shed, including views of Arcadia Lake from adjoining public areas or private properties.
16. Pursuant to Section 20.03(e), the Planning Commission concludes the reasonable evidence in the record of the proceedings on this special land use permit application, including submissions by the applicant, and public input (written and oral), shows all standards and requirements applicable to special land use permit

approval to be met, with the modification herein approved from the total floor area limit of Section 12.06(a).

**Motion to approve the Special Land Use application pending the fine-tuning of the finding of facts moved Wisner, second Urban, all ayes, motion passed.** Discussion: The applicant has Special Land Use permit approval subject to the formalization of these findings. The site plan can be completed based on the discussion tonight for the Site Plan Review at the September 6 Regular Meeting.

Discussion regarding bond. The attorney doesn't feel there is too much that would be subject to a bond. Smith is willing to pay one.

19.10 To be determined by the PC so the amount correlates to the improvements.

### **Public Comment**

**Carol Schneider** thanked Paul Smith for coming back to the community.

**Ruth Clatter** was concerned about use of land if the property is divided into other businesses. Can this not be divided?

**Rolfe**— That is up to the property owner.

**Ross Byer**- a stipulation could be added to keep him from expanding the development. A lot of weight is being put on the fact that it's a big lot. The square footage is being overlooked because of it.

**Rolfe** - if the developer proposes something that requires land use approval, the PC will review that proposal. If you have a legitimate issue that will be discussed.

**Wisner** – there are all kinds of rules for land divisions.

**May**- our rationale is in the public record.

**Unnamed public** asked a question about building permit square footage definition of floor space. The code says that as far as the state is concerned this is a 9000 square foot building.

**Cobb** – I watched you spend over two hours on a drawing that is inscrutable. That's sad. Why didn't you draw something we could understand? When it's

obscure it gets decided in their favor. Then ordinances don't get respected. You did it. Here we go with another application. Your authority to regulate our land took a beating tonight. It's painful to watch.

**Howard** – I'm happy we have a new business in town.

**Motion to Adjourn moved Wisner, seconded Seivert, all ayes, motion passed. Meeting adjourned at 10:34 p.m.**

**Next Regular Scheduled meeting September 6, 2017 at 7:00PM**