



## CHARLEVOIX COUNTY PLANNING COMMISSION

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### Approved Meeting Minutes September 1, 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 Levengood, Patrick Howard, and Ron Van Zee

Members absent: Michael Buttigieg (excused)

Others present: Kiersten Stark (Planning Coordinator), Kevin Clements (Administrative Services Assistant), Ron Reinhardt (County Commissioner Liaison), Elizabeth Calcutt (Networks Northwest), Bob Jess, Paul Zardis, Larry White, Pat Rekowski, Mary Hinkle, Bill Tudor, and others

#### **II. Pledge of Allegiance**

Bob Draves led the Planning Commission in reciting the Pledge of Allegiance.

#### **III. Approval of Agenda**

Dennis Jason asked that we may want to move the "MDEQ Public Notice – Hayes Township" up on the agenda to be after staff comments, since a number of people are attending the meeting to provide public comment on this agenda item.

MOTION by Bob Draves to approve the tentative agenda as presented. Ron Van Zee 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 August 4, 2016 Meeting**

MOTION by Larry Levensgood to approve the minutes of the August 4, 2016 meeting as presented. Patrick Howard seconded the motion. Voice vote: all in favor. Motion passed.

### **Correspondence and Communications**

Kiersten reviewed a letter provided by the DEQ (Department of Environmental Quality) regarding a Compliance Inspection of the East Jordan Transfer Facility. On August 17, 2016, the DEQ (Department of Environmental Quality) staff inspected the East Jordan Facility located at 700 Nichols Street in East Jordan. The purpose of the inspection was to evaluate the site for compliance with Part 115, Solid Waste Management, of the Michigan Natural Resources and Environmental Protection Act. The inspection revealed that the Facility was well maintained and operated, and no deficiencies were noted.

### **Planning Commission Comments**

**Bob Tidmore-** Reported that LIAA (Land Information Access Association) from Traverse City will be working with local officials on Beaver Island to update their Master Plan and a draft is expected to be done by the end of October. Both Townships will be asking for 3 mils in the November election to help fund the EMS (Emergency Medical Services) which will be close to \$500,000 to help keep those services up and running on the Island.

**Bob Draves-** Nothing to report at this time.

**Larry Levensgood-** Attended a public meeting on The Septic Question Report on August 5th put on by the Tip of the Mitt Watershed Council. Larry also attended the Master Citizen Planner Webinar held on August 18<sup>th</sup> and that topic was “Planning for Tourism”. It was very informative in regards to identifying the assets you have in your community and using them to promote tourism. Larry also attended the Dedication Ceremony for Phase 1 of the Boyne City to Charlevoix Non-Motorized Trail on Sept. 1<sup>st</sup>. There was a great turnout of people that had attended. Bob Draves added that he spoke with Andy Northrop (from MSU Extension) after the Master Citizen Planner Webinar on “Planning for Tourism” and they discussed the increasing popularity of family tourism and the need to promote it.

**Patrick Howard-** Chandler Township will have a ¼ mil request on the ballot this Fall for ambulance coverage with Emmet County. They had a successful trial since the Emmet County Ambulance service went into operation. Every township in Emmet County is paying ¼ mil for this service, so they decided to request the same millage in Chandler Township. Patrick said this will also include training and it would be the same training as Emmet County emergency responders receive. This would mean more continuity of care because everyone would be working together.

**Ron Van Zee-** Was excited to see the area had received some rainfall in August. In Hayes Township, their main focus has been on Camp Seagull. In Bay Township, they’re still receiving proposed parcel divisions and private road applications. There is also an issue coming before

both the Township Planning Commission and Board of Trustees this month concerning a proposal by some folks along Walloon Lake to sell their properties to at least four different property owners (families) and combine ownership. The families would not be using the property at the same time. The properties are zoned for single family residential use. The question is, would this type of ownership still be considered single family residential? Levengood asked if it would be like a time-share. Van Zee said it would be similar; the families would be using the property at different times.

**Dennis Jason-** Chairman Jason had also attended the Dedication Ceremony for Phase 1 of the Boyne City to Charlevoix Non-motorized Trail on Sept. 1<sup>st</sup>. Jason had wanted to give a big “Thank You” as well to Kiersten Stark (Planning Coordinator) for her dedication and hard work on the trail project. On August 18<sup>th</sup>, Jason also attended the Master Citizen Planner Webinar “Planning for Tourism” and mentioned that the webinar was informative.

### **County Commissioner Comments**

Commissioner Reinhardt volunteered at the Emmet-Charlevoix County Fair all week in August and he mentioned the kids with the 4-H Club did very well this year. He said the 4-H Club made over \$72,000 in sales that week. Reinhardt also provided a road report. East Deer Lake Road received its second coating of asphalt and Ellsworth Road will be getting its first coating of asphalt between East Jordan and Ellsworth. Korthase Road is currently closed for road construction and the detour now is on Barber Road.

### **Staff Comments**

Kiersten reported on the following Planning Department activities in August:

- Planning Commission members Dennis Jason and Patrick Howard are up for re-appointment at the end of this year. Letters of interest for re-appointment are being accepted at the County Clerk’s Office through Oct. 1<sup>st</sup>
- Boyne City to Charlevoix Non-motorized Trail project
  - Phase 1
    - Dedication ceremony was held today (September 1<sup>st</sup>) – good turnout; about 60 people representing State, County, City and Township government, non-profit organizations, law enforcement, project engineers, project contractor, interested citizens, and news media (TV & newspapers); the ceremony included the pledge of allegiance, several speakers, and a ribbon-cutting to officially open Phase 1 of the Trail
  - Phase 2
    - MDOT will advertise for construction bids this month
    - Bid letting will be October 7<sup>th</sup>
    - Clearing of the trees and brush cut earlier this year will be done this Fall
    - Construction to be in Spring/Summer 2017
- The County Board’s Building & Grounds Committee approved contributing funds from the Parks Department budget to assist with the Eurasian Milfoil treatment efforts at Thumb Lake

- Attended Parks Committee meeting on Aug. 15<sup>th</sup> – the Committee has been discussing potential improvements to Whiting Park
- Attended Jordan River Zoning Review Board meeting on Aug. 29<sup>th</sup> – Kiersten said she was appointed to the Board 3 years ago, but they had not yet received any applications for projects in Charlevoix County. The project under consideration at the August 29<sup>th</sup> meeting was in Antrim County, so she was not a voting member. However, she had attended the meeting to observe the Board’s deliberation and decision-making process.
- Assisted various Townships with zoning issues and updating their zoning maps on request
- Spent considerable time preparing for the Trail dedication ceremony as well as tonight’s meeting

### **MDEQ Public Notice-Hayes Township**

Kiersten Stark (Planning Coordinator) wanted to clarify for the public attending the meeting that when an application for a permit is sent in to the DEQ (Department of Environmental Quality) the permit application will often be posted as a public notice on their website and the public has 20 days to review and comment on the application. This item is on tonight’s agenda to give the Planning Commission an opportunity to review the proposed project and provide comments to the DEQ. Chairman Jason read aloud the public notice for the permit application submitted to the DEQ by Hayes Township for a proposed boat launch and fishing pier at Camp Seagull.

Kiersten read aloud a letter from Hayes Township resident Cliff Biddick, who was opposed to the large size of the boat launch. Van Zee read aloud a letter from Hayes Township resident Leslie Cunningham, opposing the project based on the need to preserve the aesthetic attributes of the property, and the size of the proposed boat launch being too large. Chairman Jason then opened the floor for public comment.

Bob Jess, Hayes Township resident, voiced concerns on the proposed boat launch project. Jess said the project engineer has a vested interest in placing the boat launch at the west end of the property. He was also concerned about the environmental impact of the boat launch with regard to tree clearing and removal of wild flowers. He emphasized that township residents want a smaller boat launch. Also, according to the Corps of Engineers, Lake Charlevoix already has enough boat launches to handle the existing boat traffic. Jess said they are also removing existing structures in the park. Jess believes the proposed boat launch violates the Township Zoning Ordinance, especially the greenbelt requirements.

Paul Zardis, Hayes Township resident, said township residents want to preserve the property at Camp Seagull, and they were told by the Township that no general funds would be used for the proposed boat launch. The current plans for the boat launch don’t reflect the plans that the Township Parks and Recreation Committee developed for the park. A Township survey also showed that the boat launch was a lower priority than other park improvements at Camp Seagull. Zardis emphasized that a lot of infrastructure is needed to service a boat launch of this scale.

Larry White, Hayes Township resident, agreed with the others in opposing the boat launch as proposed and he said it was a waste of tax payers’ money. White said there are 578 families in

Hayes Township and the boat launch would cost approximately \$3,500 per family to pay for it. White went on to say the plans for Camp Seagull don't maintain and help preserve the park. He also commented that other boat launches on the lake aren't that busy.

Pat Rekowski, Hayes Township resident, said the current boat launches on Lake Charlevoix are rarely busy except during the Bass Festival or Trout Tournaments. She also added that the proposed pier that's 125 feet long would ruin the "scenic atmosphere" of Lake Charlevoix.

Mary Hinkle, Hayes Township resident, mentioned a safety concern in regards to keeping the parking at the top of the park (closer to the road) and that we also need to respect the environment.

Van Zee passed around his laptop to show the Planning Commission the current plans for Camp Seagull. Tidmore asked if the Township had conducted a demonstration with a large vehicle pulling a 28' boat to test maneuverability in accessing the boat launch at the proposed location. This was done on Beaver Island. He also commented that the use of sheet piling, which is part of the proposed project, can increase the temperature of the lake water, thereby having a negative effect on the fish. Tidmore also questioned the proposed handicapped parking next to the boat launch.

Larry White (in the audience) said based on his experience fishing, there are fewer fish in the lake now than in the past.

Draves asked how the Planning Commission should approach reviewing this proposed project. Levengood emphasized that a project's potential impact on water quality has always been considered by the Planning Commission when reviewing these proposed projects. Van Zee read aloud his comments on the project. He said the Township is required to provide access to Lake Charlevoix for its residents, but not this large in scale. Van Zee thought there was too much short term thinking and not enough long term planning with regard to the boat launch. Van Zee also questioned whether the proposed dock would be consistent with the County Future Land Use Plan, especially with regard to greenbelt areas.

MOTION by Ron Van Zee to request that the DEQ (Department of Environmental Quality) hold a public hearing on Hayes Township's permit application for a proposed boat launch at Camp Seagull. Bob Tidmore seconded the motion. Further discussion took place as follows:

Bill Tudor, Hayes Township resident, commented on a letter sent by Hayes Township to the Corps of Engineers less than 3 months ago in which the Township opposed a 30' dock on his neighbor's property, which is near Camp Seagull, but now the Township is proposing a much longer dock of their own at Camp Seagull.

Levengood emphasized that the Planning Commission should not make a recommendation on the proposed project based on politics, but instead on our Future Land Use Plan. He agreed with Van Zee's motion.

After further discussion, Chairman Jason called for a vote on the motion. Voice vote: all in favor. Motion passed.

## **Draft Future Land Use Plan Update**

Elizabeth Calcutt from Networks Northwest presented the Draft Future Land Use Plan Update. She said it's designed similar to the current plan and reflects changes discussed with the Planning Commission at previous meetings. In the Introduction section, Elizabeth said the information under "The Planning Process" will be updated as we go through the approval process for the plan. She said the maps in the draft plan are primarily the same as in the current plan, but most of the photos are new. Elizabeth went on to describe the approval process for the plan.

Based on a discussion with Kiersten, Elizabeth suggested moving the County Overview section to follow the Introduction. They believed it would give the reader more context for understanding the Vision Statement and the Goals and Objectives. Referring to the table on page 29, Chairman Jason questioned the average earnings in the Utilities category. Tidmore asked if the industry sectors could be placed in the same order in the figure on page 28 and in the table on page 29. Elizabeth said she used EMSI (Economic Modeling Services) to obtain the data shown in the plan. Elizabeth said she would double check the accuracy of the data and also fix the text in the graph on pg. 28. Referring to the map on pg. 12 of the plan, Tidmore said two of the islands north of Beaver Island are actually state-owned and one is privately owned; these need to be corrected on the map. Kiersten also noticed on pg. 7/8 of the plan that the 1970 maps needed more contrast in order to see the parcel lines. Also, on the same pages, the shading on the 2014 maps, which highlights areas of land fractionalization, is not legible. Kiersten also suggested adding at least one photo of Walloon Lake to the plan. Referring to page 25, Tidmore suggested adding more information to the figure for change in population by age. Jason said we also need to use a brighter color for the Charlevoix County data in the figure. Elizabeth questioned if the regional population data should be omitted. She will add 2015 Population Estimates to this figure. Van Zee would also like to see a photo collage as well some information on each of the county's townships, cities, and village added to the plan. Kiersten offered to get more photos of the City of East Jordan and Walloon Lake. Elizabeth asked the Planning Commission to submit any more recommendations for changes on the draft plan prior to the next meeting. The Planning Commission will continue reviewing the plan with Elizabeth Calcutt at the next meeting.

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

### **City of Charlevoix Draft Master Plan Update**

Kiersten said she had reviewed the City of Charlevoix Draft Master Plan Update. The last update of the City's Master Plan was in 2011. Kiersten had reviewed the Future Land Use Map in the Master Plan in comparison to the Charlevoix Township Future Land Use Map. She pointed out that the City's map shows industrial areas on the south side of Charlevoix along Stover Road and also on West Carpenter Avenue and on the north side in the Industrial Park, and they're adjacent to residential areas. Kiersten said there could be possible land use conflicts if a heavy industrial facility was to locate adjacent to any of these residential neighborhoods. She suggested adding provisions to the plan designating different areas for Light Industrial and Heavy Industrial, so any planned industrial areas that are adjacent to residential neighborhoods could be designated Light Industrial to minimize potential land use conflicts. Kiersten also had spotted 2 parcels on the Future Land Use Map that are owned by Charlevoix County and marked as single family medium-density residential. She suggested that these parcels be marked as Public Facilities to be consistent with how other publicly-owned parcels are shown on the map.

Tidmore said the Beaver Island Ferry was left out of the Master Plan; it would fit well in the transportation section. Kiersten had also found some discrepancies between the category names on the Future Land Use Map and section headings in the text describing the future land use categories. Kiersten added that she did not find any conflicts between the proposed City of Charlevoix Master Plan and the County Future Land Use Plan.

MOTION by Bob Tidmore to recommend approval of the City of Charlevoix 2016 Draft Master Plan Update with consideration of the changes discussed at this meeting. Ron Van Zee seconded the motion. Voice vote: all in favor. Motion passed.

### **Norwood Township Proposed Text Amendments** (Telecommunication Towers)

Norwood Township had submitted proposed text amendments to their Zoning Ordinance pertaining to telecommunication towers for County Planning Commission review. Kiersten reviewed the Planning Department Staff Review on the proposed text amendments. In Section 3.27, a few grammatical errors need to be corrected. In Section 7.03.12, Subsection H., last sentence – who determines “adequate wireless communication service”? If it’s the Township Planning Commission, then what standards would be used to make this determination? The standards should be included in the Ordinance. Kiersten had no concerns on the proposed amendments except the ones listed above and commended Norwood Township on their efforts to bring the Ordinance into compliance with the 2012 legislative changes pertaining to telecommunication towers.

MOTION by Bob Draves to forward the Planning Department Staff Review to Norwood Township for their consideration. Patrick Howard seconded the motion. Voice vote: all in favor. Motion passed.

### **Charlevoix Township Proposed Rezoning** (Dipert/Bemis)

Kiersten reviewed the Charlevoix Township Proposed Rezoning regarding two parcels of property that were split-zoned Agricultural (A) and One-Family Dwelling (R-1). The main issue on these split-zoned properties is that when the original parcel was split into two parcels in 2014, a pole barn located on the southern parcel became a non-conforming use because there was no primary structure on the property. Also, according to the Township Planning Commission minutes, neither of the parcels are large enough to meet the minimum lot area requirements of agricultural zoning. To resolve these issues, the Township is proposing to make both parcels R-1 in their entirety. A public hearing was held August 13, 2014, but the proposed rezoning was never submitted to the County Planning Commission for review. Now, the Township is trying to complete the approval process.

MOTION by Dennis Jason to recommend approval of the Charlevoix Township proposed rezoning of the western portion of the subject properties from Agricultural (A) to One-Family Dwelling (R-1). Larry Levensgood seconded the motion. Voice vote: all in favor. Motion passed.

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

Kiersten asked if the Planning Commission would like to have Grenetta Thomassey from

Tip of the Mitt Watershed Council come to our next meeting to speak about The Septic Question Report and the accompanying survey. Commission members said yes.

Patrick Howard left the meeting a few minutes early.

Kiersten also said Tim Matchett from Farm Bureau would like to attend a Commission meeting to discuss the Charlevoix County Farmland and Open Space Preservation Ordinance (originally adopted by the County Board in 2006, but rescinded in 2007). The Commission discussed having Tim Matchett attend the November meeting.

### **VIII. Adjournment**

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

Chairman Jason adjourned the meeting at 9:20 p.m.

Respectfully Submitted By,

Robert L. Tidmore  
Secretary

RLT/kc