



DRAFT UNAPPROVED

ACME TOWNSHIP PLANNING COMMISSION MEETING
Williamsburg Conference Center
4230-72 East, Williamsburg
7:00 p.m. Monday, July 30, 2007

Meeting called to Order with the Pledge of Allegiance at 7:03 p.m.

Members present: M. Vermetten (Chair), B. Carstens, C. David, R. Hardin, W. Kladder, D. Krause, L. Wikle, P. Yamaguchi

Members excused: D. White

Staff Present: S. Corpe, Township Manager
J. Hull, Zoning Administrator
J. Jocks, Legal Counsel

1. Consent Calendar:

Motion by Carstens, support by Yamaguchi to approve the Consent Calendar as presented as presented, including:

Receive and File:

- a) Draft Unapproved Minutes of:
1. **07/03/07 Regular** Board of Trustees Meeting
 2. **07/10/07 New Urbanism Advisory** meeting
 3. **07/12/07 Zoning Board of Appeals** Meeting
 4. **Planning & Zoning News June 2007**

Action:

- b) Approve minutes of the **06/25/07 regular** Commission meeting
- c) Review and approve agenda, inquiry as to conflicts of interest: no conflicts of interest noted

Motion carried unanimously.

2. Correspondence: None

3. Limited Public Comment: None

4. Preliminary Hearings: None

5. Public Hearings:

- a) **Continued Hearing regarding SUP/Site Plan Application #2007-01P, a cheese factory for Bart Nielsen at 9018 US Highway 31 North:** Bart Nielsen and family were present in support of their application. Hull reported that the applicant continues to move forward with his project but it is not ready for the Commission to consider a recommendation to the Board at this time. It is anticipated it will be ready for further deliberation next month.

Mr. Nielsen displayed a copy of his proposed site plan. His wastewater disposal system has been engineered and a DEQ permit applied for. There will be a drain cleanout accessible conveniently through the production building. Wastewater will flow through a lift station to one of two drainfields on an alternating basis. The system has been designed to handle three times the capacity of the anticipated maximum load. The design was based on a wastewater sample from the cheese

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factory where Mr. Nielsen currently works which indicated that the waste strength is similar to that generated by an ordinary household. He stated that approvals of his kind are automatic once submitted.

Approval from the County Health Department for well and other sanitary systems is still pending. Also under consideration is whether there will be a dedicated well and standpipe for fire suppression or whether the facility will use sprinklers; one or the other is required by Metro Fire.

Mr. Nielsen asked the Commission and community for their feedback. Yamaguchi asked about the process wastewater drainfields and how long it would take them to empty if filled. They will contain multiple strata of sand, silt and gravel to filter out wastewater effectively.

Wikle asked about whey removal; Mr. Nielsen plans to sell it to local farmers as pig feed or to use it on-site as fertilizer. No milk or whey will be introduced into the wastewater system.

Carstens asked about the status of the eastern half of the total 11-acre property. Mr. Nielsen stated that the production sanitary drainfields will be allowed process 1,000 gallons of water per acre per day. If they retain the entire property they would be able to produce cheese 22 days per month, which is their desired optimal plan. Their current concept is to retain ownership of the entire 11 acres but to place a conservation easement over all but approximately 2.5 acres and allow public use. The alternative would be that if 5 acres were ultimately acquired by the township and added to the Yuba Creek Natural Area they would need to retain a wastewater easement. Carstens asked if this issue needs to be resolved prior to consideration of a Planning Commission recommendation. Bzdok stated that he would advise the township not to acquire the land if any part of a sanitary system is on it, because then in the DEQ's eyes the township would likely become an owner of the system and would accrue potential liability. He would have no problem with a conservation easement being placed on the area if elements of a wastewater treatment system are present on it. Mr. Nielsen noted that when they approached the ZBA to receive a variance of structure setback requirements the approval they received was based on the information that the township would receive 5 acres of land and there would be a conservation easement on an additional 2.5 acres. He asked if their variance would be subject to revocation or change if the scenario changed. Bzdok stated that it's likely something can be worked out; it would depend somewhat on whether receipt of the land was an explicit condition of the variance.

Wikle recalls discussion about the final configuration of ingress and egress. Mr. Nielsen reported that MDOT will allow two entrances to the property. There are two existing entrances; the southernmost must be enhanced/widened, curbed, and a deceleration lane provided. If the east five acres were to become a separate parcel it would have to be served by an access easement along the northernmost property line and the existing entrance mid-property would have to be eliminated.

Public Hearing opened at 7:27 p.m.

Chris Stoppel asked what kinds of cheese will be made. Cheddar will be made twice a week, Colby, Monterey Jack in a variety of flavors, string cheese, mozzarella, parmesan, romano, muenster, cream cheese and provolone.

Public Hearing closed at 7:29 p.m.

Vermetten stated that this public hearing has been unusual because it has been drawn out over several months. He encouraged the applicant to wait to return to the Planning Commission until all of the required agency approvals and elements are in place. He recalled questions about whether cheesemaking will create odors for neighboring properties; Mr. Nielsen replied that if done properly there will be no odors for neighbors. His residence would be the nearest building to the factory so he would be affected first and foremost. They also plan to have nearly all of their retailing performed on site, and customers would be driven away by an unpleasant smell.

Motion by Carstens, support by Wikle to continue the Public Hearing regarding SUP #2007-1P to the August meeting.

Vermetten asked Mr. Nielsen if this would afford him enough time to complete his application; Mr. Nielsen believes it would.

Motion carried by unanimous roll call vote.

- b) **Public Hearing on Acme Township Future Land Use Map:** Hull stated that the township adopted its Master Plan in 1999, and customarily such a document includes a Future Land Use Map (FLUM). In 2005 the township hired Wade Trim to assist in the process of creating a FLUM amendment to the Master Plan based on an extensive public input process. The Planning Commission evaluated and amended their proposed draft explanatory language for the map, sent it to surrounding governmental entities, including the Grand Traverse Band for input and received input from the County Planning Commission. Their input included a recommendation that the Meijer property remain designated on the FLUM as “town center” and some commentary on allowing for mixed uses in the industrial area. Public comment has been received as well.

Hull reported that the GT Band/GT Resort has expressed concerns about the FLUM designations for their properties and whether they would remove options that currently exist for their use. Hull reported that this is not the case; that the Resort is governed by a PUD that provides a framework for how the property can be developed that would not be impacted by the FLUM. He has provided two proposed sentences for inclusion in the urban residential land use character discussion that would specifically acknowledge the Resort in an attempt to increase their comfort level in this regard.

The township received input from Meijer, Inc. and the Village at Grand Traverse, LLC (VGT) consisting of resubmission of a letter submitted earlier in the process. In particular they feel that the Meijer parcel should not be designated town center; the outcome is at the Commission's discretion.

Public Hearing opened at 7:39 p.m.

Vermetten encouraged people to use a microphone provided to ensure their comments are recorded correctly.

Gene Veliquette, Cherries R Us, feels that the meeting so far has exhibited a problem with the township. Mr. Nielsen has to obtain approvals from various local agencies before finding out whether the township will approve or deny it. He asserted that Meijer was in such a process for over a year before being denied. Vermetten asked Mr. Veliquette to confine his comments to the FLUM. Mr. Veliquette believes the

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map is inaccurate because it depicts creeks or streams where none exist. He believes it will decrease most peoples' land values, and that it will take away various benefits that already exist. He stated that the township newsletter characterized the FLUM as a tool to speed up approval processes for future development applicants, but he does not understand how this would be. Mr. Veliquette stated that if this map is approved he may seek partners to undertake legal action against the township to prevent a decrease in his land value. He believes there are delays inherent in the township approval process and a no-growth stance on the Board that justified the TCAPS decision to close Bertha Vos Elementary School.

Elizabeth Cook, Grand Traverse Resort, stated appreciation for time given to the Resort by the township and for Hull's earlier comments. She referenced an April 25 letter suggesting a change to the urban residential definition. If this precise language is not to be adopted, she would like to make a suggestion regarding Hull's proposed addition, further adding "with commercial uses as part of the Resort's core business" within his statement prior to "in a manner consistent with Resort uses."

Steve Smith, The Village at Grand Traverse, LLC, read a statement into the record and provided copies to the Commissioners. This statement is available by clicking [this hyperlink](#) or through the township administrative offices. He added at the end that he echoed Mr. Veliquette's thoughts about potential litigation. Krause stated that he was unaware that the Planning Commission had received copies of the attachment before and wondered why this might be.

Noelle Knopf, 5795 US 31 N, stated objection to the proposed FLUM. She does not believe the Master Plan calls for 450 acres of town center, but that it lists the properties making up this acreage as options for places to contain commercial density. She believes it misrepresents the Meijer property by showing a stream running through it when none exists, and that it should not be designated town center. She objects to her property or surrounding being "zoned" as parkland, believing it will remove some of her property rights. She believes that if the proposed FLUM is approved it will "go against" the lawsuit vs. VGT, which she believes was based in an assertion that the project did not conform to the Master Plan. She is also disappointed because she thought a mailing would be done to attract people to tonight's meeting but is unaware that one took place and the turnout is poor.

Mr. Stoppel, Advanced Upholstery & Canvas stated he was speaking for himself and his neighboring businesses, Woods and Waters and Acme Veterinary Clinic. He stated that they believe that the proposed FLUM has been created in an arbitrary way and ignores the reality of existing commercial land uses along M-72. He believes it rises to the level of an intentional regulatory taking that would prevent future commercial development or even sale of his property for commercial redevelopment. He believes the proposed designation as recreation/conservation seems to ignore their existing use. He encouraged the Commission to consider redesign of the proposed FLUM based on the reality of existing and surrounding commercial uses, and believes the map is unrealistic in general. He believes that some lands have been designated for more intense uses based on a speculation that it will be necessary while at the same time ignoring the existing commercial uses on their properties. These lands are an important component of their owners' retirement funds and they do not want to have to work extra years to make up a loss in value caused by the proposed MAP and the purported vision of the existing Board.

Mr. Smith returned to the microphone, saying that he thought he heard the Commission say that they had never received a copy of the RTKL resignation letter.

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Vermetten stated that Krause stated he had not received it, and a few other Commissioners echoed his statement. Mr. Smith stated that he is “appalled” because this is the second meeting since the letter was received by the township.

Hull stated that if RTKL claims to have copied the Planning Commission he received no such copy. The New Urbanism Advisory and the Commission are not synonymous, and that advisory was not working directly for the Commission. It does not appear to him therefore that there was an automatic reason for the Commission to have received a copy. He regrets and apologized for not providing it to the Commission if indeed this is the case.

Mr. Veliquette stated that this is indicative of a problem in the township, and asserted that the Planning Commission has no statutory authority. He believes they are used only to create unnecessary delays. Vermetten stated again that at this time comment is limited to the FLUM, the subject of this public hearing, and other comment will be entertained at the end of the meeting.

Paul Brink, Winter Road, was also disappointed by poor turnout for the public hearing this evening. He wonders if there is a general public lack of interest or if another attempt is needed to get the word out and get more people to the meeting.

Public Hearing closed at 8:06 p.m.

Kladder stated that being new on the Commission he has questions about the detail of the process. He is looking at the zoning map and the proposed FLUM, and trying to identify the location of the businesses to which Mr. Stoppel referred and their current zoning. Hull reported that the properties are currently zoned B-2, but Vermetten believes they are zoned B-3. The proposed FLUM designates them as rural residential. Kladder wondered why and Vermetten concurred. Vermetten also noted that a FLUM is not a zoning map, but is a community concept for a desired future land use pattern. Hull reported that the proposed FLUM is the outcome of having this very room full of people drawing proposed maps and redrawing them, and having those various maps compiled down by the consultant into a final, consensus-based proposed map. The Planning Commission has worked with the proposed wording that describes the various land uses on the map to improve and clarify it. Hull reported that one use of a FLUM is as one tool among many to consider potential changes to a zoning map. It is true that designation on a FLUM of a low intensity use might argue against rezoning of a property to a higher-intensity use; however in the case of Mr. Stoppel’s property and his neighbors the land already holds the highest intensity land use so it could not be negatively impacted in this regard. Kladder noted that the Planning Commission is responsible for adopting the FLUM, but they are taking action on work done by a broader base of citizens, and ultimately they need to reflect the will of as broad a base of citizens as possible. Hull noted that a FLUM is a future vision for the township, and the Commission certainly can choose to create such a map that simply mimics the zoning map but to him it would seem pointless to say that the township does not envision land uses changes from what currently exists. Kladder asked if there is a concern among members of the public that this is just one step towards the township attempting to rezoning people’s property against their wishes.

Vermetten echoed Hull’s comments that a FLUM that simply echoes the zoning map is nothing more than a present land use map and not a FLUM. There were multiple public input meetings that were well-attended even on some nights with bad weather. Some people stuck with the process throughout, some joined in the middle, some

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dropped out along the way. The end result cannot possibly please everyone. The proposed FLUM has to be looked as an expression of future desire and will not change the current zoning and land use of properties. If people want to change their land uses in the future this would be one tool that would be used.

Hull noted that the Master Plan is supposed to be a flexible and changing document; the law requires that it be reviewed regularly. This particular process has been going on for about two years now, and the next statutorily required review would only be two out of five years away. The proposed FLUM may change the Master Plan, but the Master Plan will change again and again over time as it should.

Kladder asked Hull about the potential implications of making the addition to the text suggested by Ms. Cook from the Resort. He would like more input as to the meaning of additions to commercial uses consistent with existing commercial uses because he doesn't fully understand what the existing uses are. Hull believes Ms. Cook's language is insightful. The Resort already includes commercial uses and it is by nature a commercial entity. Hull understands their concern as being that they do not want to continue to grow with only additional residential elements.

Kladder recalled Ms. Knopf's comments regarding an approximate 450 acre town center designation area and asked if it represents an expansion of earlier town center areas. Vermetten believes that the town center area as shown is as the citizens participating in the public process drew them as a concentrated development area. Kladder is hearing that some of the land owners proposed for town center designation object; Hull confirmed that Meijer is so objecting.

Hardin read from pages 58 and 69 of the Master Plan regarding desired high density development characteristics. He believes that the proposed language for the urban residential accompanying the proposed FLUM meshes well with the existing policies and objectives in the Master Plan.

Carstens thought about Mr. Stoppel's comments, and he personally disagrees with some elements of the proposed FLUM. He also has respect for the statements made by Vermetten and Kladder about the map, how it differs from the zoning map and the need to address a broad vision as expressed by the public. He said that that if they can accept it, he can too.

David asked for some discussion about the statutory aspects of the process. Hull reported that the current planning and zoning laws require the township to have a master plan on which to base their zoning ordinance. This may not always have been the case; there may have been times in the past when the state permitted zoning without compelling associated planning. There are some who say that a FLUM really is the key to a Master Plan. The township was unable to arrive at a FLUM in 1999 and the township is trying to complete the process now.

Yamaguchi stated that the map is not perfect, but it is a beginning and is organic and will evolve over time. You have to start somewhere and make adjustments along the way. She believes the proposed FLUM is a reasonable if imperfect document and it will change over time.

Krause echoed Yamaguchi and Carstens in their statements. It is not possible to please everyone in the township but we do have to start somewhere.

Wikle stated understanding of Mr. Stoppel's position regarding his property and the

adjacent ones. The proposed FLUM is not a zoning map, it is a long-range planning map representing an ideal for the community that is not meant to degrade or exclude any property. They do want to be fair to farmers, and it is difficult to deal with the fact that there are many scattered businesses among other land uses. This is not a zoning map but a planning map that takes a broad look out into the future and is not in any way going to affect the use of Mr. Stoppel's property.

Mr. Veliquette asked what is the process for changing the map again in the future. Vermetten stated that the map is the Commission's responsibility and should have been completed during the original master planning process. He does a fair amount of land use work and this is one of the only townships that does not have a FLUM. It is not a perfect plan but is part of an evolutionary process. It is a tool for the use of planning the township and is an accurate reflection of input received from hundreds of participants in a lengthy process. It didn't just include people in this room, but people who participated in neighborhood focus groups. He was surprised to find most people in his neighborhood agreed more with Carsten's view of the future than his own. It was worked on hard by all the citizens who partook in the process. He does not believe it is now or will ever be perfect, but it is a "springboard."

Motion by Carstens, support by to Yamaguchi to adopt the Future Land Use Map as presented.

David asked if the Commission would like to include Hull's addition to the proposed urban residential description. Vermetten believes that the language is already reflected in other portions of the Master Plan but that it would be appropriate to add.

Motion amended by Carstens with support by Yamaguchi to adopt the Future Land Use Map as presented with the additional language proposed to recognize the GT Resort as it is currently used and the potential addition of commercial uses. Motion carried by a vote of 7 in favor (Carstens, David, Hardin, Krause, Vermetten, Wikle, Yamaguchi) 0 opposed and 1 abstaining (Kladder).

The Chair declared a brief recess at 8:39 p.m., resuming at 8:49 p.m.

6. New Business:

a) Annual Election of Planning Commission Officers :

Motion by Hardin, support by David to reelect the same slate of officers (Chair: Vermetten, Vice Chair: Carstens, Secretary: Krause) for the coming year.

Carstens stated that it has been his pleasure to serve as Vice Chair to Vermetten, which has been unexpected for him. Vermetten felt similarly.

Motion carried unanimously.

7. Old Business: (the order of the issues was reversed from the original agenda)

a) Shoreline Master Plan – review preliminary concept plan by R. Clark Associates and set public meeting date: Russ Clark introduced a potential shoreline master plan concept his office has prepared, with the goal of setting a date to gather public input, leading to revisions and eventual adoption. He gave a PowerPoint presentation along with his associate, Ken Ockert.

Mr. Ockert displayed an aerial photograph of the project area that had been enhanced with some data: 21 acres, about 3,700 linear feet of water frontage, 25 existing curb

cuts, and varying land depths in different portions of the overall project area. Then he moved through narration of the conceptual master plan.

Kladder asked if the proposed sidewalk near the marina would be considered far enough from US 31 to be safe for use by children. Mr. Ockert stated that it would have to be cut in to the area carefully and perhaps landscaping could be used to protect pedestrians. The existing restaurant and marina structures make other alignments difficult. Kladder also asked where traditional playground equipment might be located; Mr. Ockert replied it would be just north of the marina. Kladder asked if the proposed band shell or tennis courts are practical and if there is enough nearby parking. Mr. Ockert stated it might be desirable to have some more parking opportunities closer, as not everyone would be able or desirous of walking from the parking opportunities in more southerly parts of the shoreline.

Vermetten noted that this is a preliminary concept plan only, with the next step to be to hold a public meeting to gather broader input. He personally finds it an exciting concept.

Krause feels that the extreme north end of the entire area is most likely to be used extensively. He agrees that parking in that area needs to be increased. He asked if it would make sense to add a vehicular access from the parkland to Shores Beach Road, so that if there were an event with many cars they could leave through the signalized intersection. David echoed the sentiment. Corpe commented that her prior discussions with MDOT indicate that they would not favor any additional flows of traffic through Shores Beach Road, and that ultimately they would prefer to close that leg of the intersection and re-route traffic from the Shores Condominiums to enhance traffic flow and safety.

Hull suggested that people visit the Governmental Center to have a look at some murals that show the difference between the Traverse City waterfront years ago and today, particularly the Open Space.

Motion by Wikle, support by Kladder to hold a public input meeting regarding the proposed Shoreline Master Plan as part of the August 27 Planning Commission meeting.

David was concerned about holding the public input session as part of a regular meeting as opposed to holding a special meeting. Corpe reported that the rest of the agenda is currently expected to contain the cheese factory continued public hearing and between 1 and 3 preliminary SUP hearings.

Motion and second withdrawn.

Vermetten asked if the public meeting is a Commission meeting per se. Bzdok noted that the final shoreline plan may become part of both the township parks & recreation plan and the overall township Master Plan. After some discussion about the nature of the process being visioning similar to the FLUM, the Commission tended to favor having a special meeting dedicated to this one purpose. Corpe reported that there are already plans to prepare a post card mailing to raise awareness of the meeting.

Motion by Carstens, support by David to have the staff arrange and communicate a special meeting date for the shoreline master plan public input session. Motion carried by unanimous roll call vote.

Kladder asked Mr. Clark to give him some more background on the scope of services communicated to him. His understanding is that the goal is to create a conceptual plan that will be a useful tool for fundraising for shoreline acquisition and not to cast in stone a recreational land use pattern. Mr. Clark and Paul Brink, Shoreline Advisory Co-Chair, confirmed this impression. Mr. Brink stated that he is looking forward to public input that will further develop the plan for use with a variety of potential funding sources.

- b) **Motion to ask Board of Trustees to insert density bonus language into Amendment 138, Development Options**: Vermetten recalled that at the end of the June meeting Krause commented on the way proposed Ordinance Amendment 138 approached potential development density bonuses. Vermetten personally was taken very much by surprise, and this caused him to thoroughly review the minutes, memoranda and other communications related to this proposed ordinance over the past year. He also sought some additional advice on the issue from Hull and Bzdok. He concluded that the issue brought up as a potential mistake was discussed between staff (Hull, Corpe, Iacoangeli, Bzdok, Mike Grant) extensively and that the Commission discussed it extensively as well. Vermetten believes that after reviewing extensive public, legal and staff input that the Commission intentionally targeted density bonuses towards limited areas of the community.

Krause disagreed with Vermetten, and believes the density bonuses are inadequate. If the township's goal is to encourage developers to pursue a certain development pattern, it has to provide some incentive to do so. He believes that the graduated scale of density bonuses in the current Open Space Development (OSD) Ordinance is a better tool and should be retained. David stated agreement. Krause distributed an example to the Commission based on a property formerly owned by the Hanna family at the corner of Brackett and Lautner Roads. This land has been divided into six five acre parcels. He demonstrates how 10 dwelling units could have been clustered into one corner of the property if 80% of the space was left open, and believes this is a pattern to be encouraged. His model is based on the idea that one bonus unit is obtained by preserving a minimum of 50% open space, with one additional unit for each additional 10% open space. He also proposes additional density bonuses for providing workforce housing or using development rights transfers.

Hull stated a personal bias towards providing density bonuses. Currently we have provisions that allow developers to achieve as much as 50% bonus density, but they are not being used extensively. The Hannas chose not to, for instance. There are R-3 properties that can be developed as multiple-family affordable housing, but it isn't happening.

Vermetten asked if Mr. Hanna could have developed as Krause demonstrated. Hull reported that Mr. Hanna could have achieved about 8 units of density under our current OSD regulations, with the possibility of more at the township's discretion.

Krause stated that we are not getting applications for workforce housing development on R-3 properties because the land values are too high – in his opinion it has to be done on agricultural properties.

David referred back to the Hanna property. Under the proposed ordinance the density bonuses are only available if the open space land remains in agricultural use. He believes that open land of many types is valuable to preserve, not just active farmland. Hull agreed with David's understanding of the proposed ordinance.

Vermetten stated that he often represents developers who are seeking to increase density bonuses. Initially he expressed concerns about whether or not the proposed ordinance was providing enough incentive for innovative land use. It became apparent to him over time that the Commission made the recommendation it did with conscious intent.

Kladder has worked extensively with conservation. One issue with clustered housing is conflict with neighboring land use such as continued agriculture. His sense is that it's a good tool to have but that it shouldn't be the key tool used to promote farmland preservation. He doesn't see it as a primary goal of the ordinance.

Carstens stated that he called Gordon Hayward, Peninsula Township Planner, to ask what he thought of clustered housing and density bonuses. Mr. Hayward told him that in Peninsula Township clustered housing requires a minimum of 65% open space.

Hardin noted that increased density under the proposed new ordinance could be achieved through a PUD with purchase and transfer of development rights. David observed that this increases development expense. Hardin stated that he believes the Commission choice to present the proposed ordinance in its current form was conscious and deliberate.

Yamaguchi indicated at the last meeting that she felt the three options were good ones, and knew that there were some density bonuses. She understands what Hull has said this evening about the current OSD ordinance being used fairly infrequently. She might support changing the ordinance draft to allow any sort of open space with other types of conservation value to be qualified for density bonuses and not just active farmland or orchard. Hardin was concerned about this approach, believing that an important component of the ordinance is an attempt to encourage housing to be more centralized rather than decentralized in agricultural areas where it comes into conflict with common agricultural practices such as spraying and harvesting. David suggested that if housing in the agricultural districts comes into conflict with active agriculture, it would be unwise to encourage enhanced-density housing in those areas.

Krause stated that the density bonuses he is proposing would apply to a variety of different scenarios including PUDs and for transfers of density into more urban areas of the township. He asked if Vermetten has spoken with John Iacoangeli about this since the last meeting; he had not.

Vermetten stated that the matter has been under discussion for a full year, and the suggestion that it "slipped past" the Commission is unsupported. There may not be full agreement on the matter. The proposed ordinance amendment has been forwarded to the Board for their consideration and potential adoption. At the last meeting the Commission moved to suggest that the Board make a change to it in the process of adopting it. Hull observed that the matter has moved past the Planning Commission, so at this point it would be inappropriate for them to move to amend the text, but they could move to suggest a course of action regarding the ordinance to the Board.

Motion by David, support by Krause to reaffirm the recommendation made at the last Planning Commission meeting to add additional density bonuses to the proposed Ordinance Amendment #138. Motion failed by a vote of 2 in favor (David, Krause) and 6 opposed (Carstens, Hardin, Kladder, Vermetten, Wikle, Yamaguchi).

8. Public Comment/Any other business that may come before the Commission:

There was discussion about how to discuss potential amendment of the June meeting minutes. The motion was to approve the consent calendar as presented, without removing the minutes, so the minutes were approved along with the consent calendar. Bzdok suggested that at the next meeting Commissioners who asked to have the consent calendar approved as presented ask to have the motion reconsidered, then remove the minutes and reapprove the rest of the consent calendar, and discuss adoption of the June minutes separately.

Mr. Veliquette stated that if there is going to be a public meeting regarding the shoreline master plan, perhaps the people should be informed as to how much it might cost to acquire the land, what the loss to the tax rolls might be, and how the township would acquire the land. Perhaps the question of how much land might be required for acceleration and deceleration lanes could be required should be discussed. He stated that he did a PUD in Milton Township 20 years ago. He feels they did a good job, and the people who live there love it and have never made a complaint. At the time they were viciously attacked for doing it by people who would have preferred them to create 10 acre homesites. They did one on the peninsula as well, and he finds it a vital tool for farmers. If you can't become more efficient you will end up going backwards. You might have to sell 1% of your property to save the other 99%. On the peninsula they were surrounded by residential uses, and with required setbacks from those uses they would have had only 11 acres left to farm. The process took them three years due to public outcry. A letter that accused them of being "evil developers" was circulated and read aloud at meetings nine times. Many people don't have the constitution to take that kind of criticism over and over again. They tried a similar development in Acme Township. He believes it cost him \$100,000, but he didn't get what he wanted. First they asked for a zoning change for the 11 acres surrounded by parkland. They went through a lengthy process with multiple changes to the plans. They were told it could not be rezoned by the Planning Commission despite other people telling them that it could be rezoned to match other nearby residential properties. Yet, now it would be okay to have a cheese factory. He would like to see there be an area in the township where agricultural businesses can be developed, but does not believe it should happen with individual businesses in scattered locations. Mr. Veliquette does not think Mr. Nielsen's cheese factory will be able to succeed because his business costs will be too high compared to how much he will be able to produce and sell. When he approaches the township to complain about an action the township might take, or when developers threaten litigation why doesn't the Commission ask why they say so? It seems there are many unanswered questions. Vermetten stated that the questions were answered through discussion about what a FLUM is and is not.

The August 27 meeting was originally scheduled to be held at the Williamsburg, but will be moved back to the township hall.

Meeting adjourned at 10:21 p.m.