



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, July 26, 2010

Meeting called to Order with the Pledge of Allegiance at 7:02 p.m.

Members present: B. Carstens (Acting Chair), C. David, S. Feringa, R. Hardin, D. Krause, V. Tegel, D. White, P. Yamaguchi, J. Zollinger
Members excused: None
Staff Present: S. Vreeland, Township Manager/Recording Secretary

INQUIRY AS TO CONFLICTS OF INTEREST: None noted

APPROVAL OF AGENDA: Motion by David, support by Yamaguchi to approve the agenda as amended to add discussion about potential additional sign ordinance amendments under New Business. Motion carried unanimously.

1. Study Sessions:

- a. **[Green Infrastructure Planning](#)** – **Patty O’Donnell, Regional Planner - NW MI Council of Governments:** The “Planning with Green Infrastructure” document is intended as an addendum to the New Designs for Growth (NDG) guidebook. It is an outgrowth of the comprehensive total Lake Michigan water quality management initiative. What we do on land has an impact on water quality. O’Donnell worked with a wide range of stakeholders to identify and map green infrastructure in the 10 counties served by the NWMICOG, resulting in the [G.T. County Green Infrastructure Map](#) handed out. It is a baseline map of conditions as they existed in January 2010.

The document provides a definition of green infrastructure developed by the people who pioneered the concept. In general it includes a variety of natural and restored ecosystems and landscapes that provide for wildlife habitat and movement, preserve water quality, provide for recreation and non-motorized transportation facilities, control public service costs, air pollution management, surface temperature control and enhanced quality of life.

The document provides a range of implementation strategies and 10 principles of Green Infrastructure. Planning for green infrastructure happens in the same way as planning for “gray” infrastructure, and is recommended to happen before planning the built environment.

O’Donnell has received a grant to develop a *Planner’s Moments* 15-minute land use training video and regional workshops regarding green infrastructure planning.

The township can purchase larger copies of the county green infrastructure map. Additional data layers can also be custom mapped along with the green infrastructure layer to help demonstrate how natural corridors and water protection areas can be established and/or protected.

- b. ***Planner’s Moments* Session I: Introduction to Smart Growth**
[Link to Video](#) – **REQUIRES INSTALLATION OF [REAL PLAYER](#) ON COMPUTER**
[Link to Handouts](#)

After viewing the video, there was discussion about the value of the presentation. Some commissioners felt that it didn't go beyond what they had already heard and read many times, particularly in the Citizen Planner program. Others felt that this was the first in the series and very generalized, and that perhaps some of the others in the series would present more unfamiliar or in-depth information. Not everyone has ready access to the opportunity to the Citizen Planner series. Some took the Citizen Planner course some time ago and welcome the "refresher." Some felt that some segments would be more worth viewing as we prepare to update our Master Plan.

This particular segment focused on the 10 Tenets of Smart Growth. Carstens has often promoted the formal adoption by the Commission of the tenets, but feels there has been resistance to the idea. Yamaguchi began her tenure on the Commission when Amendment 138 to the ordinance was being considered. This amendment to the pre-2008 ordinance stressed conservation development and the use of planned unit developments, but it was defeated by referendum. The basis of much of that proposed ordinance amendment was in the Smart Growth Tenets. Some observed that the principles can be employed without necessarily

It was observed that the COG and MSU Extension seem to be recommending formal integration of smart growth planning principles into our master plan and zoning ordinance. The modules can be downloaded individually at no cost, so we can pick and choose modules that are particularly relevant to issues the township is currently addressing.

Ken Engle, speaking from the audience, noted that one of the 10 Smart Growth Tenets is public inclusion in the process. While these materials may be along the lines of a refresher to the Commissioners they may be new to the audience and a good way to include them in the planning process.

Andy Andres, Jr., 1107 Barlow Street in Traverse City, echoed these sentiments. By bringing the level of audience understanding about planning principles closer to the Commission's level, everyone can participate more effectively in the process. Conflicts and adversarial interactions can be minimized. It can help establish some of the framework about how land use planning works and why certain things are undertaken to move the conversation forward into technical details.

Motion by Zollinger, support by Yamaguchi to continue use of the *Planner's Moments* series at upcoming commission meetings. Motion carried by unanimous roll call vote.

There was consensus that Vreeland would select the topics that seem particularly relevant to upcoming matters for presentation.

2. **Consent Calendar: Motion by Zollinger, support by David to approve the Consent Calendar as amended to remove the July 2010 Planning & Zoning News issue for discussion, including:**

Receive and File:

- a) **Draft Unapproved Minutes of:**
 - 1. 07/06/10 Board
- b) **Planning & Zoning News**
 - June 2010
 - July 2010

- c) [Status Update – VGT-Phase I SUP Application #2009-01P](#)

Action:

- d) Approve [06/28/10](#) Planning Commission meeting minutes

Motion carried unanimously.

3. Correspondence:

- a) [07/07/10 Letter](#) to Road Commission and GT Band Tribal Chairman re: **Bates Road Realignment**: received and filed.

- b) [07/20/10 e-mail](#) from Nels Veliquette regarding **Wine Tasting Rooms**: The letter recommends amending the zoning ordinance to permit the establishment of a wine tasting room by special use permit in the agricultural district. Mr. Veliquette was present in the audience. David expressed concern about over-proliferation of operations in everyone's back yard. Hardin noted that the type of operation being discussed is similar to the Chateau Grand Traverse tasting room on M-72 East. Right now a stand-alone tasting room is only permitted in our general business district. Currently, tasting rooms in the agricultural district are only permissible in conjunction with on-site wine manufacturing. Mr. Veliquette is thinking of having the product of a crop produced on a farm sold on that farm, even if it was actually produced at a different location. David felt he could support the concept if the purveyor of the wine has a clearly defined and particular relationship to the land where the tasting room stands.

Vreeland and Mr. Veliquette had a preliminary discussion on this question. They believe it may be effective to allow stand-alone tasting rooms under appropriate conditions by amending the Winery section of the ordinance. Currently the Winery Ordinance permits tasting rooms in the A-1 district along with actual production of wine or other alcoholic agricultural products on the same premises. They discussed slightly adjusting definitions and removing the direct tie between the site of beverage production and the presence of a tasting room, while retaining ties to the land and to the overall winery concept.

Motion by Zollinger, support by David to have staff review the existing winery ordinance and bring recommendations to the Commission for potential amendments along the lines of the current discussion at the August meeting.

White asked how an appropriate level of production might be defined. Could it be as little as a person with one row of grapevines who purchases most of his fruit for his wine from some other producer? Vreeland noted that the current winery ordinance has minimum specified acreages to be owned and to be in wine crop production. Carstens asked how the state GAAMPS might or might not relate to these questions.

Motion carried unanimously.

4. Limited Public Comment:

Ken Engle, Sayler Road, came to the meeting because of Mr. Veliquette's letter. Carstens observed that GAAMPS may have an impact on the discussion. Mr. Engle would like to participate in the discussion. He also believes that people may begin to want to have special events such as weddings at farm markets, where perhaps fermented beverages may be sold. Mr. Engle is also concerned about the idea of trying wine tasting rooms to special use permit approval when farm markets may not be tied to this requirement under the GAAMPS.

Gordie LaPointe, Plum Drive, stated that the sign ordinance has regulations concerning political signs. Acme permits them for 2 months prior to an election. Mr. LaPointe suggested that the staff clearly mark their calendars for that 2 month period and enforce removal of such signs outside of the time limit. One individual in particular seems to have violated this requirement regarding the August 3 primary.

Mr. Andres attended an educational forum today and Carstens was also there. The presenter showed a chart of the “city bones” that Mr. Andres found particularly effective. The chart demonstrated the ebb and flow of population concentrations from core city areas to surrounding areas in a sprawl pattern. Roads, traffic calming and many other issues that will soon be discussed in Acme were covered. Mr. Andres has become a Planning Commissioner in Traverse City, largely due to his involvement as a citizen here in Acme. He noted that there will be the annual election of officers later on the agenda, and he endorsed Feringa for Chair.

Mr. Veliquette stated that he has suggested ordinance amendments before. He is suggesting an idea to be pursued by special use permit, and partially because he is receiving inquiries about tasting room development from area wineries now. The township is potentially in competition for such opportunities, and if it takes too long the opportunity could move on to other areas. The tasting room use could be complementary to our extensive farmland areas.

5. Public Hearings: None

6. New Business:

a) **Discuss potential additional amendments to sign ordinances:** Mr. LaPointe is the president of the Orchard Shores neighborhood association. A topic came up at their recent meeting about their non-illuminated wooden subdivision sign at the US 31/Plum Drive intersection. The association was thinking about lighting the sign using solar-powered landscaping lighting. When LaPointe checked the zoning ordinance he found that such signs are categorically prohibited from being illuminated. Upon further research he found that a variance was granted in 1990 to allow the sign to be 32 sq. ft., or double the normally permitted sign size. A requested variance to illuminate the sign in 1996 was denied.

LaPointe noted that Plum Drive is accessed from US 31 North. Coming north, one needs to move from the travel lane to a left turning flare where the speed limit is 55 mph but people routinely travel much faster. It is currently difficult to do this in the dark, even if one knows roughly where the intersection is. If one is a visitor, the residents find it hard to describe. If one misses the turn there are few nearby good options for turning around. For these reasons he is suggesting that the Commission consider allowing subdivision signs to be illuminated. He has reviewed the township’s “dark sky” lighting requirements, and respectfully suggests that for safety’s sake the change be reviewed.

Mr. LaPointe also asserted that several subdivisions on US 31 North south of Orchard Shores have subdivision signs that are lit in violation of the ordinance. He cited New Hope Church, LochenHeath, GolfView Condominiums, Bay Ridge and the Cottages at Windward Ridge. He has asked MDOT and Deputy Matteucci to review the situation and comment. He has also reviewed several other local township zoning ordinances and finds that 4-5 permit such signs to be lit, some specifying maximum lighting wattages.

Vreeland and Mr. LaPointe have been discussing the situation for several weeks. The existing Orchard Shores subdivision sign has an approved variance to be twice the size normally permitted, but a variance request to light the sign was denied in 1996.

The residents of the subdivision did have Cherryland Electric install an intersection light, but Mr. LaPointe has indicated that they don't feel it is particularly visible from the south. At Mr. LaPointe's request Vreeland, Supervisor Kladder and Deputy Matteucci have each individually visited the site. Vreeland reported that Deputy Matteucci told her earlier this afternoon that he did not perceive any significant safety concerns at the intersection. Kladder told her that he felt that the existing subdivision sign would be much more visible without illumination if it were rotated to sit perpendicular to the road instead of at its current angle. Staff will investigate the subdivision sign violation assertions made by Mr. LaPointe and will follow-up with enforcement as warranted. Vreeland's opinion is that the Commission could consider potential amendment of the Zoning Ordinance to allow some or all subdivision signs to be lit if they chose, or not. One way to look at the situation would be to permit subdivision signs to be lit only if they are adjacent to high-speed roads, particularly M-72 East and US 31 North.

David noted that any land use, residential or commercial might experience similar concerns on a high-speed road. Would individual homeowners with houses along the highway want to start putting up lighted signs for wayfinding too? Carstens recalls trying to find his way to someone's house in Leelanau County for the first time and having to make several passes and use a flashlight before he could find his way.

LaPointe stated that another concern is that sometimes if a person slows down for wayfinding, other people will try to pass them on the left, when what they need to do is to turn left.

Feringa suggested that if the lane configuration has changed since the time the last variance was denied in 1996, perhaps this would constitute a changed condition that would warrant consideration of a new variance request. Vreeland noted that if the Commission feels that overall there is a potential issue with several or all subdivision signs, the situation might warrant consideration of an ordinance amendment. If the Commission feels that there is a potential issue with just one particular situation, it should probably be addressed through the variance request process.

Zollinger suggested that the staff gather more data and present it at the next meeting so the Commission can decide what it may like to do.

While the discussion was concerning signs, Vreeland stated that the Zoning Ordinance permits political signs for election candidates or issues to be installed for up to 2 months prior to an election. They must be removed within 3 days after the election. She also noted that the length of time between the August primary elections and November general elections is approximately 3 months. She asked if the Commission felt that requiring those candidates who survive the primary to remove their signs for a month is appropriate, or whether we should review this provision of the Ordinance. Commission consensus was that the current provisions are appropriate and do not need review.

- b) **July 2010 Planning & Zoning News:** Carstens made particular note on pages 12-13 of Kurt Schindler's article about items that may be helpful for the Planning Commission to use. As we continue to work on Capital Improvement Planning, Mr. Schindler's publications could be of particular assistance.

7. Old Business:

- a) **Discuss [New Designs for Growth Development Guidebook](#):** Yamaguchi expressed appreciation for the NDG guidebook notebook. Soon the township will be looking at

revising its master plan, and prior to doing to we will need to do a community attitude survey. She has helped communities perform such surveys before. She has been working through the existing master plan and looking to see how many of the Smart Growth tenets she finds in it and how often. She will present her tabulated results to the Commission at a later date. In general, so far she finds that the principles are well-represented in our plan. Yamaguchi has spoken to Vreeland about assisting with survey preparation during the fall when she will have spare time.

Yamaguchi attended the forum about train travel last week. The session including group visioning about where people wish they could travel by train statewide. One member of her breakout group talked about traveling around the country who are applying Smart Growth principles more readily than Michigan seems to be doing in general.

Carstens has been told by people who have visited our Commission meetings that there seems to be something amiss, that it seems as if we do not wish to actively plan. Garfield Township's planning and zoning staff has been reconstituted and re-energized, and they currently seem to be leading the pack in planning and ordinance updates and innovation. NDG is a regional tool for being up-to-date in our planning approaches, and he would like us to use it. Carstens offered to assist Yamaguchi with her comparison of our master plan and zoning ordinance to the Smart Growth tenets.

8. Annual Election of Officers:

The floor was opened to nominations for the office of Chair. David nominated Zollinger as a potential strong leader who could help maintain focus. Zollinger accepted nomination. Yamaguchi nominated Carstens, who has been the Vice Chair for a number of years, is a County Planning Commissioner and seems to have a regional perspective, and is active in The Grand Vision. Carstens accepted nomination. Hardin nominated Yamaguchi, but she did not accept nomination. Carstens nominated Feringa, who accepted nomination. The floor was closed to nominations for Chair.

Zolliner was elected Chairman by a vote of 5 in favor (David, Feringa, Hardin, Krause, White), 3 opposed (Carstens, Tegel, Yamaguchi) and 1 abstaining (Zollinger).

The floor was opened to nominations for the office of Vice Chair. Tegel nominated Carstens for the reasons listed by Yamaguchi earlier. Carstens accepted. David nominated Feringa, Feringa accepted. The nominations were closed.

Carstens was elected Vice Chairman by a vote of 6 in favor (Feringa, Hardin, Krause, Tegel, White, Yamaguchi), 2 opposed (David, Zollinger) and 1 abstaining (Carstens).

The floor was opened to nominations for secretary. Zollinger nominated Krause, who accepted. The nominations were closed.

Krause was elected Secretary by unanimous roll call vote with Krause abstaining.

9. Public Comment/ Any other Business that may come before the Commission:

Mr. Andres stated that he was at the rail transit conference and sat with a man has had a lifelong close association with trains. He noted that when you reach your destination on a train, you still need some sort of transit options for getting around there. He also stated that the city Planning Commission is looking at employing New Urbanist master planning concepts, but until one translates those concepts into updated, potentially form-based ordinances and codes, nothing really changes.

Mr. Engle was thinking about what he has learned about geography during the conversations about transit. As a farmer in this area, he finds that he is not on the way to anywhere. Essentially, trucks have to make a special trip to pick up his crops and take them somewhere, or to bring goods back. Michigan is a peninsula and isn't on the road to anywhere. We are more of a destination, and this has to be taken into account as we plan.

Jim Goss, 4105 Bay Valley Drive, announced that on September 24-25 the Acme Business Association is hosting a fall festival. There will be a golf outing, a dinner show at the Williamsburg Dinner Theater, an arts and crafts show, a pancake breakfast and a farm tour. It is a great opportunity to promote the special resources of the township and he hopes people will participate.

Zollinger noted that there are some projects that have been started but not completed yet, and that we should keep important issues moving along.

Tegel commented about NDG and volunteered to work with Yamaguchi on her project. Alignment of the guidebook, the master plan and the ordinance seems similar to some of her curriculum-building experience as a teacher.

Vreeland stated that she had received a call from Brenda Majestic, the Manager of the Northwestern Bank branch at the Bunker Hill Road/US 31 North intersection. The well at their building seems to be going dry. Ms. Majestic has spoken to several other business people along the US 31 corridor south of M-72 East, notably those at the Subway and McDonalds franchises, and they are reporting problems with their wells also. Vreeland will attempt to do some research, but it is likely that generally dry conditions and the potential that wells in this area are older and fairly shallow may be combining to create the situation. There is nothing for the Commission to do at this time, but she thought it would be helpful for those involved in infrastructure planning to be aware of conditions.

Meeting adjourned at 9:20 p.m.