EXHIBIT 24

Transcript from Leland Township Planning Commission Meeting
February 18, 2026 at 5pm
Northport School

Planning Commission Members present: Sam Simpson; Skip Telgard; Brian Fenlon, Steve Scales, and Lee Cory

Zoning Administrator present: n.a.

Administrative Assistant present: Andria Bufka

Counsel present: Brad Wierda

Applicant Attendees: Robert Parker (Attorney for Apollos LLC), James VanSteenhouse (Apollos LLC/property owner), Todd Cramer (Executive Director Bluewater Thumb Youth for Christ), Misty Cramer, Micah Cramer (Director, Leelanau Campus Life), and Kya Cramer. Liz VanSteenhouse and Taylor Cramer (agent on record for the Youth for Christ lease) were not known to be present.

Attendees: An attendee estimated that the auditorium in Northport included some 100 people, but this is only an estimate. Over the course of two public comment periods, 20 independent adults spoke. 17 adults were opposed to this application, 2 were in favor of it, and 1 was neutral. Neither of the 2 individuals who spoke in favor of the application own properties nor businesses in Leland Township. The meeting began with the Pledge of Allegiance.

Sam Simpson, 5:05pm: Good evening and thank you all. Can everyone hear me in the back?

Audience: Yes.

Simpson: All right. Um, so we have a few things ah to address tonight. We will start with the approval of the agenda. Um, does everyone like the order and the sequence? Would there be a motion to approve?

Lee Cory: So moved.

Sam Simpson: Second?

Skip Telgard: Second.

Sam Simpson: All in favor?

Commissioners: Aye!

Sam Simpson: All opposed? Motion passes.

Andria Bufka: Who seconded?

Telgard: I did

Simpson: Skip. Ah, declaration of potential conflicts of interest. *(pause)* None? *(pause)* Okay. All right, um, we will then move to approval of the minutes, November 4th.

Brian Fenlon: January 7th. There's a typo.

Simpson: OK. Yep, January 7th. Are there any edits or anything in the minutes that need to be revisited

Steve Scales: I move to approve the minutes from January 7th, 2025.

Unknown Speaker: January 7th, 2026

Scales: 2026.

Simpson: Is there a second?

Unknown Speaker: Second.

Simpson: All in favor?

Commissioners: Aye!

Simpson: All opposed? Passes. All right, we will move to Reports, Township Board representative.

Bufka: Wait, wait.

Scales: Correspondence.

Simpson: Oh I'm sorry. Correspondence. Correspondence.

Scales: Do we have correspondence to review?

Bufka: Only the things that are being forward over the last several weeks and I don't have a copy but I understand there was something submitted by a group of citizens to all of you so that's the only correspondence that's new that I'm aware of.

Scales: All correspondence received is also held by the Leland Township with Lisa Brookfield, um, and that's available to anybody in the public who wants to see any correspondence that's come in, including correspondence up until 2:00 prior to this meeting.

Simpson: Okay, um, so we are going to move into public comment. Um, just a reminder that everyone's limited to three minutes. Um, we will be keeping time. Um, please, if there are any,

um, side comments or conversations in the back while someone's speaking, please be respectful and give them their three minutes.

Bufka: Can you ask them to state their name loudly and clearly?

Simpson: Ah, please when you come forward, state your name widely and clearly. There should be, ah, Bob found the microphone there so ah yeah, at this point we will open up for public comment.

Bob Schlueter, Leland Township: Bob Schlueter, Leland, Michigan. I find it very sad and disappointing that the Youth for Christ organization does not celebrate what they truly are, and that is a church doing church-like things and having church-like activities. The Youth for Christ group is a church; they are not a club. Clubs don't have baptisms on the shores of Lake Michigan. Clubs don't recruit young people for the sole purpose of introducing them to their religious deities. Be proud of who and what you are and what you profess to believe in and represent. You should shout it from the highest mountaintop. If you are hiding from your own mission and essentially your personal, spiritual, and religious beliefs just so you can have this permit be approved, then what other truths are you willing to hide from? Do you really even know who and what you are? It's because of your unsure identity that I fear for the safety of the young people who might walk through your doors. Are you educated and trained enough to help these young people with some of the hardest questions they will want answered for? You are good people, we don't doubt that. However, you are not trained enough nor capable enough in helping these young people with their spiritual concerns. It is very disheartening and confusing for many of us to hear your words, see your pictures in the local paper, but then see you run away from everything you want us to believe about you just so this permit request you pursue has a chance to pass. Whether we believe the way they believe or not, we are proud of the various churches in our local communities. They offer to their communities honesty and a guidance in faith. They know who they are, and what they want to get done. We hope that someday you will be able to do the same. Thank you. *(applause)*

Bill White, Leland Township: Bill White, Leland, Michigan. Youth for Christ has stated their purpose is a religious one in a social setting. Among the prayers, storytelling, and preaching, they also engage in water baptisms—a sacred religious rite symbolic of washing away sin and admitting a person into Christianity. This is a religious rite performed under the auspices of a religious organization. At the last PC meeting, a local pastor, Mr. Garcia, made a presentation claiming they were merely a private club, but then went on to explain that under the Religious Land Use and Institutional Act of 2000, that religious clubs must be accorded treatment equal with secular clubs. I think it is unfair to say that if anyone knows what a religious club is, a pastor does. He went on to praise their ministry, so one cannot claim they are a private club and in the next breath ask for fair treatment under the RLUIPA 2000 Act. The applicant stated the following regarding his upcoming appearance at the Grace Fellowship Church [inaudible] Kids Club, I quote:

> "As an evangelist, my job is to be sent places as determined by the Lord to infuse fresh ideas into the minds of people, to spiritually spark them back to life and to a

> new level of spiritual awareness. Through biblical truth, life experiences, humor, and great storytelling, the audience will have the opportunity to hear a clear gospel presentation and respond to the claims of Christ. There will be laughter, tears, truth, introspection, and transformation, inspiring the audience to see the power that lies in a relationship with Jesus Christ."

Close quote. What might simply be a club becomes a religious institution when it identifies itself as having the purpose to socialize, educate, and provide religious teaching, training, and prayer, or exposure to religious concepts—and in fact performs these characterizations. It is plain as day that this Youth for Christ is a religious body meeting every conceivable criterion and must be accorded the treatment spelled out in Section 16.01 and 16.11 of the zoning ordinance, which serves to guide the decision for religious institutions. This makes using his nearby two-acre parcel, which meets the zoning requirement, a logical solution. I worked for Justice Weaver for eight years. I question the attorney's advice on his determination of the word "and," and I advise this Commission to vote no and refer this matter to the Zoning Board of Appeals. *(applause)*

Jacob Danziger, Suttons Bay Township: My name is Jake Danziger, 3887 North Stowe Road, Suttons Bay Township. I've written a letter that I have sent via email last week and I've given you a full copy of the letter. I have an abbreviated version of the letter I'm going to read tonight with some assistance, so when it gets broken up into three-minute segments I'll step aside and let my friends here finish reading the letter. I'm an attorney and a partner at ArentFox Schiff LLP, a national law firm with over 600 lawyers. I've practiced civil litigation for over 15 years and I have four children who've attended Leland Public School. I'm also on the board of the Old Art Building in Leland. These views are exclusively my own. I'm deeply concerned about the legal advice that the township has received. I was astonished when I read the legal memo from the law firm of Smith & Johnson that's posted on the township's website. It is titled 'Staff Report,' and that's how I'm going to refer to it in this letter that I'm reading. In my view, the Township is clearly lacking the kind of impartial legal advice that you all should have received from an attorney advocating for the Township's interests and the Planning Committee's interests. I am asking you please to consider obtaining different legal counsel to provide you with a second and impartial legal opinion. The staff report does not contain anything remotely like a fair or impartial or nuanced analysis of the many factual and legal issues that are presented by this application, and it's very important to state this is not because of the conclusion. I already spoke at last month's meeting stating my own personal view that you should deny this application. If I had read a legal memo that carefully analyzed the law and the facts and came out on behalf of the applicant, I wouldn't have taken time out of my busy schedule to write this letter and I wouldn't be standing up reading you this letter. I think it's really important, regardless of the conclusion here. This memo reads as a second memo on behalf of the applicant rather than a strategic guide to the commission that can assist you in your deliberative process. You do not need a second memo advocating for the applicant's interests. You have a great memo from the applicant's own attorney. You also do not need a memo advocating for your insurance provider's interests. You need guidance in the direct interest of the Township regardless of whether that interest might conflict with the interests of your litigation insurance provider, if any. The staff report glosses over and ignores many reasonable questions that you might have about how to interpret the law here. It does you no favors in simplifying and clarifying what I'm sure are

difficult questions for you. I am not exaggerating when I say that as a lawyer who has read hundreds, if not thousands, of memos and briefs in my career, this memorandum read like a dispatch from an alternate universe. It is perhaps uniquely the worst legal brief I've ever seen, including from first-year attorneys and even law students. I cannot overstate how strongly this memo disserves you, the Township Planning Commission, as the client that deserves to receive fulsome and impartial analysis of all of the legal issues involved in this application. It may be frustrating to delay the review process to accommodate for a second legal opinion, but this memo is on its face disqualifying as work-product that you could fairly rely on in good faith. If you receive a second opinion that comes to the same conclusion

Simpson: Three minutes

Danzinger: Last sentence please. If you receive another memo that comes to the same conclusion, all the better for the process, for the community's trust, and for the final record that will support your determination.

Derek Newman, Leelanau Township: Hello, Derek Newman, 102 West 6th Street here in Northport. My wife is a teacher at Leland Schools and my son attends there as a fifth grader. Continuing on for Jake Danziger, many notable contrasts in legal analysis are exemplified by the memo submitted to the Planning Commission by Troposphere Legal on behalf of Fishtown Preservation Society, herein FPS. I have no affiliation with Troposphere Legal and their memo represents the interests of FPS. You should not simply adopt the analysis of the Troposphere Legal memo, but rather, I hope you will take serious consideration of the memo and note the vastly different conclusions regarding certain issues like the potential applicability of the Religious Land Use Act, herein RLUIPA. The Troposphere Legal memo makes a convincing case that the RLUIPA does not apply to the Township's consideration of the Apollo's application. As a matter of federal law in my view that is the correct interpretation. But how does the staff report arrive at the conclusion that it might apply? Does it inform the Planning Commission of the reasons that RLUIPA might apply and the reasons that RLUIPA might not apply and provide transparent analysis of which is the better argument? No. The staff report, the staff report mentions the possibility that if the application were to be denied the Township might have to defend itself in litigation brought by the applicant. Does the staff report analyze the potential defenses that the Township might be able to raise in such litigation? Does it analyze potential strengths and weaknesses of the denied applicant's potential claims? No. The threat of litigation is mentioned, but there is no advocacy on behalf of the Township regarding the Township's best arguments that could support a successful defense in that hypothetical case. I have never seen a legal brief that would advise a client that they might be sued but not seriously assess the potential defenses that the client could raise in response to that lawsuit. Does the Township have an awareness of the strength of its potential defenses so that you can make an informed decision about whether this potential lawsuit would be frivolous, serious, or something in between the two extremes? I hope that you would know something about that from your counsel who appears to have not considered that possibility at all—that the Township could prevail in such a lawsuit. The staff report and the Troposphere memo also reach opposite conclusions about whether YFC is a "club." Shockingly, the staff report arrives at a determination that YFC is a club primarily because YFC says that it is a club, rather than analyzing whether in substance

the proposed use by Apollos is consistent with the application definition of club. And whether there is any factual support for YFC's makeshift adoption of the club nomenclature for purposes of their application. Does YFC hold itself out to the world as a club or as a parachurch and ministry? Is there any evidence that anyone associated with this YFC chapter has ever even used the word club to describe itself prior to submitting the application? The staff report takes YFC at its word. I hope that the Township conducts a more rigorous fact-finding determination than that.

Bufka: Derek, excuse me what was your last name?

Newman: Newman

Bufka: Thank you.

Amanda Johnson, Leland Township: Hi, good evening, my name is Amanda Johnson and I live in Leland. I'm continuing on again for Jake Danziger and reading his letter. The staff report and the Troposhphere memo also reach opposite conclusions about whether YFC is operating on a members-only basis. There's no evidence that anyone has to become a member of YFC in order to participate in its activities at the proposed location. Again, the staff report seems to take YFC at its word that it's members-only and yet, as the Troposphere memo notes, there have been no submitted information regarding membership in YFC. All of the evidence in the public record suggests that anyone with an interest in YFC's missionary message is welcome to attend their gatherings and prayer meetings at the location. There's no documentation of the YFC's mission as requiring membership prior to participation or requiring membership as a prerequisite of continued participation. I have personal knowledge of teenagers from the Leland Public School community who have attended programming at the Lighthouse despite not being members, quote, of the YFC club. No one asked these children if they were members of a club or mentioned a process of becoming a member of a club. The staff report and the Troposphere memo reach opposite conclusions about whether YFC is a church or a religious institution. The staff report astoundingly arrives at the conclusion that YFC is a self-professed parachurch, is not a "church," quote church, because there is no, again quote, "no evidence that YFC is organized to sustain public worship." It's an insult to your intelligence to pass off the analysis here based on the applicant's say-so. This YFC chapter has publicized that they have conducted religious rituals, baptism, adjacent to the location at Vans Beach. Other community members have been shown architectural drawings showing a chapel in the future design plans for this very space. Any ordinary person would understand YFC to be a religious institution. Anyone who looks at the YFC's website for more than 30 seconds would understand the YFC is to be a religious institution. Even if the final conclusion of this staff report is that Section 16.11 is not applicable, a reader of the staff report does not become more well-informed about this potential point of contention or disagreement by reading the staff report itself. Instead, at every turn, the staff report advocates for a single side of each possible determination, without illuminating any other possible interpretations. I actually felt as if, when reading the staff report, I became less informed about the complexities and nuances of the applicable law rather than becoming more informed.

Simpson: Three minutes.

Johnson: Thank you for your time. *(applause)*

Judy Frederick, Leland Township: My name is Judy Frederick, I live in Leland. I'm here to briefly summarize a letter written to Jim and Liz VanSteenhouse. This letter was written by a group of Leland residents and signed by more than 60 other Leland residents. The letter begins by addressing the high level of disturbance within our community and the stir this application has created. This controversy seems to be discussed well beyond public meetings and has infiltrated everyday life. Second, and what struck me as being highly relevant, is the level of opposition to this proposal. While looking solely at people who spoke at the Leland Township Public Hearing, 77% of them expressed concerns. These speakers are residents who own property or businesses in Leland Township. The opposition pertaining to the Harbor Square location is even more prevalent in writing. There are more than 200 letters on file. When looking at adults from the entire Leelanau County area, 69% of the letters expressed opposition. Breaking it down, 81% of residents who own property or businesses in Leland Township have expressed concern. And a whopping 92% of residents or business owners from Leland itself wrote letters asking that this application be denied. Three, the public might be interested to know that an offer was made to the VanSteenhouses to put them in touch with a deeply qualified buyer to purchase the Harbor Square property at fair market value. Or, if they wish to retain this property, an offer was also made for him to meet with highly qualified retailers who are sincerely interested in leasing. The letter closed by stating that it is the authors' understanding that the VanSteenhouses have an earnest wish to not further divide this special town. The authors appreciated that sentiment. They proposed that withdrawing the current application before the next Planning Commission meeting would be a significant gesture. To my knowledge, no offer has been made. Thank you. (*applause)*

Michelle White, Leland Township: Hi, I'm Michelle White, Leland Township. A 50-year resident who's concerned for my community. I have written previously, but I am here again tonight to express that as co-founder of the 5 Loaves 2 Fish, I am deeply saddened to see the divisiveness created by this application and want to express that our community meal at the Leland Community United Methodist Church we have been fully committed to creating and keeping a safe space for all in our community. There are parents and kids that come that are on both sides of this issue and we want them to know they are safe here regardless of what personal opinions are. I encourage the applicants to join our meal and experience community that is inclusive and loving to all. Thank you. (*applause)*

Dan Brugeman, Leland Township: Good evening. My name is Dan Brugeman, 2411 North Lake Leelanau Drive, Leland Township. I have three children in Leland Public School, registered Scout leader, 26 years practicing engineer in multiple states. I have significant concern with the brief that was filed by the Township attorney. I understand Mr. Wierda is counsel of record for the Township and it is natural process for our elected officials to ask him to submit his observations on this matter. But it is deeply disturbing Mr. Wierda didn't recuse himself. His clear bias in this matter is documented. Given Wierda's history with Calvin College, Spring Arbor Methodist College, Traverse City Christian, and also an evangelistic Faith Reformed Church he

should have passed this assignment on to a neutral co-worker. Instead, Wierda produced a completely one-sided and incomplete report that frankly is a disservice to our Commissioners and our community. It is also unprofessional and unethical. He should have passed. This is a complicated application, we all know this, involving a for-profit landlord, non-profit tenant, and an exceedingly well-funded national chain in a county that thrives on offering tourists and a community and our County an *alternative* to chains. Because this tenant chose to use the space in question for months prior to the proper paperwork being in place, we know that there is a documented history of regular religious worship and the pursuit of baptism inside the very space in question. This is something that Wierda completely overlooked, left out, and thus makes his entire argument a mute point. At the very least, our hardworking commissioners deserve a more thorough, neutral, non-biased review of this matter. I encourage each of you to consider getting a second, ethical, legal opinion, one without conflict of interest. Take all the time and resources you need to get this topic right. We are patient. A town that has been a very special place since the late 1800s has the right to ask for that at a minimum. Without it, this town may be changed forever by this vote. Let's get it right. Thank you. *(applause)*

Sharon Kalchik, Leland Township: Hello. I'm Sharon Kalchik. I live in Leland Township. Now I know you've been working really hard on this issue and the decision you make is really important to Leland and to the C-1 commercial district in Leland. And it does not need to be rushed. I know also that a special permit is allowed in this district but it's not guaranteed. It requires public input which you have very generously offered, and a thorough consideration to be certain that it does not violate the intent of the Zoning Ordinance and negatively impact the neighboring businesses. And I believe it does not. The walkable corridor in Leland was designed with the intention of having a few shops in an easily accessible area that would offer a pleasant shopping experience to the customers. It would be a shame to take that away with two of the largest shops and replace them with a business or institution that is not open to the public as intended. The C-1 commercial district was created by the Zoning commission with the intent to have businesses that offer services to the public in a centralized area and to protect them from encroachments from businesses that do not fit. Please don't resist the urge to submit to this request out of fear of facing a lawsuit. These are valid reasons to deny it. (a*pplause)*

Keith Ashley, Leland Township: Keith Ashley, Leland Township. The township paid for a legal opinion pertaining to the issues raised by the Youth for Christ application. They could not have chosen a more biased, compromised, ill-suited attorney for this purpose than Mr. Bradley Wierda. He's a Calvin College graduate. Their motto is "think deeply, act justly, live wholeheartedly as Christ's agents for renewal of the world." They boast that their faculty is 100% committed Christians. He was a consistory member of the Faith Reformed Church, which is the focus on spiritual growth of the congregation including worship and education. He was a school board member of the Traverse City Christian School whose motto is "glorify God by partnering with parents and equipping students to transform the world of Jesus Christ." These are all laudable interests and achievements for a good Christian, but they appear to have carried over into the 11-page letter that he wrote to you. And it appears to have influenced his opinion to favor the applicant without offering the balanced pro and con views that the Planning Commission should have in finding their way through some difficult language and concepts; and clouded further by the threats of lawsuits by the applicant's attorney and a property owner

attorney if they deny the application. The Leland citizens paid for this one-sided opinion and they didn't receive value for their money. I urge the Planning Commission to review the Findings of Fact but withhold any decision until a balanced second legal opinion can be obtained. As you know, I served on this commission for a number of years and was part of writing a lot of those words. Excluding 16.11 in their letter to you because of the use of the word 'and,' which we used in a layman's term not in a legal sense in our ignorance of the legalities, taking that away from you to use 16.11 as part of your decision-making is a disservice to the citizens of Leland and I urge you to reconsider that. Thank you. (*applause)*

Larry Acker, Leland Township: Evening. My name is Larry Acker. I live on High Bluffs Road in Leland. I'm a year-round resident, I have two grandchildren in the Leland schools, and I am a practicing attorney. I filed yesterday with your group a two-page memo which tried to isolate the facts that are important in this issue, and in particular to respond to some of the flawed elements in Mr. Wierda's brief. I'm going to note a few of those and then a few additional comments. First, everyone in the room needs to understand that the special land use permit, if you issue it, runs with the land. That means in perpetuity. You can't go back and change it. The fact that it runs with the land also means that Apollos LLC is in charge in the future to what goes into that space next. You don't know if it's going to be a religious-based club, a faith-based club, anything else that passes for a club, a religious sect, a parachurch, or a mosque, or whatever might go into that same definition. Once you grant the special permit, you have lost control of that site. The third thing I would point out is this property sits within the confines and the historical definition of the Fishtown space. It's inside the border. Look at the map. This use is inconsistent with the federal proclamation regarding why Fishtown was given the special designation and has those borders and controlled spaces. It's inconsistent. My reading of Mr. Wierda's memo is that somebody at the Township who is sponsoring the applicant's effort requested a report that would give you the basis to grant the permit. It doesn't mention fairly the actual case law that has decided the federal RLUIPA. That's a mouthful: Federal Religious Land Use Institutional Permits Act. I gave you the three citations to the principal cases that have been decided in this country since that bill was passed in 2000. All of the principal cases say the following—this is my summation, but you can test it: Unless the applicable zoning requirements are taken seriously and the requirement of substantial burden is taken seriously, the difficulty of proving a compelling government interest will free religious organizations from zoning restrictions of any kind. When there is plenty of land on which religious organizations can build churches in a community, the fact they are not permitted to build everywhere does not create a substantial burden. The law is intended to provide for **equanimity**, not per se equal treatment every time.

Simpson: Thank you.Three minutes

Acker: Thank you (*applause)*

Simpson: If there are going to be more public comments, if you could seat yourself closer to the microphone, please.

Berkeley Duck, Leland Township: Excuse me, my name is Berkeley Duck. I'm a resident of Leland, um, I live on Birchwood Road. Uh, and I'm speaking for myself and not as part of any

organization. But I have one small point I think is important. There's been a lot of talk tonight and previously about the status of youth of this—of the applicant as a club. Um, and I would note that there's no evidence in the record that this organization has any of the attributes of a club. It apparently has no bylaws, a mission statement, a charter, a roster of members that's available to all members, ah, doesn't collect dues in support of its mission that are applied then to that mission. Um, and I would add that I have performed a fairly extensive search on the internet for um, any mention of the use of clubs as part of the uh, structure or operations of the Youth for Christ organization, and I've found absolutely nothing. This appears to be an invention of the applicant designed to meet requirements of our ordinance. Thank you. (*applause)*

Sarah Mills, Leland Township: Good evening everyone, my name is Sarah Mills, I am a Leland resident. Uh, and I will hand these to you. I have a supporting document with seven pages of zoning information. Youth for Christ began operating from the former storefront at 110 North Lake Street as an assembly space for ministry in early March of 2025. This use was initiated without required approvals from either the Planning Commission or the Zoning Administrator. The assertion by the applicant and their attorney that this unauthorized use was a simple, unintentional oversight is highly questionable. It is plausible and should be considered that the zoning standards were either knowingly disregarded or that there was a cavalier disregard for the municipal and zoning laws of the Township. The precedent is crucial as you consider the special land use permit before you. This commission has previously demonstrated a paramount concern for accountability when considering other applications and topics within the Village. In those prior cases, significant due diligence was undertaken by both Planning Commission members and the applicants to fully address questions of compliance and accountability. Furthermore, the applicants in those previous cases had no history of operating outside established guidelines or lacking accountability to the community and zoning laws. That cannot be said in this instance. The claim that Youth for Christ should be classified as a club for zoning purposes must be rejected on the basis of legal distinction. The organization's operations, including baptisms, organized ministry, its 501(c)(3) status as a church are functionally inconsistent with the definition of a club under zoning law. The attempt to classify this use as a club conflates two entirely distinct concepts: a legal classification, which is concerned with what the building is—a regulatory designation of real property land uses; and a programmatic level, which is concerned with what the organization does—a descriptive label for activities. It runs activities called "clubs." In a programmatic sense, a club is a marketing and relational term that describes a specific model of interaction rather than a land use category. This usage implies voluntary association—a group of students choose to belong to, centered around specific activities. While YFC uses "club" for inclusivity and to feel less formal than a church, it does not necessarily grant legal rights to a property. It describes the vibe and structure of meetings rather. A key feature is portability. A programmatic club could be anywhere—school cafeteria, a living room, a park; it is defined by the people and the curriculum, not the physical building. In Zoning law, a club is a technical land use category designated to measure the impact of a building on its neighbors. Zoning boards focus on the intensity of use, particularly parking, noise, traffic. A club is often classified as a private club or lodge; it typically implies consistent membership with periodic meetings, distinct from a church which may have high

surge around specific programs. Acreage and infrastructure requirements differ. A church requires two acres...

Simpson: Three minutes. Thank you.

Mills: Thank you. (*applause)*

Anna Hogan, Leland Township: I'm Anna Hogan, Leland Township and I'm just going to pick up where Sarah left off. Acreage and infrastructure requirements often differ. A church might require two acres of land to buffer its impact, while a club might be permitted on a quarter acre commercial lot due to a theoretically smaller footprint. Lastly, a club is often viewed as a quasi-commercial use fitting into a downtown business district, like the C1 zone in Leland, whereas a church is generally viewed as a civic or institutional use that requires more space. The programmatic label of a club does not supersede the legal and regulatory designation required for the property's use. The building is the legal container, the program is the content. The conflict here is that this organization only operates as a club programmatically, but is a church legally. Furthermore, in Michigan, a club designation in a zoning code typically requires meeting two specific criteria: non-profit status and restricted membership. Furthermore, it remains unclear if the property owner, Apollos LLC, is established as a 501(c)3 non-profit, which has been presented as a prerequisite for any consideration of club designation. Assuming a zoning ordinance defined as a club, a club as a non-profit organization not operating for gain and restricted to members, the Lighthouse YFC fails to meet the membership requirement. The organization's programs are, by its own definition, open to every young person between the ages of 11 and 19. This broad, unrestricted access to an entire age demographic does not constitute the restricted membership required for a private club. Furthermore, recruitment efforts, including local newspaper advertisements making an open call to all teens, do not mention any membership structure, which fundamentally contradicts the requirement of a restricted membership organization. The claim that the Lighthouse YFC should be classified as a club for zoning purposes must be rejected on the basis of legal distinction. This organization's operations, including baptisms, organized ministry, and its 501(c)3 status as a church establishment, are functionally inconsistent with the definition of a private social lodge or club under zoning law. Lack of statewide precedent: the classification of Youth for Christ as a club for zoning purposes is not supported by precedent across the state of Michigan. If club status were consistent and legally recognized designation for YFC operations, this classification would be evident in other chapters throughout the state. Below is a list of YFC locations in Michigan and their pertinent zoning status and classification information. And while zoning ordinances differ across cities and Townships,it's important to note that *none* of these locations requested or were approved under any club status.

Simpson: Thank you. Three minutes.

Hogan: Thank you. And we have many examples attached here. *(applause)*

Andria Bufka: *(asks Mills a question about her submission of materials, which is inaudible due to applause)*

Simpson: Any more public comments? All right, we will continue to move forward. All right. Um, next we will move to reports, ah, Township Board Representative.

Steve Scales: Yes, I'd like to report that the um, dock that we're proposing for East River Street is finding ah, completion with EGLE and we expect to have that back on February 27th, which by that point we will then move into a public review period for 20 days with the intent and goal of having that dock installed by Memorial Day.

Simpson: Steve, were you able to get the additional footage you were shooting for on that dock?

Scales: The footage is as proposed and it's been shared with members of the community that have concerns. One of the concerns was that that dock would go contiguous from the boat ramp all the way to the Riverside, that's not the fact. It's um, shorter than that and um, that's what's been applied for with EGLE. Um, we expect to get their findings back and basically it's going to be about 180 feet and um, at the very end of it, there will be a handicap accessible area, um, which is a new addition than what we had before and it's paid for by private funds.

Unknown Speaker: Good.

Scales: I also just want to recognize Andria. This is her last meeting as our recording secretary. She's done a great job keeping us on track, keeping us informed, and providing us with all the documents. So thank you very much. *(applause)*

Simpson: Ah ZBA Representative.

Lee Cory: Um, we have not had any issues come before the ZBA since our last meeting, and so I do not have anything to report.

Simpson: All right. Um, so at this time we're going to move into the New Business. Um, since Ross has departed we are in need of leadership. So, ah, we are going to move into election of a Planning Commission Chairperson. Um, so I will open up to— I would move—I would like to um, suggest Lee Cory to lead us.

Brian Fenlon: Do we need a second for that?

Skip Telgard: I would second that.

Simpson: Lee, would you be willing to accept that?

Cory: Yes.

Simpson: All right. All in favor of Lee Cory?

Commissioners: Aye.

Simpson: All opposed? (silence) All right, at this point, I am going to um, pass this microphone down to Lee. *(The microphone is passed down the table with several loud thumps.)*

Unknown Speaker: Sorry.

Cory: Is that okay?

Audience: Yes.

Cory: Um, first of all, I want to thank everybody for being here tonight. This is just a great show of community spirit, regardless of what side you're on. Um, for the record, um, I'm an attorney with over 40 years experience in state and federal courts and also in practice before the Planning Commission of Louisville, Kentucky. In my opinion, the Planning Commission does not currently have sufficient legal analysis of the requirements of the ordinance, the applicable law, or the application of the ordinance and the law to the facts at hand in this application, which would allow us to make findings of fact required by the ordinance. I have read all of the briefs and the letters; however, I reach this conclusion independently based on my own experience and expertise and in my opinion, there are so many holes that are still in the brief that was provided by our counsel, as well as the Findings that were given to us, draft Findings, from which we are supposed to um, make a decision. So, in in good conscience and in good faith, um, I cannot make a decision based on either of these two documents that were provided to us by counsel in order to allow us to make our decision. Therefore, um, I would like to make a motion to do the following: First, to engage outside counsel to provide another analysis, and Second, to postpone the Findings process and a decision on this application until the Planning Commission has had sufficient opportunity to review the additional analysis. Do I have a second?

Simpson: I'll second.

Scales: Discussion?

Cory: Oh, sorry. Any discussion?

Andrea: Who seconded?

Cory: Steve.

Scales: No, I did not second. I did not second.

Telgard: Sam seconded.

Simpson: But I'm all for discussion.

Scales: Okay, so I— I want to make sure where we are on the agenda because we're at Reports right now, and it feels like to me…

Simpson: No, we moved…

Cory: No, we're on New Business.

Scales: Okay. So, here's my thoughts. Um, I appreciate your opinion, um, but I also recognize that we have followed the Planning Commission process and policy that we're required to follow in order to come to a vote. The applicant's Special Use Permit has remained the same; it's been a constant. We have *(loud thumping sound as the microphone is moved)*

Cory: Excuse me. So sorry. Sorry Steve.

Scales: we have had the opportunity, which we shared for a Public Hearing, which we did here last month. We have had the opportunity to review the Zoning Ordinances, which is part of being on the Planning Commission. I believe everyone's familiar with those. We have been submitted a Finding of Fact from our Zoning Administrator and the people involved with helping Tim put that together. We've also been privy to our Master Plan. But we've also had considerable correspondence, both from citizens and from different attorneys for and against. And on January 6th, Ross Satterwhite, our former uh, chair of our Planning Commission, he asked for the Township's opinion to be submitted, and we got that opinion. I feel that where we sit tonight, we are in a position to make a vote. I feel to not make a vote is we're waiting to get an opinion that maybe satisfies some of the people on the Planning Commission that they don't have yet. That's my point.

Cory: May I respond to that? Now that I'm Chairman I guess I can. Yes, we have been provided with Findings; however, I find those Findings to be seriously flawed. And our job is to make a decision based on those Findings and to go through those Findings and check them against the Ordinance. I think the Findings are flawed. In addition to that, I think the Brief that we were provided to help guide us, which should guide us in making an individual— a decision on this application, is also flawed. And the reason I say that is because there are provisions of the Ordinance that were completely ignored both in the Findings and in the Brief provided by counsel. Now, I can go through these and give you some examples of them. Ah, for example, we do not have any analysis on section 12.01.C3 on clubs in C-1 versus section 12.01.B7 on clubs in C-2. They're different. We don't have any analysis on what determines a club at all. In the Findings and in the Brief, it is simply assumed it is a club. It does not define what type of club, it does not distinguish between a type of club that would— would be in C-1 or in C-2. Secondly, um, section 16.01.A3, we need to know whether or not the application— the applicant has complied with the requirements of the application itself, the form that is, which requires that the application must outline specifically how it plans to meet each of the requirements under section 16.01. In answer to the two questions that are on that application, the applicant has answered simply "yes" to those two questions. It has not provided any— any plan, any evidence, any— anything beyond the word "yes" on— on how they plan to comply. In Michigan law, most importantly, and I'll give you that case, Whitman versus Galien Township, 288 Michigan Appeals 672, pages 678 through 79, 808 Northwest 2nd 9, 14, year 2010, prohibits the Planning Commission from approving an application unless the applicant provides substantial evidence to establish this eligibility. And finally, um, an issue that has been raised, um, just a minute ago, whether or not the—and I won't give you the full name, I'll give you the initials—R-L-U-I-P-A actually does apply in this case. Counsel assumes that it does. If it does,

why does it apply? How does it apply? We're just given simply "it may apply." We don't know why or how. That's important. We need to know that. So in my opinion, there are too many holes in these findings and in this brief for me to be able to go forward as an attorney. And as an attorney, if I was advising this Planning Commission, I would advise them not to go forward as well. Um, I think as someone stated earlier, we should not rush this. There are too many important issues here for—for both the applicant and for Leland Township. And regardless of what the outcome is on a, on a second brief, if a second brief comes out and reaches the same conclusion, that's fine. I just want to be sure that we have done our due diligence and that our counsel has done our unbiased due diligence in drafting these Findings and advising us on how to proceed.

Scales: I appreciate what you have to say, but to—to say biased, that's a judgment on the Brief. And I'll let that ride, and we're all entitled to our opinion. As the Planning Commission, what I understand in studying the role of the Planning Commission, it is to review what has been put forward to us and to vote on what's been put forth to us in a good faith effort and on a timely basis. And I respect your legal background, but also I respect what the applicant has been through and us to be able to give them an answer, whether we approve it or don't approve it. For the Planning Commission to put additional conditions on how we would vote, um, I—I think…

Cory: I'm not suggesting that. I'm not suggesting any, any additional conditions. I'm simply asking that we get a second opinion. As important as this is, that we get a second opinion from counsel. Another Brief, going through the Ordinance, going through the applicable Michigan law, answering the questions. Some of—I mean, there are more than, than what I've just brought up. I mean, that's just the main ones that I've annotated just to mention tonight. There are many unanswered questions in this application and in this Brief. I mean, in—in this application, the Brief, and in the Findings. Um, there, this, this whole thing turns on one crucial word: "club." They have not provided any evidence to suggest that this is the type of club that complies with C-1. If they do, that's great, but that is not here, nor is our counsel pointed that out. That bothers me. I do not want to make a decision based on incomplete Findings. That's all I'm asking for.

Scales: So Lee, if I hear you right, you know, I heard some clarity, clarity guidance, I could use that play on words, and you cited three specific sections.

Cory: Yes

Scales: And, in the hopes that the applicant's taking notes, those three sections must be answered for you, and an additional Brief, because it's your opinion that we got a biased Brief.

Cory: No, I didn't say it like that we got a biased Brief.

Scales: …it is your judgement.

Cory: No. I didn't. No, I didn't say we got a biased brief. I said I would like to have an unbiased opinion. That is not to say that anyone is biased. We deserve to have a factual, unbiased—that is, that is not a pejorative word, that is a factual word—a factual, unbiased opinion based on the

law, as the law applies to the facts in this case and examples of Michigan law where this does and does not apply. That has not been provided here. This, in my opinion, because of that, is incomplete. This is too important for both Apollos, the applicant for Youth for Christ, this is too important for them and for Leland for us to—I'm not saying—yes, we've spent a lot of time on this, but I think it's important enough that we be especially deliberate in going forward with this rather than saying, "Well, we've all spent a lot of time on this, Apollos, the applicant has spent time, we've spent time." Yes, we have, we know that. But in my opinion, there is nothing wrong with spending more time to get more complete Findings from counsel that we can rely on with confidence.

Simpson: So, may I hop in here? Just to give a little historical context, we've dealt with other SLUPs that, um, you know, have been—have been significantly—had significantly less public input, and we have spent a longer time horizon on it. So, you know, in, specifically the last three issues we've dealt with, have had a lot of public input and extended, I'm getting a little feedback *(referring to the microphone)* um, a longer time. So, I don't think it's inappropriate at this point, from my perspective, if, ah, the sentiment is that, um, there needs to be more complete analysis of this. Um, if this extends another month, um, I think that that would be ah wise for us as a Board to be able to feel confident as we move forward, um, through Findings of Fact, to feel that we have ah, a full analysis that everyone's satisfied with. So...

Telgard: I'd like to, um, add, um. First of all, I agree with a lot of what Lee said. I also have, um, some issues with, um, the timeline. The timeline was very, very tight. Um, we hadn't had an opportunity to speak to counsel at all, around mid-, middle of January. I was reaching out and reaching out and reaching out and not having a lot of luck, but I did get a call back from Brad and, uh, we had a couple of—one very short conversation, but he, he responded. But we did not get his memorandum until February 4th. And that was 14 days ago. Now, that may sound like quite a bit of time, but with the mountain of stuff that we have to work with, to go through, ah, I felt it was inadequate.

Fenlon: And multiple responses to that, I would add.

Telgard: Oh yes. Yes. Yes. So, I would—I would agree with Lee's position on this.

Simpson: So at this point there is a motion on the table. Is there further discussion?

Scales: Yes.

Simpson: Okay.

Scales: Um, a number of points have been raised and I'd call them points conditions, so to speak, in order to be able to bring this to a vote. It is my opinion that we owe the applicant specificity to what those points are. And, Lee, you called out some different points and, you know, I—I feel it's appropriate if—if the applicant has questions in terms of what those specific points are, that brings this to a timely vote that they have the opportunity, um, to understand what those are. And I agree that it's an important decision, but I—I also have to respect the fact that nothing's changed on the applicant, we're asking questions and they're—they're good

questions and if that's what we need to be able to have answered in order to make this important vote, so be it. But what I would prefer not to be in a position of is coming back to a meeting like this in a month and having more clarity and more questions and more sections. Um, because as I started off, I believe the process and the policies have been followed, um, but what I hear from this, ah, Commission is that we're unhappy with what's been submitted and we have additional questions, so in fairness to everyone here, um, namely the applicant, let's get specific in terms of what has to be answered and, um, narrow that down and, uh, be able to move forward and bring this to a vote.

Cory: Well in terms of process, it would be exactly the same and, um, but I would like to go on the record as saying, in my opinion, the substance is more important than the process. We—we have followed the process, but the substance that is included in what we have been given in the process is insufficient. Um, secondly, the—the applicant would be able to—to respond exactly as they did before. If we have a brief—another brief from outside counsel with, on the Findings, the applicant has the same opportunity to respond as they did just with this. The process is the same.

Scales: So, when you say substance, just so I'm clear, substance relating to the brief from the Leland Township attorney?

Cory: The substance relating to the Findings that we are supposed to make a decision on.

Scales: OK

Cory: For example, the use of the word "club." There's no background, no substance defining club, no evidence, no law, period, in the Findings. It simply says it's a club, and a club is allowed in C-1. That's what the Findings says. I can't make a decision based on that.

Scales: So to get the substance and get specific, the—the Findings dated January 16th need to include a deeper conversation than currently exists with respect to the definition of clubs as an example?

Cory: That's just one example.

Scales: Well, you said substance, so…

Cory: Yeah. That's just one example.

Scales: *(talking over the top of each other)* …there's two things. A Brief and Finding of Fact.

Cory: Yes.

Scales: You want to see more?

Cory: Yes, I think I was clear about that. We need to have outside counsel prepare another Brief. We need to have outside counsel prepare Findings—a more, a more wholesome Findings on the issues that have not been addressed in this draft of Findings.

Scales: Can you define outside counsel? *(audible giggling from the audience)*

Cory: Someone other than our current counsel.

Scales: So outside of Brad.

Cory: Yes.

Scales: Which that has to go through the Township Board?

Cory: Yes.

Fenlon: If I may, um, just add, I believe the understanding was the applicant has to show approval of various, um, municipal, you know, the sewer, I saw those letters of—but there's still other pieces of that out that haven't been approved

Cory: Apparently so

Fenlon: as far as I—that doesn't mean they're not going—they couldn't be approved I'm sure, but I just want to be clear that my understanding is it may be inappropriate for us to vote on it without that. And at the very least, the condition would have to be that—that this—this passing would only be contingent upon them fulfilling that obligation.

Cory: You're correct.

Scales: The sewer was addressed, Brian, in this.

Fenlon: There are others though that I are still outstanding.

Scales: Okay, that's why I want to get specific and, um, understand what those are?

Fenlon: I believe there's a number of those outlined

Cory: Yes.

Scales: Um, to be clear, we are dependent on our Zoning Administrator to provide us with a Finding of Fact, and that's who we use. And, you know, we were submitted with a Finding of Fact that we—now it would appear some of us on the Planning Commission question the—the detail and the extent of that and we're asking our Zoning Administrator to go deeper on Finding of Fact to include the definition of club and how that would apply to our Zoning Ordinance and our Master Plan, correct?

Cory: That is one issue, yes.

Telgard: When it comes to the Findings, um, I kept asking, um, for the Findings, and ah Andrea worked hard at that…

Bufka: Andria

Telgard: Andria, sorry. And then Tim of course is very ill—so that's been very difficult. Um, but at some point, what I was hearing was that we were just going to use the Memorandum from Brad as Findings, that was it. There wasn't going to be a form like we've always used here. Um… Not that it always has to be that way, but we're used to going through Findings this way where everything is included here. I was told that now we're just going through Brad's abbreviated version of that, and I was concerned about that. So I don't know who is going to… Does Council put the findings together? Is Tim going to be able to do it? We don't want to stress Tim's life at this point right now. We need to care for that guy.

Cory: Skip, I was not aware of that, and I think you raise a very legitimate concern, which really would make my concern even more so if we are to simply rely on Brad's Brief to make Findings. So, we'll have to talk about how we're going to deal with Tim's illness and how we go forward with who is going to do the Findings. But I was not aware that we were just going to use a Brief.

Bufka: Well, the Findings were supposed to be integrated or are integrated into the Brief is my understanding. And then people wanted to see the form because that's what they're used to, but my understanding is that that's contained in there.

Cory: And I'm not clear on why we deviate from previous practice and process on going through the Findings one by one. At least in my experience on the Planning Commission, that's what we've done on every case.

Scales: And to note, the Finding of Facts here dated January 16th were put together by our Zoning Administrator Tim, and so what you have are the latest and the final. And so what we're asking for, if I understand, is a deeper dive on these Finding of Facts …

Cory: Yes

Scales: …and the question I hear is who all will be involved in that and how we will direct a deeper dive into the Finding of Facts. Because as we mentioned here, we have gotten Finding of Facts and other things that I've voted on and we've got one set of Finding of Facts and that's what we used. And that goes back to what I said earlier, using the best information we have in front of us. So what we're saying in this case is we're going to call this Finding of Facts, Finding of Facts, so to speak, incomplete, and that we request a deeper dive.

Cory: And in my experience, and I think Sam you'll agree and Skip, you also will remember this, we have gone back on several occasions with the Findings to ask for more information in the Findings. This is a *draft*, and in the past, we have asked for more information. This is not unusual to ask for more information in the Findings.

Simpson: I remember at least two or three times where we've had Findings in two meetings if not three. Do you remember anything?

Telgard: I know at least it's happened a couple of times. Yeah. Yep.

Simpson: I don't think that's out of the historical at all.

Cory: Any more discussion? I'm sorry. Committee would you like me to read the motion again?

Simpson: Yeah.

Cory: Okay.

Scales: I'd like to add before we read the motion again. With respect to our conversation, does the applicant have a chance or care to respond, or, Lee, are you proposing that without the Finding of Fact and a second opinion from a second lawyer that we stop this meeting?

Cory: They do have an opportunity to respond when we get our second opinion.

Scales: So not tonight?

Cory: Um, I think that's not up to me, that's up to the commission as a whole.

Scales: My feeling is I respect your position and what I hear from the Planning Commission is that we want a deeper dive on the Finding of Fact, we want a second opinion from an attorney, um, but I also feel in fairness to the applicant should they want to discuss anything that they be given that opportunity this evening.

Cory: I have no problem with that.

Fenlon: [inaudible] to the applicant.

Cory: That's up to the applicant's choice.

Telgard: Agreed.

Robert Parker: Ah, Robert Parker here on behalf of the applicant. Um, we do have representatives from Youth for Christ, Bluethumb Youth for Christ here this evening. With respect to your questions about how this club was formed, operated, or organized, or what's going to happen on the site. Uh, these people are here, they can answer those questions. Um, they've operated clubs like this in the past, there's a history for this. Um, I'm sure they're willing to stay as long as needed this evening to fill in any gaps or [inaudible] application. So, if, uh, you want to take us up on that opportunity, I, I think we're available to answer your questions.

Scales: I, I would just raise if the Planning Commission would like to because one thing I heard is the definition of club and while this is not our legal brief from a second attorney, if perhaps they have someone here that can state, if I heard, um, Robert Parker, their attorney just state

they mentioned they have someone here that can address the club, I would ask the commission, do we want to hear that position, since we're out here in Northport on this Wednesday evening?

Simpson: I think that Lee's position was pretty clear, and I tend to agree with her because the motion's on the table, um, so that we, if, we do, I do not feel comfortable, it sounds like Lee does not feel comfortable, um, with the legal advice we we given. Um, so we are going to go through the exact same process… *(limited but loud applause)*. Excuse me. …to go into that process at this point without having the information that we feel comfortable moving forward with. That process is going to be the same in a month as it is tonight. So, um, I don't feel that's necessary. Um, I feel that you go into that once you have everything foundationally in front of you that you'd like to have. Again, this is my opinion as a Commissioner; everyone's entitled to it. That's my position.

Cory: Any more discussion? We have a motion on the floor. Do we have a second?

Simpson: I'll second.

Bufka: Can you repeat the motion?

Cory: Just—sure *(tabletop microphone falls again and makes a loud thump)*. Excuse me. I'm so sorry. Let's see, where did I write it down? Um, I'd like to make a motion to engage outside counsel, specifically um, someone other than current counsel, to provide another analysis in this case. And I would also like to postpone the Findings process and a decision on the application until the Planning Commission has had sufficient opportunity to review the additional analysis. Do we have a second?

Sam Simpson: I'll second that motion.

Cory: All those in favor?

Simpson, Telgard, Fenlon: Aye.

Cory: All those opposed?

Scales: Nay

Cory: The motion passes.

Fenlon: Do you guys do a roll call or….

Bufka: I—I got it. Everybody voted "aye" except for Steve Scales.

Cory: Yes, yes. Okay, um, moving on. Okay, okay. Yes, okay. Um, Zoning Ordinance Amendments. Um, this was a review that was um discussed last October of 2024 at a Planning Commission meeting. And, what I'm thinking is *(conversation becomes inaudible as many attendees file out of the room)*...

Scales: I would prefer to table it. We have 30 items on there and we spoke about that that's going to be the future direction of the Commission.

(Audio recording was stopped as the Planning Commission proceeded with other business, but resumed for the second Public Comment period, a complete transcript for which follows.)

Ashley: I am appalled. We appeared before this board with the River and Main project several months ago. You were all involved in that, and we had as much public interest in that as what has been shown with this. And I think this application has far-reaching, more far-reaching impact than the River and Main project would have had if it had been approved. And to think that anybody would have considered that we can just take an attorney's opinion, whether they are for it or against it, and use that as the Findings. I'm reminded of the Findings that the River and Main attorney presented to this Board, and he sent it to you, and it even had the sign-off pages. And I thought that was an absolute show of arrogance, that what I write is God's word, if you want to use that word, and just sign it and go with that. But this project has such ramifications, it warrants having every detail that you can possibly garner on the meaning of every word that's in the Planning Commission that might have apply to this, in the Zoning Ordinance rather, that would apply to this. But take your time that, you know, another month, another two months isn't really going to make a whole lot of difference when this is going to be here forever, virtually. So, thank you. *(applause)*

Beverly Kruse, Leland Township: Hi Beverly Kruse. I live in Leelanau Township. I just want to share my opinion and concern that the need for sufficient data and missing information is being referred to as a deeper dive. I think that implies that we are—you are requesting more than what is typically asked, and I think what we, as community members of the Leland Township want out of a Commission is a Commission that makes decisions based on sufficient, complete information. And what I heard was that the information is not complete, that there are missing pieces of both the Brief so that you can make the best decisions, and there are also missing pieces that the applicant needs to fill in. So regardless of the outcome, I would hope that the view is that we're not asking for a deeper dive; we're asking for sufficient and complete information. And our expectation of Commissioners is that you would not move forward with any kind of decision without having that. So I would like to go on record and state that I applaud that type of information, and I don't find that to be an issue of either side. Thank you. *(applause)*

Erika Humphrey, Leelanau Township: Hi, my name is Erika Humphrey, 9771 East Johnson Road in Northport, and I just want to say I'm sorry that you guys have had to deal with this for so long *(quick audience laughter)* and it seems like all of you are reasonably intelligent individuals at least. Um, I'm shocked that we're arguing at this length over what a club is, and prior to y'all's next meeting, maybe the best way to understand the difference between a religious club and a religious church would be experientially? I attend a church every Sunday, and I've been part of youth groups and Bible studies. And so I think that if any one of you attended a church service

and then additionally attended a Bible study or a youth group, it might be pretty obvious that the two are different institutions. Similar in that they're both religious, but obviously very different. I feel like what's been happening here is akin to arguing over months whether or not a Siberian Husky is a wolf or a dog. Um. So I hope that you guys figure it out. Also, I grew up here. I have seen the entire County change drastically over the years. I've seen more and more wineries, distilleries, and now dispensaries completely taking over the market. And maybe what this county doesn't need is one more tasting room, one more distillery, one more dispensary. I find it odd that when a new one comes, we don't have any discussion about the outcome in the County of just liquoring people up and sending them out on their cars, and yet we're talking about it so intensively of having one youth ministry in Leelanau County. Maybe what we don't need is another distillery, dispensary, or wine tasting room. Maybe what we need is a lighthouse. *(a few claps)*

Bill Wiesner, Elmwood Township: Bill Wiesner. Traverse City. Um... the kids, they go to school, and it's pretty much forced to go to a school. Um, if people are both working, it's hard. Homeschooling is an option, but it's a lot of sacrifice. A lot of people choose to go to school. And, uh, here's one of the things they get right now is the books in the school, all throughout Leelanau County. T-CAPS has 220, uh, sexually explicit and, uh, pervasively vulgar books. I talked to the Superintendent last week, and he said, uh, "It's up to the school boards. They can choose not to have." I've been through all of Michigan, and a lot of them have chosen not to have those books. I think... but, but here, kids in the school, it's forced. Also, the LGBT is promoted, uh, and there's no books on the other side. There's no choice for the kids that choose a traditional Christian role in the schools on, on those two topics. And, uh, the material, the impacts of porn are harmful. That's the Michigan...the education department in Michigan. That's their findings last year. They sent 'em out. T-CAPS accepted em, but still, they have all these books. And all the count- all the schools that I've seen in Leelanau County have many of them too, and they're harmful. So, the kids don't have an option though, in town, a convenient option. Sure, they could have a place out someplace, but the schools are absolutely ah ah an easy place to go. In fact, it's a forced sort of indoctrination. Give the kids another choice, and that would be this club in, would- which would have traditional options for belief. Also, evolution... that's being promoted in the schools. Uh... basically, that's it. Give them an option. The theory of evolution, saying millions of years... the Grand Canyon, supposedly, um, 100 or 500 million years. That's like laying one deposition. It's like taking this piece of paper. It takes 15 years to have a deposition this thick that filled the Grand Canyon. It didn't happen that way. It happened with a worldwide flood. Give the kids the option to hear the other side. A convenient option. instead of being forced with just one option only. Thank you.

Cory: Any other public comment?

Ben Crow, Leland Township: Ben Crow, 1126 South Schomberg Road, Leland, Michigan. So I stand here, many of you know me, in the public beyond the board. Um, I am also a scout master for troop 131 in Suttons Bay. Throughout my background checks and I'm also a volunteer at the school. Um, I've done some research on Youth for Christ, not gonna say it's a bad thing or a good thing, but I don't see any youth protection in that organization and that's the name of what they say they are. And I think they could be an organized group. I don't think they're a club at all,

but I think there's other things that you as a board should kind of decide on and how to reorganize and I'm going to speak on another matter. For the last seven years, I've been building in Leland Township and I have experienced Tim Cypher and your Zoning Administrator that has come and gone in your Township and now is back in your Township as a subcontractor along with eight other Townships in the area which I don't believe he can manage or have been managing over the last six years. So I think you guys need to reevaluate how you guys are as a Township that I feel is quite broken. Um, even though Tim has been part of this community for 40 years of helping write some of the rules that you have tried to abide by. And him and I have not seen eye to eye. I have taken his direct rules and his way and have been threatened numerous times by him that it's his way or the highway or this is a pay-to-play game, and these are quotes from him, that if I do not want to have something done or if I wanted to have something done, I had to bring it in front of the Zoning Board and I have been told numerous times that it will not change because I do not have enough money to play. And so you as a Board need to kind of figure out how you're going to handle possibly hiring a new Zoning Administrator, which over the last six years I have personally volunteered myself to help Tim at no cost to mentor and shadow him numerous times to take over and help one or two of his Townships. But from…

Simpson: Thank you

Crow: Thank you. *(applause)*

Lindy Kellogg, Centerville Township: I am Lindy Kellogg I live in Centerville Township. I work in Leland and I have children that go to Leland Public School. Um, I would like to first of all thank you all. Um, I also sit on the Planning Commission, so I understand your perspective, um, more than you may realize, and the difficult position that you find yourselves in. So thank you for your time, your energy, I know it's, it's a big, um, lift when we all have full-time lives. Um, I want to, uh, just take notice, um, to your thoughts about your Finding Fact, um, and to please consider actually getting a third party, um, or a, an additional party to provide you with a new fresh Finding of Fact. Um, we know that Tim Cypher has been unwell unfortunately and not knowing, um, what his capacity may be in the future, um, and to not delay in, an answers to the applicant, I would recommend to get another, um, professional company, um, to provide that service to the Township, um, so that we can get a complete Finding of Fact, you can do your work, you can go through item by item and really decide if this is something that fits in the zoning or it doesn't. Um, thank you.

Cory: Thank you. Any other comments?

Mitchell Treadwell, Leland Township, Traverse City: I'm Mitchell Treadwell, I reside at 620 West Seventh Street, Traverse City, Michigan, though I jointly own property at 1064 North Manitou Trail in Leland Township, and my family cottage, which I am here speaking on today, is 110 Pearl Street, also known as Greycott. This is the oldest house on the west side of the Leelanau Peninsula, the oldest existing structure in the community of Leland and all of Leland Township. It is 100 feet from this proposed change of use as I see it. I on one summer afternoon enjoy sitting on the porch and watching all the people walk past with ice cream, with fudge, with

a fresh sandwich from Fishtown. That's not just me, it's what my grandmother Anne Treadwell did on the same porch in the summers, it's what Ned Hendrickson did, it's what his parents Robert and Leslie Hendrickson did going back to 1945, and the house has been there for almost 100 years before that. You only have that sort of vibrancy, that vitality in a downtown when you have a sufficient number of commercial businesses, either shops, restaurants, or otherwise serving the community. And through that continuous commercial corridor, it provides a sense of community, it provides an opportunity for people that might have come in to pick up one thing at one shop, to then also get ice cream, to stop for lunch, to enjoy the community as richly as possible. Now, in my time at the other community at the end of M-22, I serve as a city commissioner and also a planning commissioner, a Board of Zoning Appeals member, and many other boards. In fact, I'm only able to be here today because my own planning commission meeting was cancelled. In Traverse City, we amended our zoning ordinances to require that first-floor commercial uses in our downtown area are strictly for restaurant, retail, and other public-serving roles that help that corridor and that commercial area be healthy, be vibrant, and be an economic engine for the whole area. I can hope that, not expecting little Leland to become the metropolis that Traverse City is, but that they can follow some of those lessons and work towards a future that is healthy, economically vibrant, and flourishing. Thank you. *(applause)*

Danziger: Hi everyone. Uh, Jacob Danziger again, uh, Stowe Road. Uh, Suttons Bay Township. I'm almost sorry to take more of your time because I know it took a lot of your time, uh, to read my letter earlier. Generally, I want to commend the commission for taking time to seek another legal opinion and I want to speak very briefly on what I think was also a, a, a very wise decision to delay the adoption of a proposed Finding of Fact specifically around the, the fact finding of whether or not the applicant is or is not a club. Um, I, you all will, uh, uh, receive hopefully further, further legal input about that, but I want to be very clear that it's what you would almost consider a mixed Finding as, as a, what you would call a mixed finding of fact and law. It's not simply a question of fact. Um, making the determination whether or not it is or is not a club, um, uh, is intertwined with, you know, whatever opinion you do receive from independent outside counsel. It's not something that, you know, in my view could or should have been undertaken separately from soliciting that opinion. That's all I'm going to say about that. I just want, um, sort of put out there a little bit of a thought experiment. Um, if you all had, uh, a neutral, uh, zoning rule, which you don't have, this is a hypothetical. If you had a neutral zoning rule that in C-1, there couldn't be any banks or banking institutions. Obviously, that's counter-factual there's [inaudible] bank right there, but you could have a rule that said in C-1, banking institutions are not allowed, not permitted in C-1. They could be anywhere else. If JP Morgan bought the Merc building and said we want to operate something in the Merc building that we call a parabank. It's not a banking institution. We can't bank deposits here. We're not going to have any ATMs here, but we're going to use the Merc building and it's going to be for our parabank. It's a club, but our parabank is here to support banking, to introduce young people to banking, to introduce the idea of banking to the community and, and to generally associate freely as a club to promote the mission of banking. You would be fairly allowed to question, is a parabank more like a bank or more like a club? You can, you know, consider this as you will. Is this more like a religious institution or more like a club? Uh, you don't have to let JP Morgan open up a parabank in the

Merc building if you have a rule that financial institutions weren't allowed in C-1. Uh, you do have a rule about religious institutions in C-1. You, you can decide whether a parachurch is a religious institution or whether it's a club. Uh, you know my opinion and most importantly, what you all hopefully what I'm hearing tonight and very happy to hear you'll get outside legal counsel's opinion on that subject. Thank you. *(huge applause)*

Cory: Anyone else? Last chance. Okay. Um, lastly, is the date for our next meeting, and due to a longstanding commitment that, um, I cannot change, I cannot be here for what would be our normally scheduled meeting, which would be March— Wednesday, March the 4th. So, with the Commission's approval, um, I'd like to move that to Wednesday, March the 11th, which I don't think if it, if it fits everybody's schedule, I don't think it'll cause any undue hardship on the applicant. Um, so, does that fit everybody's schedule? Can we approve the 11th?

Telgard: Fine with me.

Scales: It's essential that we have five people, and if you can't be here, and you're our Chair, um, I think we have to defer to March 11th. Um, but I, I don't want that to be a crutch that gives us more time. I— there's— I think a sense of importance here to get everything done. And had we met March 4th, we would be prepared with the Findings of Fact and the secondary legal review that we requested. So I just don't want it to be misconstrued that we're not ready, but I'll agree to go to March— March 11th, mostly just my own opinion, we've gotta have five people, but we still need to have everything done by then.

Cory: Trust me, it's not a crutch. I'll be out of the country. Okay, so the next meeting is going to be, with everyone's agreement, on March the 11th, and I hope we'll see all of you then. *(applause)* Thank you, we're adjourned. *(continued applause)*.

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