



CHARLEVOIX COUNTY PLANNING COMMISSION

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Approved Meeting Minutes October 6, 2016

I. Call to Order

Chairman Jason called the meeting to order at 7 p.m. in the Commissioners' Room at the Charlevoix County Building.

Members present: Bob Tidmore, Bob Draves, Dennis Jason, Larry Levensgood, Michael Buttigieg, Patrick Howard, and Ron Van Zee

Members absent: None

Others present: Kiersten Stark (Planning Coordinator), Kevin Clements (Administrative Services Assistant), Elizabeth Calcutt (Networks Northwest), Grenetta Thomassey (Tip of the Mitt Watershed Council), and Ron Reinhardt (County Commissioner Liaison).

II. Pledge of Allegiance

Dennis Jason led the Planning Commission in reciting the Pledge of Allegiance.

III. Approval of Agenda

MOTION by Bob Tidmore to approve the tentative agenda as presented. Michael Buttigieg seconded the motion. Voice vote: all in favor. Motion passed.

IV. Public Comments Unrelated to Agenda Items

None

V. County Business Items

Approval of Minutes of September 1, 2016 Meeting

MOTION by Bob Draves to approve the minutes of the September 1, 2016 meeting as presented. Patrick Howard seconded the motion. Voice vote: all in favor. Motion passed.

Correspondence and Communications

Kiersten reviewed the following correspondence and communications:

There will be a Master Citizen Planner Webinar held on October 20th. This topic will be on Selecting a Planning Consultant, Municipal Attorney, and More. Kurt Schindler from MSU Extension will be the presenter. Kiersten said she could host the webinar here in the Commissioners' Room if anyone is interested in attending. Ron Van Zee, Dennis Jason, and Larry Levensgood would like to attend the webinar here. Bob Draves said he may attend the webinar from home. Networks Northwest will be holding a Northwest Michigan Housing Summit on Oct. 24th in Traverse City, and Kiersten said anyone interested in attending needs to be registered by Oct. 17th. The Charlevoix County Planners Forum will be held on Nov. 9th at the Charlevoix Public Library. Master Citizen Planners are eligible to receive 4 continuing education credits for attending. Bob Tidmore, Bob Draves, Dennis Jason, Larry Levensgood, Patrick Howard, and Ron Van Zee would like to attend the forum.

Planning Commission Comments

Ron Van Zee - Had met with Hayes Township engineer regarding the Camp Seagull Boat Launch. Hayes Township is moving forward with obtaining bids for the demolition of the cafeteria building at Camp Seagull. Bay Township has been working with a Planner from the Land Information Access Association (LIAA) on proposed greenbelt zoning language for waterfront properties. Bay Township has also been working on proposed text amendments to address accessory structures on lots without a principal structure and also accessory dwellings, given the need for more affordable housing in northern Michigan. Ron has also noticed a shift to more permanent (year round) residences on Lake Charlevoix.

Patrick Howard- All is quiet in Chandler Township. He spoke about a search and rescue for a bicyclist in the Michigan Mountain Mayhem Gravel Grinder Race that had gotten lost near Elmira. The man finally found his way out of the woods safely.

Michael Buttigieg- A lot of people participated in the Gravel Grinder Race recently. Other than that, things have been mostly quiet.

Larry Levensgood- Had attended the Charlevoix County Household Hazardous Waste Collection event. Larry mentioned it wasn't as big as they have been in the past and the drop offs consisted primarily of smaller loads, but the event went smoothly. On Sept. 13th, Larry attended the Charlevoix State of the Community Luncheon. On Sept. 16th, he also attended a poverty simulation in Petoskey put on by the Char-Em United Way, which placed participants in a challenging scenario where housing and transportation were difficult by being a low income wage earner. Larry also attended some Main Street events, including a workshop on designing storefront signs.

Bob Draves- South Arm Township has been quiet for the most part. The road in Heritage Hill neighborhood is in poor condition. The Road Commission will tear up the deteriorating asphalt and put down Afton stone instead. The Township proposed doing a special assessment for property owners in the neighborhood to help split the costs of the road project. Bob mentioned that EJ (East Jordan Ironworks) will be moving their plant to Elmira, MI in the near future. The main reason for the move is because the plant is looking to upgrade their facility but needs more

room to accommodate their expansion plans. Some of the Planning Commissioners voiced their concerns on the new facility being a longer drive for some people to and from work and maybe a lack of tax revenue coming into the City of East Jordan as well.

Bob Tidmore- Beaver Island has still been working on updating the Beaver Island Master Plan. A draft plan is expected by October 24th. Both townships agreed to each propose a 2-mil tax increase to help pay for the EMS (Emergency Medical Service) and ALS (Advanced Life Support) Services. Bob mentioned that this proposal on this November's ballot is crucial for Beaver Island to help sustain and pay for medical services required on the Island. Tidmore mentioned that Peaine Township's proposed millage did not make it on this years' ballot, but the Township will be able to increase the amount of tax collected to make up for it. So, the proposed millage will only be on the St. James Township ballot.

Dennis Jason- Mentioned that the construction bids for Phase 2 of the Boyne City to Charlevoix Non-motorized Trail will be in by October 7th. Jason said funds still need to be raised for the future phases of the trail. Bob Tidmore wanted to add that the Coast Guard removed the Fresno Lens from the lighthouse at the north end of the Island and it will be on display at the St. James Township Hall. The lens dates back to the 1800's.

County Commissioner Comments

Commissioner Reinhardt said, while leaving his house to go to Petoskey last week, he had run into a traffic jam stemming from a bicycle event where both Petoskey and Charlevoix County had patrol cars to stop traffic in order to let the bicyclists through. Reinhardt was not pleased that people were held up in getting from one place to another and was hoping the County's taxpayers didn't have to pay the deputies' overtime for their service in regard to the bike event. Reinhardt said the improvements to Korthase Road, E. Deer Lake Road, and Ellsworth Road should be near completion. Reinhardt said E. Deer Lake Road and Korthase Road have 4-foot shoulders now, which will help protect the traffic lanes from the road edges crumbling over time.

Staff Comments

Kiersten reported on the following Planning Department activities in September:

- Boyne City to Charlevoix Trail project
 - **Phase 1**
 - Temporary snow fence was installed along the Davis property within the Boyne City limits due to safety and liability concerns
 - Permanent split-rail wood fence will be installed yet this Fall
 - Contractor has received a punch list of items that need to be addressed, based on the Engineer's inspection of the trail following construction
 - Ross Maxwell is obtaining quotes for landscaping (cedar trees) that will be planted on two (2) properties along the trail next Spring, per signed agreements related to the County obtaining signed Highway Right-of-Way Acknowledgements a few years ago, which was a requirement of the Road Commission before they would issue a permit for the Trail
 - **Phase 2**
 - Construction bid letting will be October 7th
 - Clearing of the trees and brush cut earlier this year will be done later this Fall

- Construction will be in Spring/Summer 2017
 - Attended Road Commission Board meeting on Sept. 26th to discuss the local match funding and the grant administration process for Phase 2; the Road Commission Board subsequently signed a contract with MDOT for our Transportation Alternatives Program Grant for Phase 2
 - Worked with Civil Counsel and County Clerk to develop a draft Intergovernmental Agreement between the County and Road Commission, which describes the grant administration process for Phase 2
 - Obtaining quotes for an appraisal of an easement donated to the County for the Trail; the appraisal will be done yet this Fall
- **Phase 3**
 - Attended Park of the Pines Board meeting on Sept. 24th, along with Ross Maxwell, Lucas Porath (Northwest Design Group), and Paula Larson (Trails Council/North Country Bicycle Club) to discuss plans for a potential trailhead on their property in the future
 - In the short term, we're considering the possibility of providing a temporary gravel parking area at Park of the Pines for easier access to the north end of Phase 1 of the Trail and to alleviate the need for people to park along N. Springwater Beach Road
- Attended Parks Committee meeting on Sept. 19th – working with the Committee to review and update the Capital Improvement Plan for the County Parks
 - Attended Charlevoix Twp. Planning Commission meeting/public hearing on the Merrifield proposed rezoning on Sept. 21st, at the request of the property owner

Michael Buttigieg wanted to clarify that the bicycle group who organized the Gravel Grinder event paid double-time for the Sheriff's Office to have deputies provide traffic control.

Presentation on “The Septic Question Report”

Grenetta Thomassey from Tip of the Mitt Watershed Council gave a presentation on The Septic Question Report, which examined local government policies pertaining to septic system design and maintenance in the Lake Charlevoix watershed. The Watershed Council obtained a grant for this project in order to see what's working and what can be improved and to provide this information to policymakers so they can make informed decisions down the road regarding septic system. Michigan is the only state that doesn't have a uniform standard on how they are designed, built, and maintained. Public health departments in various counties think this a problem and a lot of these septic systems can be failing. Most of these septic systems that are in place today have about a 25 to 30-year life span and older ones may be seriously failing. The report showed there are rising chloride levels in Lake Charlevoix and this poses a risk to water quality. Ms. Thomassey recommended that local officials within the Lake Charlevoix watershed have discussions on this matter and solutions that would work best in their communities to protect water quality. This could be maintaining the status quo or adopting an ordinance (Time of Transfer, Mandatory Pumping, or Mandatory Inspections). Ms. Thomassey encouraged the Planning Commission members to fill out the local officials' septic survey online at www.watershedcouncil.org to assist the Watershed Council and the Health Department in making informed decisions.

Draft Future Land Use Plan Update

Kiersten said Commission members had each received a packet with a cover letter, listing the most recent changes made to the draft plan based on the discussion at our last meeting. The other sheets in the packet were the pages from the draft plan where the changes were made.

Commission members suggested some additional revisions to the draft plan as follows:

- Page 25 – Tidmore noted corrections needed in the text (percentages) in the first paragraph of the right hand column; he also asked about the accuracy of the percentages for people age 60 years and older shown in the Figure
- Page 26 – Referring to the first bulleted item in the left hand column, Tidmore said if there's only 1 person living in the house, you wouldn't have age cohorts; also, should the word "cohorts" be changed to "groups" for easier understanding? Discussion took place and the Commission decided to leave the text as is.
- Page 27 – Levengood saw a discrepancy in the 5th bullet point in the right hand column, explaining there was an apples-to-oranges comparison of county residents in job commuting to other counties; need to use either numeric figures or percentages.
- Page 26 – Van Zee said the words "some townships" should be omitted from the last sentence
- Page 18 – Jason would like to see "picnic areas" added to the first bulleted item in the left hand column
- Page 9 – Levengood said the word "lakes" should be capitalized in the third bulleted item in the left hand column
- Page 32 – Levengood asked if the word "village" or "commercial area" should be added to the caption for the photo; Kiersten suggested using the word "community", since Walloon Lake is not officially a village.
- Elizabeth handed out a proposed cover sheet for the plan; the photo of the railroad will be replaced with a photo of the Ferry to represent transportation
- Page 32 – In the right hand column under "Friendly, Cooperative Community", Jason asked if the word "community" should be changed to "communities"; Kiersten said the word "community" is being used in a broader sense to refer to the entire county
- Page 29 – Jason questioned the data for Utilities; Elizabeth said the data was changed and that she had looked closely at it; Elizabeth said she also reviewed the data for Health Care and Social Assistance to confirm it's accurate.
- Page 18 – Referring to the 5th bulleted item in the left hand column, Jason thought "Boyne City Road" should be changed to "Boyne City-Charlevoix Road" because that's how people commonly refer to it. Further discussion took place. Kiersten said the property records refer to it as Boyne City Road.
- Page 29 – Levengood asked why the table shows 2014 Jobs and Establishments, but 2016 Earnings. Elizabeth explained that this is due to differences in the way the data sources compile their statistical information. Elizabeth added that she would like to change the earnings figures in the table to be the annual average earnings.
- Page 29 – Jason said he would like to have "Crop and Animal Production" added to the table. Elizabeth said the only issue is that there is not enough data available to accurately reflect the number of jobs, establishments and earnings for crop and animal production. Van Zee said this might be the case because farmers may have other employment in addition to farming, so they might be counted in the other categories. He said very few people make 100% of their living in farming.

Discussion took place regarding the next steps in the planning process. Elizabeth will update the draft plan to incorporate the changes discussed at tonight's meeting, and Staff will send the updated draft to Commission members prior to the next meeting. Commission members plan to finalize the draft plan at the next meeting, and send it to the County Board for review and release to local units of government and the public for review.

VI. Townships, Cities, MDEQ & Corps of Engineers Items

Charlevoix Township Proposed Rezone (Merrifield)

Kiersten said the Charlevoix Township Planning Commission held a public meeting on September 21st on the request by Curtis and Emma Kay Merrifield to rezone two parcels they own on the west side of Marion Center Road across from the city cemetery (Brookside). The request is to rezone the parcel at 06675 Marion Center Road in its entirety from Commercial (C) to One-Family Dwelling (R-1), and to rezone the portion of the parcel at 06659 Marion Center Road located north of Stover Creek from Commercial (C) to One-Family Dwelling (R-1).

Kiersten said, according to the property owners, they are trying to sell these two parcels and the sale of the southern parcel won't go through because the mortgage lender will not issue a residential mortgage due to the fact that the property is zoned Commercial. Kiersten said zoning began in the Township in 1956 and, according to the property owner, the home on the southern parcel already existed at the time zoning went into effect. That would make the home a non-conforming use. Larry Levengood disagreed and thought the home on the southern parcel was built in the 1970's. Kiersten said, according to the owner, her parents bought the home on the southern parcel in 1949, and the home on the northern parcel was built in the late 1990's. However, the zoning permit for the home on the northern parcel was issued in error because the property was already zoned Commercial at the time, which does not allow single family homes. This created an illegal non-conforming use. Looking at the Township Master Plan, this area is designated as Commercial Business Center. However, there are parcels in the area (along Vernida Avenue) that are designated as Single-Family Neighborhood. Given this point, Kiersten said the proposed rezoning to R-1 would not necessarily constitute a spot zone. She said by rezoning the parcels to R-1, the two homes would become conforming uses. It would also enable the home on the northern parcel to meet the side yard setback requirement.

Van Zee suggested rezoning these parcels to Agricultural, since the portion of the southern parcel south of Stover Creek is already zoned Agricultural and the existing single family homes on the two parcels would be permitted uses in the Agricultural district. Kiersten explained that the Township wanted to keep the portion of the southern parcel south of Stover Creek zoned Agricultural to help protect the creek. In fact, a number of parcels in that area are split-zoned, with Stover Creek serving as the dividing line between Agricultural zoning to the south and Commercial zoning to the north. However, the zoning ordinance requires a 50-foot setback from either side of the creek, despite how the property is zoned. Kiersten checked the Agricultural district requirements in the zoning ordinance. She found that the existing homes on the two parcels would not meet all of the dimensional requirements of the Agricultural district. However, the two homes would meet all of the dimensional requirements of the R-1 district.

MOTION by Larry Levengood to recommend approval of the proposed rezoning, with the Planning Department Staff's comments. Bob Draves seconded the motion. Voice vote: all in favor. Motion passed.

Evangeline Township Proposed Text Amendments

Kiersten reviewed the Planning Department Staff Review on the proposed text amendments to the Evangeline Township Zoning Ordinance to omit the definition of "Junkyard" in Section 2.01 Definitions and repeal Section 8.04 Junk Storage and Section 8.11 Salvage Yards, metal recycling and scrap in Article VIII: Supplemental Site Development Standards. The Township is proposing to repeal these junkyard provisions from the Zoning Ordinance and instead adopt a separate Junkyard Ordinance (police power ordinance) to regulate this type of land use. The Township Planner had provided a copy of the proposed police power ordinance, for reference. Kiersten said she had no concerns with the proposed amendments to the Zoning Ordinance.

MOTION by Larry Levengood to recommend approval of the proposed text amendments to the Evangeline Township Zoning Ordinance. Ron Van Zee seconded the motion. Voice vote: all in favor. Motion passed.

VII. Any Unfinished County Business

Kiersten informed the Planning Commission that Tim Matchett, a member of the local Farm Bureau agency, will be coming to our next meeting in November to discuss the Farmland & Open Space Preservation Ordinance.

VIII. Adjournment

MOTION by Bob Draves to adjourn the meeting. Michael Buttigieg seconded the motion. All members were in favor of the motion. Motion passed.

Chairman Jason adjourned the meeting at 9:07 p.m.

Respectfully Submitted By,

Robert L. Tidmore
Secretary

RLT/kc