

**MINUTES OF THE PUBLIC HEARING OF THE PLANNING COMMISSION HELD TUESDAY, DECEMBER 14, 2021 AT 2:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, MACKINAC ISLAND, MICHIGAN**

Chairman Straus called the Public Hearing of the Mackinac Island Planning Commission to order at 2:30 p.m.

PRESENT: Michael Straus, Lee Finkel, Trish Martin, Anneke Myers, Mary Dufina, Jim Pettit, Ben Mosley  
ABSENT: None  
STAFF: Zoning Administrator, Dennis Dombroski, Attorney, Erin Evashevski

The purpose of the Public Hearing is to discuss the rezoning of Stonecliffe Manor V from Hotel boardinghouse to Low Density Residential. Evashevski stated that the Commission will hear comments from the public and then determine if the Planning Commission would like to send the application to City Council with any recommendations. Evashevski stated Myers questioned whether Tom Sullivan, President of Sunset Forest, has the standing to apply for the rezoning. Evashevski stated there is a question to the standing but either the Planning Commission may make a decision, or the City can make a decision on its own. She further stated the Planning Commission needs to determine if Sunset Forest has a standing to apply.

Ed Kestor, council for Stonecliffe stated he prepared the letter that was submitted in opposition to the rezoning. Kestor believes this process is putting the cart before the horse. Stonecliffe has not been able to present any plans for development. In addition, he feels Sunset Forest has no standing to apply for rezoning since they are not property owners. Kestor requested that the request be tabled. Finkel asked Kestor if he had other objections to the rezoning, other than the standing. Kestor stated he believes the lots are unbuildable if zoned R1. Evashevski stated that the Zoning Enabling Act, or the City's Zoning Ordinance say nothing about who can request rezoning. Evashevski did point out though, that our Zoning Application states the applicant must be the owner or have a legal standing or contractual interest to apply. Evashevski stated this is not cut and dry and the Planning Commission needs to take a look at this. Her recommendation is that if there is a desire by the City to rezone, they should move forward independently from this petition. Dufina stated she is concerned with moving forward with this request without the request coming from a property owner. Myers stated that if it is determined that Sullivan does not have standing to apply, the neighbors that have submitted letters in support of the rezoning, have a right to petition to City Council to rezone, based on the Master Plan.

Tom Sullivan stated a letter was sent from all the Manor presidents that are members of Sunset Forest. As far as standing, Manor V is part of Sunset Forest and pay dues which pay for plowing, insurance and road maintenance. Sullivan believes this would be a contractual relationship implied through the payment of dues. Mr. Landry owns lot 1 in Manor V. Landry has come to Sunset Forest to review his plans. The petition was filed with his knowledge and support. In addition Sunset Forest owns Forest Drive, which runs through Manor V. Sullivan believes this also gives him standing to submit the petition. The Master Plan was put together 40 years ago with the intention that all manors would be zoned R1. Sullivan offered the option of amending the application to be signed by Mr. Landry or withdrawing his application and having Landry apply on his own.

Straus read aloud the names of people that submitted letters regarding the Zoning and whether they were in support and opposition, and whether they owned a lot in Manor V. Humphrey in support and not a lot owner in Manor V, Brooke Crowley and Matt Weirach in support and not a lot owner, all manor presidents; Laura Eisler, John Jones, Jim Reitman, Katie Pereny, Dan Goehler and Tom Sullivan, in support and not a land owner, Landry in support and a land owner of lot 1, Rossio in support and not a land owner, Robinson in support and not a land owner, Jones/Kranz in support and not a land owner, Wyman in support and not a land owner, and D'Anna in opposition with a 4 page attachment and land owner in Manor V.

Straus opened the floor to public comments.

Ron Landry, lot owner in Manor V, stated that in his letter he appointed Tom Sullivan to apply on his behalf. Sullivan is acting as his agent and whether he builds in Manor V depends on the outcome the petition.

Jim Reitman introduced himself. Reitman stated that the attorney for Pulte is not familiar with Sunset Forest. Sunset Forest runs gate to gate and is a private community of single family homes including Woodbluff and Manors I-V. Reitman believes the zoning is a housekeeping error. All of the manors were always intended to be R1 and believes Sunset Forest has the standing to petition the change. Reitman stated he was disappointed in Stonecliffe as a neighbor, as many of the residents of Sunset Forest frequent the hotel and restaurant. In addition many residents of Sunset Forest have worked at the Inn for many years. Reitman stated Stonecliffe has plenty of room on their property to build employee housing and there is no need to come across the road into the Manors. They are being very bad neighbors.

Steve Rilenge stated he was involved with the Master Plan process and noted the plan has been followed very well so far.

Kevin Doyle stated that the whole purpose of the Inn and the foundation that now owns it, is to help people that need it. Pulte is looking at options for high quality housing near their property. They intend to be very strict with the residents of the housing and feel the housing will enhance the property. Doyle stated he takes offense to being called a bad neighbor. He met with Sullivan previously and told him about their plans. Anything they build will enhance the neighborhood. Doyle respectfully asked that the City move forward with the existing zoning of HB. When asked, Doyle stated the housing will be year round and could possibly be available for others to rent.

Ben Horn representing Inn at Stonecliffe stated that good safe modern housing can attract good people that become part of the community.

Adam Cross, on behalf of Frank D'Anna stated there was a meeting Monday night, with 9 Manor V lot owners to amend the master deed. The owners vote 9-0 to maintain the HB zoning. Ron Landry voted to maintain the HB zoning.

Ron Landry confirmed that he did vote in favor of several deed amendments including changing the 50' setback and the zoning. Landry stated that the zoning vote was the one that gave him the most heartburn, but his reasoning is that he feels that Zoning, not the deed, would need to make the change.

Ed Kestor wanted to point out that a charitable foundation owns the Inn at Stonecliffe.

Reitman stated that Pulte has found a loophole. Manor V has no registered association so there could not have been a legal meeting. Reitman stated that the 50' setback is a golf course easement and a septic system easement. In addition, Manor V does not have assigned REU's.

Rilenge asked if the Foundation will be paying taxes. Pulte stated yes they do.

Mosley confirmed with Allen Burt that the REU's are not assigned for Manor V. In addition, Mosley believed that the original developer, George Staffan, intended for Manor V to be condos. Reitman stated that is not correct.

**PUBLIC COMMENT**

With no further comments there was a Motion by Martin, second by Finkel to adjourn the hearing. The hearing was adjourned at 3:37 p.m.

  
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Michael Straus, Chairman

  
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Katie Pereny, Secretary