



## CHARLEVOIX COUNTY PLANNING COMMISSION

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### Approved Meeting Minutes July 6, 2017

#### I. Call to Order

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

Members present: Larry Levensgood, Bob Draves, Ron Van Zee, and Mike Webster

Members absent: Bob Tidmore and Michael Buttigieg (excused), and Patrick Howard

Others present: Kiersten Stark (Planning Coordinator), Kevin Clements (Administrative Assistant), and Ron Reinhardt (County Commissioner Liaison).

#### II. Pledge of Allegiance

The Pledge of Allegiance was recited.

#### III. Approval of Agenda

MOTION by Ron Van Zee to approve the tentative agenda as presented. Larry Levensgood 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 June 1, 2017 Meeting

MOTION by Larry Levensgood to approve the minutes of the June 1, 2017 meeting as presented. Ron Van Zee seconded the motion. Voice vote: all in favor. Motion passed.

## Correspondence and Communications

Kiersten reported on the following correspondence and communications:

- An online webinar will be held by MSU Extension on July 18<sup>th</sup> from 10-11 AM. The topic will be on regulating medical marijuana facilities. Bob Draves had mentioned he would like to attend this event.
- MTA (Michigan Townships Association) will be holding a workshop series on Hot Topics in Planning and Zoning; one of the workshops will be held on August 16<sup>th</sup> in Cadillac. Topics to be covered include the Medical Marijuana Facilities Act, short-term rental regulations, and zoning provisions for solar farms. 3.5 credits will be offered for Master Citizen Planners. July 26<sup>th</sup> is the deadline for registration.
- The DNR (Department of Natural Resources) had sent out an email requesting public comments on Off-Road Vehicles on state forest roads in the northern Lower Peninsula. Kiersten had mentioned that comments can be submitted via email or mail to the DNR until July 15<sup>th</sup>.
- Northwest Michigan Housing Summit will be held on October 16<sup>th</sup> in Traverse City. More details will follow soon. Mike Webster had expressed interest in going.

## Planning Commission Comments

**Larry Levensgood** – Attended the Pipeline Safety Advisory Board meeting in Petoskey on June 12<sup>th</sup>. The morning session was public comment relating to the Line 5 pipeline, which was mostly negative, and later there was a closed meeting for the Advisory Board. Levensgood had mentioned some protestors at the event, who were opposed to the Line 5 pipeline, were covered in an oily substance that they claimed was cake batter, which left stains on the school grounds. The school in Petoskey was going to ask the State of Michigan to cover the clean-up costs. Levensgood had mentioned that the Tip of the Mitt Watershed Council will be holding a workshop on the public engagement process regarding Line 5. A report will also be coming out soon. The workshop will be held on July 18<sup>th</sup> at the Boyne District Library from 1-2:30 and at the Charlevoix Public Library from 5:30-7, and at other locations. On June 15<sup>th</sup> Levensgood had attended the Farmers Market in Charlevoix (Green Day Event). Later on that day Larry attended the Master Citizen Planner Webinar on “Tools, Tips and Techniques for Local Government Success in the New Economy”. On June 16<sup>th</sup>/17<sup>th</sup> Levensgood helped out with the Charlevoix County Household Hazardous Waste Event at the Ironton Road Commission Garage taking in latex paint from county residents. Larry had mentioned that some county residents weren’t familiar that there was a nominal fee to pay for each gallon of paint dropped off. Overall, the turnout was quite good.

July 7<sup>th</sup> Larry will be attending the Lake Charlevoix Association Annual Meeting at the East Jordan Civic Center in East Jordan. The Tip of the Mitt Watershed Council will be holding their annual meeting in Petoskey at Stafford’s on July 20<sup>th</sup>.

**Ron Van Zee-** Hayes and Bay Townships had recently held a refuse pickup for the township residents. Ron had mentioned it was very successful. Bay Township holds the event every two years, but Hayes Township holds the event more frequently because there is a greater demand for the pickup. Bay Township proposed text amendments regarding accessory dwelling units are back on the table due to opposition from lakefront homeowners. The Bay Township Planning Commission will reconsider the accessory dwelling amendments. Ron had mentioned that Camp Seagull in Hayes Township had a successful clean up at the park and they have been making

significant progress. The proposed pier and boat launch at Camp Seagull will be going out for bids soon.

**Mike Webster-** Had asked Ron Van Zee if refrigerators were being picked up in the refuse collection and was wondering if it's still mandated to have the owner take off the refrigerator door so it isn't a safety hazard for children. Mike also was wondering if Freon needed to be taken out as well. Webster had attended the Master Citizen Planner Webinar regarding Tools and Tips in the New Economy and thought that was interesting. The hot topic near Walloon Lake was on Shadow Trails Road; an old box culvert had given out and half the road was gone from the washout. He's expecting the new culvert to be replaced by July 19<sup>th</sup>. Mike had mentioned that there was already a culvert available for the replacement. Ron Reinhardt said that a new one would have taken a long time to get if one wasn't already available. Webster had mentioned the Village of Walloon has been busy and Boyne City as well with the 4<sup>th</sup> of July Fireworks.

**Bob Draves-** Draves had mentioned South Arm Township would not be having a refuse pickup for township residents. The Township Board's position is that property owners should dispose of their own refuse. The Township Board would prefer to put the tax dollars toward road improvements. Jordan Valley EMS had purchased a new ambulance from Boyne Falls with only 60,000 miles on it and had it recently overhauled. The new ambulance saved the Township nearly \$120,000. Bob also went on to say the Jordan Valley EMS is financially sound.

### **County Commissioner Comments**

Commissioner Reinhardt had commented on a conversation he had with a visitor over the 4<sup>th</sup> of July weekend. The visitor from the Detroit area, who comes to northern Michigan for two weeks in the summer and winter, had said if northern Michigan ever gets to be like suburban Detroit he would look for other places to visit in the future. Ron had mentioned to the Planning Commission to be very cognizant of this point, that tourism is important but not at the expense of what draws people to this area.

### **Staff Comments**

Kiersten reported on the following Planning Department activities in June:

- Boyne City to Charlevoix Trail project
  - **Phase 1**
    - County Staff met with MDOT engineers, the project engineer (Northwest Design Group), contractor, and asphalt subcontractor to discuss three (3) segments of the trail within the Boyne City limits that do not meet the plans and specifications; MDOT's recommendation was to not adjust these segments of the trail; also discussed the need for a barrier along the trail within the Boyne City limits; a barrier is recommended, but not required; different types of barriers were discussed, including fencing and shrubs; project engineer recommended shrubs instead of a fence; Parks Director is obtaining quotes for shrubs (Spirea)
    - Grams property/storm water runoff issue: County Staff met with the project engineer and contractor to discuss possible solutions; a sediment

tube will be installed at the top of the driveway where it meets the trail to direct the storm water away from that location

- **Phase 2**
  - Trail construction is underway
  - Whitley property/request for screening – NDG is discussing screening options with the gas company
  - Wilson property/request for trail connection – Road Commission and Parks Committee had concerns that this would set a precedent; also safety and liability concerns
  - Contributions are coming in for the local match – City of Charlevoix and Community Foundation will formally present their contributions to County Board at the July 12<sup>th</sup> Board meeting
  - Press release to run in local papers to thank contributors to the trail
- **Phase 3**
  - Meeting/site visit was held at Park of the Pines to finalize preliminary plans for trail route and location of trailhead on the property
  - Next steps: project engineer to update conceptual plan to show proposed trail route and location of trailhead, which will be given to Park of the Pines governing board for their ok; County Staff will contact Bay Township to apply for zoning permit for the trailhead
  - Will apply for MDOT Transportation Alternatives Program (TAP) grant by August 7<sup>th</sup>
- **Phases 4 and 5**
  - County Staff has requested cost estimates from NDG to develop the long-term plan for the remainder of the trail to be submitted to MDOT per their request
- Attended Lake Charlevoix Watershed Committee meeting on June 15<sup>th</sup>
  - Formed a subcommittee to work on Water Quality Tour for 2018
  - Formed a subcommittee to work on Planners Forum
    - Late October or early November
    - Discussed potential topics and speakers
- Attended Master Citizen Planner webinar on Tools and Techniques for Local Government Success in the New Economy on June 15<sup>th</sup>
- Attended the Parks Committee meeting on June 19<sup>th</sup> at Thumb Lake Park
  - Whiting Park Boat Launch grant application
    - County was originally turned down for the grant in 2015
    - DNR notified the County this year that they can now fund the project
    - 50% local match required
    - County Board has requested a recommendation from the Parks Committee before they decide whether or not to accept the grant
  - Wi-Fi at Whiting Park

- Considering options for providing Wi-Fi service – quotes were obtained from Charter; County is also requesting a proposal from Aspen Wireless
- Prepared materials for tonight’s meeting

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

Kiersten has been working with Bob Tidmore to get The Future Land Use Plan Draft sent out to all the local units and surrounding counties for the 63-day review period. To save on costs, Kiersten had posted the Future Land Use Plan Draft on the County’s Website for review and provided a link to the plan in the letter that went to each community. Kiersten had also mentioned some local units of government had requested the plan in paper form, and paper copies were provided to those communities. Kiersten said the deadline for comments on the draft plan is just prior to the September Planning Commission meeting.

Discussion also took place regarding holding a Planning Commission meeting on Beaver Island, and the consensus was to hold the September 7<sup>th</sup> meeting on the island.

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

### **Marion Township Proposed Zoning Text Amendments**

Marion Township is proposing to amend the provisions in their Zoning Ordinance for accessory dwellings, and reduce the minimum building width and floor area required in the Single Family Residential (R-1), Mixed Residential (R-2), and Agricultural (A) Districts to allow tiny houses. The proposed minimum Floor Area would be reduced to 100 square feet. The proposed minimum Floor Width would be reduced to 10 feet. Kiersten reviewed the Planning Department Staff Review. She commented that the Township is proposing to amend the definition of “Dwelling Unit” to specify that a tiny house on wheels is not considered a dwelling unit. Kiersten noted that any wheels on a pre-manufactured tiny house would need to be removed for the house to be considered a dwelling (either principal or accessory). Kiersten also noted a minor grammatical correction was needed in the definition of “Dwelling, Accessory Apartment”. Ron Van Zee recommended adding verbiage to the definition of “Dwelling, Single-Family” to clarify that any accessory dwelling must be *within* the primary dwelling, not attached to it. Discussion took place regarding zoning issues surrounding accessory dwellings. Bob Draves mentioned, in general, if a Township wants to allow a particular land use, they need to put it in the ordinance and enforce it. Kiersten went on to say, in the proposed text amendments, there are no size requirements for accessory dwellings with respect to principal dwellings. In some cases, an accessory dwelling could be larger than the principal dwelling. Larry Levengood had concerns with allowing tiny houses as dwellings.

MOTION by Mike Webster to support the Planning Department Staff Review on the proposed text amendments and send it to Marion Township for their consideration. Ron Van Zee seconded the motion. Voice vote: All in favor. Motion passed.

MOTION by Ron Van Zee to ask Marion Township to consider increasing the 100-square foot minimum floor area for a dwelling unit and to consider a clearer definition for “Dwelling, Single-Family” in their text amendments. Mike Webster seconded the motion. Voice vote: All in favor. Motion passed.

**VII. Any Unfinished County Business**

None

**VIII. Adjournment**

MOTION by Ron Van Zee to adjourn the meeting. Mike Webster seconded the motion. All members were in favor of the motion. Motion passed.

Chairman Draves adjourned the meeting at 9:08 p.m.

Respectfully Submitted By,

Kiersten Stark  
Planning Coordinator

KS/kc