



## CHARLEVOIX COUNTY PLANNING COMMISSION

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### Approved Meeting Minutes October 5, 2017

#### I. Call to Order

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

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

Members absent: None

Others present: Kiersten Stark (Planning Coordinator), Kevin Clements (Administrative Services Assistant), Ron Reinhardt (County Commissioner Liaison), Paul and Joan Novack, Nancy LaCroix, Dave and Pam Oshaben, Nick McLane, and others.

#### II. Pledge of Allegiance

Ron Van Zee led the Pledge of Allegiance

#### III. Approval of Agenda

Because there were a number of citizens attending the meeting for the Charlevoix Township proposed rezoning, Chairman Draves suggested moving this item up on the agenda to be after "Approval of Minutes of September 7, 2017 Meeting."

MOTION by Larry Levensgood to approve the tentative agenda as amended. 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 7, 2017 Meeting

MOTION by Larry Levensgood to approve the minutes of the September 7, 2017 meeting as presented. Ron Van Zee seconded the motion. Voice vote: all in favor. Motion passed.

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

### **Charlevoix Township Proposed Rezoning**

Charlevoix Township sent a proposed rezoning of three (3) parcels near the Boyne City Road/US-31 intersection for review by the Planning Commission. The applicant, Robert S. Storen, has requested that two parcels, having property tax identification numbers 15-004-651-001-20 and 15-004-651-006-10, be rezoned from One-Family Dwelling (R-1) to Health Care & Office (HCO) and a third parcel, having property tax identification number 15-004-024-002-20, be rezoned from Commercial (C) to Health Care & Office (HCO).

Kiersten reviewed the Planning Department Staff Report on the proposed rezoning, which included a comparison of the land uses allowed in the R-1 and C districts to the HCO district. She also described the existing uses on the subject parcels and surrounding properties, as well as the current zoning of the surrounding parcels. Kiersten said the future land use map in the Charlevoix Township Master Plan designates the large parcel as Commercial Business Center the small parcels as Single-family Neighborhood. She described the planned uses in each of these future land use categories. Kiersten also provided in the report a description of the soil types on the subject properties. She said, in general, the property has wet soils, which present some limitations and challenges for any kind of development. Kiersten said the Charlevoix Township Planning Commission had recommended rezoning these parcels from One-Family Dwelling (R-1) and Commercial (C) to Health Care & Office (HCO).

Kiersten noted that the proposed rezoning is not consistent with the Charlevoix Township Master Plan. The Master Plan supports the current zoning of these parcels. If the properties are rezoned, many of the uses currently allowed in the Commercial district on the large parcel would no longer be allowed in the Health Care & Office district, with the exception of health care related uses. She said it wasn't clear why the rezoning is being proposed because health care facilities are a permitted use in the Commercial district. In addition, if a commercial (or health care) facility were to go in on the large parcel, it would be more appropriate to access this parcel from US-31, rather than creating a driveway for additional traffic in a residential neighborhood on Boyne City Road. She also said that rezoning these parcels (especially the large parcel) to Health Care & Office would greatly limit the types of uses that would be allowed. Kiersten emphasized that plans can change for a number of reasons and it's important to consider *all* uses that would be allowed, or no longer allowed, if the property is rezoned.

Levengood commented that putting a development on the small parcels along Boyne City Road would present a problem due to the nearby busy intersection and heavy traffic at certain times of the day. Van Zee agreed that adding more driveways near that stretch of Boyne City Road could be very dangerous. Howard said communities put a lot of time, money, and energy into developing their master plans, and rezoning properties contrary to the recommendations of the master plan undermines the integrity of the plan and makes it harder to enforce zoning.

Motion by Larry Levengood to recommend denial of the proposed rezoning because it is not consistent with the Charlevoix Township Master Plan. Bob Tidmore seconded the motion. Voice vote: All in favor. Motion passed.

Chairman Draves asked for public comment regarding the Planning Commission's recommendation on the proposed rezoning and it was met with acceptance from the people that attended the meeting. Some township residents that went to the Charlevoix Township Planning Commission meeting said they didn't really understand why the proposed assisted living facility was not being located on the commercial property, with access from US-31. One resident from Pine Point Subdivision explained that it is already dangerous coming out of Eastern, Western, and Central Avenues onto Boyne City Road. Chairman Draves said the County Planning Commission's recommendation on the proposed rezoning would be sent to Charlevoix Township for their Board meeting on Monday. One member of the audience asked if the Commission's vote is the final decision on the proposed rezoning, but Chairman Draves said the County Planning Commission can only recommend a decision to the Township; the final decision is made by the Township Board.

## **V. County Business Items continued**

### **Correspondence and Communications**

Kiersten reported on the following correspondence and communications:

- Flyer for Northwest Michigan Housing Summit, hosted by the Housing Solutions Network and Networks Northwest, to be held on October 16<sup>th</sup> in Traverse City. Larry Levengood, Bob Draves, and Kiersten Stark are registered to attend. Mike Webster would also like to attend.
- Flyer for Master Citizen Planner Webinar to be held on October 19<sup>th</sup>. The topic of this event will be "Understanding and Planning for the Shared Economy". Larry Levengood and Bob Draves would like to attend.
- Save the Date flyer for Charlevoix County Planners Forum. This will be held at the Charlevoix Public Library on November 1<sup>st</sup> from 4:30-8:30 pm. The event is free of charge, but pre-registration is required. The Tip of the Mitt Watershed Council will be putting it on this year. Topics covered will be planning for community health, safety and welfare, the importance of managing invasive species, issues and challenges with siting renewable energy facilities, and the Tragedy of the Commons Watershed Game. Most of the Planning Commission members plan to attend.

### **Planning Commission Comments**

**Mike Webster-** Reported that he had a fabulous time on the Planning Commission's visit to Beaver Island last month. Webster suggested a Commission tour and meeting on the east side of the county in the Spring, and discussion of "hot" topics.

**Ron Van Zee-** Reported that Bay Township had adopted text amendments to their zoning ordinance to allow accessory structures on vacant land. Bay Township is also considering changes to their greenbelt requirements, which mostly pertains to areas along Lake Charlevoix. Hayes Township is still waiting to hear back from the Army Corps of Engineers regarding their permit for the boat launch at Camp Sea-Gull. Ron said there has been some negative feedback on the proposal. Hayes Township is also reviewing their greenbelt zoning language, and would like to establish a site plan review committee for lakefront development. They plan on holding a public review meeting the third Tuesday of the month.

**Patrick Howard-** Chandler Township is considering zoning updates for the upcoming year. They have been looking at reducing the minimum square footage requirements for primary structures, and they're discussing accessory dwellings. They're also considering reducing the minimum lot size in the Agricultural District to help preserve larger parcels for agricultural use. The minimum lot size is currently 10 acres and this has resulted in parcels too small for agricultural use. Howard said they're also looking at requiring a width to length ratio for structures in order to prevent houses that look like bowling alleys (long and skinny).

**Michael Buttigieg-** Liked the Beaver Island trip last month. Michael was disappointed that it has taken so long to establish a multi-use building for the County on Beaver Island. Attended the Lake Charlevoix Watershed Committee meeting on September 14<sup>th</sup>.

**Larry Levensgood-** Attended a program that provided an update on medical marijuana laws, presented by the Prosecuting Attorneys Association of Michigan, on September 8<sup>th</sup>. Levensgood also attended the Charlevoix Area Chamber of Commerce event on Sept. 12<sup>th</sup>. The event primarily focused on the challenges facing the health care system. Levensgood had spent three days in Lake Ann, volunteering for the Honor Guard Flight. He said there were fewer WWII vets, more Korean war vets, and some Vietnam vets that had attended. Levensgood also attended the Lake Charlevoix Watershed Steering Committee meeting on September 14<sup>th</sup>. At the meeting, they discussed various projects, including the septic question issue. That same day, Levensgood attended a Lifelong Learning Class at the Charlevoix Public Library. A professor from the University of Michigan spoke about the challenges with real time news and fake news. Levensgood also attended the Household Hazardous Waste Event on Sept. 16<sup>th</sup> in Boyne City. On September 19<sup>th</sup>, Levensgood attended a presentation at the Charlevoix Public Library on Aquatic Invasive Species. He also attended the Northwest Michigan Community Action Agency meeting on Sept. 22<sup>nd</sup> in Petoskey; the topic was finding people affordable housing in the community. They also had a ribbon-cutting ceremony for an energy efficient house they helped build, which is currently for sale. Levensgood also said the Lake Charlevoix Association has been putting up watershed signs around the county to promote awareness of the watershed.

**Bob Tidmore-** Beaver Island recently hosted the first ever Great Lakes Islands Summit. Modeled after the very successful Maine Islands Institute, they hosted 70 people from 11 non-bridged islands at the CMU Biological Research Center. The attendees were from Wisconsin, Michigan, Ohio, and Ontario, Canada. Other attendees included Northland College from Wisconsin and staff from the Michigan Office of the Great Lakes. The two-day event featured a review of the structure and success of the Maine program, tours of Beaver Island and its infrastructure and operations, breakout sessions where island-specific issues were discussed, and a chance for the individual islands to meet as a group and discuss where to go from here. The next meeting will be at Madeline Island in Wisconsin. Thanks especially to Jon Allen, Director of the Michigan Office of the Great Lakes and Matt Preisser for their work in organizing this event and providing funding, and thanks to Central Michigan University for providing the lodging and facilities. Tidmore also mentioned that the Emerald Isle is up and running, and the food tasting event "Bite of Beaver" will be this weekend.

**Bob Draves-** It's been somewhat slow, but South Arm Township is considering the County Planning Commission's recommendation of denial on the Burnette Foods proposed rezoning because it doesn't comply with the Township Master Plan. Draves said the vote on this proposed rezoning will happen next week.

## **County Commissioner Comments**

Commissioner Reinhardt mentioned that Boyne Valley Township doesn't have a minimum lot size requirement, and Wilson Township is considering reducing their minimum lot size. He also commented he would prefer not to see so many farm parcels being split, so more farmland and open space could be preserved. Reinhardt said the Sheriff's Department and County Transit will be sharing a building over on Beaver Island. A bid request has not been put out yet, but the county is proceeding with the process.

## **Staff Comments**

Kiersten reported on the following Planning Department activities in September:

- Boyne City to Charlevoix Trail project
  - **Phase 1**
    - Grams property - storm water runoff issue at top of driveway has been fixed
    - Section within Boyne City limits - shrubs will be planted between the trail and retaining wall for the entire length of the wall; temporary fence to be removed
    - Two benches were installed within the Young State Park section of the trail
  - **Phase 2**
    - Retaining wall at Boyne City Rd/See Rd – see below
    - Trail crossing at Mulberry Lane – County received report of safety concerns with limited sight distances at intersection and request to move (angle back) end posts of new fence; Shrubs were trimmed back to improve sight distance at this intersection; Further trimming to be done and 2 trail signs to be relocated; County Staff will reassess sight distances to determine if there's still a need to move the end posts of fence; property owner consent would be required to move the end posts of the fence
  - **Phase 3**
    - Prepared and submitted additional information to MDOT for the Transportation Alternatives Program (TAP) grant application, which is under review
    - Submitted additional information to the DNR for our Trust Fund grant application, which is under review
    - Regarding the Parks of the Pines trailhead, the Presiding Bishop and the church Legal Department are reviewing the conceptual plan for the trailhead and trail route on their property; if approval is granted, then County Staff will contact Bay Township to discuss the zoning permit process for the proposed trailhead
- Attended Parks Committee meeting on September 18<sup>th</sup>
  - Discussion regarding the proposed boat launch at Whiting Park – Parks Director and an engineer from Performance Engineers presented a conceptual plan for a smaller boat launch at the north end of the beach as an alternative to the larger boat launch proposed at the south end; a launch at the north end would better

- Retaining wall at Boyne City Rd/See Rd in Phase 2 of the Trail was discussed; the project engineers presented information to the Committee regarding the rationale for installing a segmental wall instead of a boulder wall, as originally planned; adjacent property owner also attended the meeting and voiced his concerns; Following discussion, the Parks Committee recommended that the segmental wall stay in place with punch list fixes to be completed
  - Local forester presented a forest management plan for Whiting Park - he recommended selective cutting of some red pine and northern hardwoods; proceeds from the sale of the timber would be used for improvements at Whiting Park
- Prepared materials for tonight’s meeting

**Draft Future Land Use Plan Update – Set Public Hearing Date**

Kiersten reported that Elizabeth Calcutt from Networks Northwest had revised page 31 of the Future Land Use Plan Draft by adding some verbiage to the title of the table, which now reads “Jobs and Average Employee Earnings by Industry in Charlevoix County.” Kiersten said Commission members had each received an updated draft of the plan.

The Planning Commission set a public hearing date of November 2, 2017 for the Draft Future Land Use Plan.

Buttigieg asked about changing the date on the plan to 2018, since the approval process for the plan won’t be completed until close to the end of 2017. Levensgood said the date (year) on the plan should be when it’s approved by the County Board.

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

**Melrose Township Proposed Text Amendments**

Kiersten said Melrose Township is proposing to amend the sign regulations in their Zoning Ordinance by replacing the existing Article VII Sign Regulations with a proposed new Article VII Sign Regulations. The primary purpose is to remove content-related regulations. Kiersten summarized the Planning Department Staff Review on the proposed text amendments, including suggested changes. She said the Township is also proposing other minor text amendments through the Ordinance. She went on to summarize the Staff Review on the additional proposed amendments, including suggested changes. Kiersten said all of the proposed amendments need to be placed in amendatory ordinance format prior to adoption by the Melrose Township Board. She also noted that the amendatory ordinance should include the proposed new wording for each instance of the public hearing notice requirements in the Ordinance.

Chairman Draves commented that the proposed maximum height for a flag pole at 30 feet didn’t seem very tall by today’s standards. Brief discussion took place.

Motion by Michael Buttigieg to send the Planning Department Staff Review to Melrose Township for their consideration. Ron Van Zee seconded the motion. Voice vote: All in favor. Motion passed.

## **VII. Any Unfinished County Business**

Buttigieg said the Michigan Mountain Mayhem “Gravel Grinder” will be held on October 7<sup>th</sup>. People come from all over the world for this event.

Van Zee mentioned that Jim Vanek will be leaving his position as the Bay Township Clerk because he’s moving to Petoskey, so the Township will be looking for a replacement.

## **VIII. Adjournment**

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

Chairman Draves adjourned the meeting at 9:10 p.m.

Respectfully Submitted By,

Robert L. Tidmore  
Secretary

RLT/kc