



ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
July 10, 2023 7:00 p.m.

**CALL TO
ORDER WITH PLEDGE OF ALLEGIANCE**

ROLL CALL: Present; Dan Rosa, Jack Challender, Dan VanHouten, Steve Feringa, Karly Wentzloff, Marcie Timmins

Excused: Jean Aukerman

A. LIMITED PUBLIC COMMENT: Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion.

Public comment opened at 7:02

Brian Kelley- Going back to the April meeting, discussed stormwater and reviews of it from Gosling Czubak. Mr. Versheve's review didn't note that the borings were only 13 inches deep and that the infiltration test couldn't be completed. Has lost his faith in Mr. Versheve's reviews. Discussed the clay band that was found on the property that was brought to Mr. Versheve's attention. Would like to know the status of the project and what is happening there. There was no play area or open space within the development, doesn't the PUD require that. Believes the original problem goes back to if this was a major or minor amendment. Believes the Planning Commission rushed to the minor amendment.

Mentioned the \$4000 grant from DTE for trees, the deadline is August. Would like to see some of the trees at Saylor park replaced that were knocked down in the 2015 storm. Discussed the appellate court decision and how Mr. Jocks has said if it is not allowed specifically then it is not allowed. The appellate court ruled differently and he is curious how Mr. Jocks will interrupt that ruling for Acme township.

Rosemarie Krupowicz- Received a postcard in the mail about a shooting range off Circle view and West Ridge. Heard there was a request to rezone an area from residential so they could put in a skeet shooting range. She and her husband are not in favor of that rezoning.

Public comment closed at 7:10

Wolf addressed the shooting range rezoning. The DNR has approved that piece of property for private hunting purposes. The owner of the property and his family are allowed to hunt there. They are allowed to shoot from dawn until dusk. What they are not allowed to do is open it up to the public. It could not be rezoned to accommodate that, it would be considered spot zoning. The township would have to redo the zoning ordinance to make that happen and that is not going to be happening at this point in time or in the near future. The township is making sure that they are not opening that property to anyone but family.

B. APPROVAL OF AGENDA: Motion by Timmins, second by VanHouten to approve the agenda with the addition of G. 2- Risko and G.3- Kelley. Motion carries unanimously

C. INQUIRY AS TO CONFLICTS OF INTEREST: none

D. SPECIAL PRESENTATIONS: none

E. RECEIVE AND FILE:

1. RECEIVE AND FILE

a. Approved Township Board Meeting Minutes 5.9.23

Motion by Timmins, second by Rosa to approve the Township board meeting minutes from 5-9-23.

Motion carries unanimously

b. Unapproved Township Board Meeting Minutes 6.6.2023

Motion by Rosa, second by Timmins to approve the Township Board Meeting Minutes

6-6-23.

Motion carries unanimously

F. APPROVAL OF MINUTES:

- a. Approve Draft Planning Commission Meeting Minutes 4.10.23 - Edits Feringa, page 3 and 4 GTECH it's GTEC Grand Traverse engineering and construction. Wolf- Wentzloff is spelled wrong on pg. 8.

Motion by Feringa, Support by VanHouten to approve the Planning Commission Meeting minutes 4/10/23. Friendly amendment to add the change of Wentzlott to Wentzloff on pg. 8.

Motion carries unanimously

G. CORRESPONDENCE:

1. BRI Monthly Newsletter- Because it was in the packet Wentzloff didn't read it into the record.
2. Risko - addressed the economic balance between attracting full year residents and tourists. Would like us to consider a 7 day limitation on short term rentals. Discussion followed as to if this correspondence was actually meant for East Bay Township.
3. Kelley - Read Kelley's letter into the record. Letter is attached to the packet.
Wentzloff responded to Kelley's letter concerning the PC members who live within the Overlay District and whether that is a conflict of interest and should recuse themselves.
Wentzloff lives on the water in Acme township, the part cited talks about a member who owns a specific parcel that does not apply to a whole district. Spoke with Mr. Jocks and he concurs that Wentzloff does not need to recuse herself.

H. PUBLIC HEARINGS:

1. None

I. OLD BUSINESS:

1. None

J. NEW BUSINESS:

1. Housing Discussion - Wolf - let everyone know that John I. was supposed to be at the meeting to lead the discussion. Due to a personal matter he won't be able to attend. Wolf is looking to table the discussion until the August meeting. John I. 's team is creating a map that will show the potential areas that accessory dwelling units could be located. Where water and sewer hook-up will be available. John has sent some draft language from other areas in Michigan that allow accessory dwelling units. Would like members to read through them before the August meeting.

Wentzloff added that members should pay attention to what is going on in Traverse City right now. We are not the same as the city but the sentiment of people in our area can be similar. Goals would be where does the PC feel comfortable with ADU's, implementing some draft language to present to the Board.

Rosa-When it is not feasible to hook up to a sewer system, Rosa has heard you can make your own sewer system. Asked if Feringa or Wolf knew about any of those systems?

Feringa- It is more feasible to hook up to individual septic systems or pay to hook up to the municipal system as it can be pricey for a group septic. There are other systems that are hybrids, where they put individual septic tanks but had a community drain field.

Wentzloff- a barrier to housing density in our township will be water and sewer. Water specifically.

2. Waterfront Regulations Discussion -

Wolf- Talked with John I. on how to get input from a different mixture of people in the township. The Planning Commission is allowed to create a subcommittee to deal with some of these issues. Specifically under section 4.3.4, preservation and restoration. Restoration was removed in its entirety, and only part of preservation was left in. The language under restoration was specific as to what was required. John wanted to know the PC thoughts on the language and whether it is too restrictive. Wolf said from an enforcement stand point it will be basically impossible unless the township hires an enforcement officer. John I. thought it would be good to form a subcommittee of; two planning commission members and five members of the community. John thought the subcommittee could meet once or twice, the meetings would be open to the public and basically make recommendations on what to present to the Planning Commission if they choose to implement the additional standards that were removed.

Discussion followed

Feringa and VanHouten volunteered to be the PC members on the subcommittee

Discussion followed to decide days and times. Actual times to be decided when all members are recruited.

Wolf asked if anyone had thoughts on the items that were removed from C and D.

Rosa- asked if the DNR or EGLE publish a guide to living near the water.

Wolf- the township has some native planting guides and other things.

Rosa- asked if it would make more sense to handout the guides than to come down heavy handed.

Discussion followed

PUBLIC COMMENT & OTHER PC BUSINESS

opened at 8:13

Brain Kelley- Attended the riparian workshop in East Bay township. There were topics that they whittled down and the take away was smaller and more focused. Discussed the solar project and the correspondence he sent to the board in December of 2022, provided a review from EGLE, Jake Riley, who said they constructed the storm water basin 10-15 feet from Yuba creek. Quoted the 50 foot setback quotes in the ordinance. Doesn't believe anything was done. Permits expired in January and still had no permits in April. Groundwater is at the floor of the basin.

3. Planning & Zoning Administrator Report – Lindsey Wolf- Election of PC officers is next month. Has made the Board and Mr.Jocks aware of the issues that are going on with the trail side solar project.
4. Township Board Report – Jean Aukerman
5. Parks & Trails Committee Report – part of the draft language is on-line for the five year park master plan, the PC will see it at the August meeting. Smart Grant application went out for continued pathways and a pavilion at bayside park. The park survey is open, and there is a public engagement/open house at Bayside park Monday 17th from 4-6.

**ADJOURN: Motion by Timmins, support by VanHouten to adjourn.
Motion carries unanimously**



ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
July 10, 2023 7:00 p.m.
WORK SESSION

CALL TO ORDER
WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
- E. RECEIVE AND FILE:**
 - 1. RECEIVE AND FILE**
 - a. Approved Township Board Meeting Minutes 5.9.23
 - b. Unapproved Township Board Meeting Minutes 6.6.2023
- F. APPROVAL OF MINUTES:**
 - a. Approve Draft Planning Commission Meeting Minutes 4.10.23
- G. CORRESPONDENCE:**
 - 1. BRI Monthly News Letter
- H. PUBLIC HEARINGS:**
 - 1. None
- I. OLD BUSINESS:**
 - 1. None
- J. NEW BUSINESS:**
 - 1. Housing Discussion
 - 2. Waterfront Regulations Discussion
- K. PUBLIC COMMENT & OTHER PC BUSINESS**
 - 1. Planning & Zoning Administrator Report – Lindsey Wolf
 - 2. Township Board Report – Jean Aukerman
 - 3. Parks & Trails Committee Report –

ADJOURN:

APPROVED



ACME TOWNSHIP REGULAR BOARD MEETING

**ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, May 9, 2023, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: J. Aukerman, D. Hoxsie, A. Jenema, P. Scott, D. Stevens, L. Swanson, D. White

Members excused: None

Staff present: Lindsey Wolf, Planning & Zoning Administrator; Jeff Jocks, Legal Counsel; Cristy Danca, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Limited Public Comment was opened at 7:01 p.m.

Doug White, Acme Township Supervisor
Andy Andres, Acme resident
Brian Kelley, Acme resident
Rick Pardini, Acme resident
Rick Conley, Acme resident
Martin Arkin, Acme resident
Melzar Coulter, Acme resident
Dave Kipley, Acme resident

Limited Public Comment closed at 7:17 p.m.

B. APPROVAL OF AGENDA:

Motion by Aukerman, supported by Scott, to approve the agenda as presented with the following addition: under K. 6. (New Business) *Purchase of utility trailer*. Voice vote. Motion carried unanimously.

C. APPROVAL OF BOARD MINUTES:

Regular meeting 04/04/2023
Special Budget meeting 05/02/2023
Special Board meeting held jointly with East Bay Township 04/25/2023

Motion by Aukerman, supported by Scott, to approve minutes from 04/04/2023, 04/25/2023, and 05/02/2023 as presented. Voice vote. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

- a. Clerk** – None
- b. Parks** – Per Jenema there will be discussion later about the park survey and she referenced being in the final stages of closing out trail grants.
- c. Legal Counsel** – Jocks has been working on zoning issues including with the Royal Stag property; oral arguments for the appeal of the Strathmore project approval resulted in the Judge affirming the permit and denying the appeal.

APPROVED

d. Sheriff – For the month of April Officer Abbring reported 9 citations, 2 crashes (1 involved a fatality), and 8 arrests. He has attended some trainings and is working on traffic enforcement.

e. County – Darryl Nelson, County Commissioner, stated he expects that soon dead deer will again be picked up by the County Road Commission and there will likely be funding not previously in place for road commissions to perform this service. He commended Commission Chair Rob Hentschel for playing a key role in this effort. He provided an update on the decision to explore other alternatives to Northern Lakes Community Mental Health saying the six counties involved voted to accept a new enabling agreement. The counties have agreed to review the contract regularly and there is now a grievance process in place. The county set aside \$5 million dollars of ARPA funds for mental health services and a facility near Munson is being considered as a place offering a multifaceted approach to care. It is being referred to as Access Point and is in coordination with Munson, Northern Lakes Community Mental Health, and other local agencies that work in areas such as drug addiction, crisis intervention and suicide prevention. Opioid settlement money may be used for this project, as well as additional funding from private, state, and federal sources. Grand Traverse County is looking into the possibility of having a juvenile detention facility. May 11, 2023, from 4:00 p.m. to 6:00 p.m. at the Northwest Michigan Works! center on Garfield Avenue, the Michigan High Speed Internet (MIHI) office is having a listening session open to the public. Board discussion occurred.

f. Supervisor – Supervisor White has been working on the Whiteford Road issues, and cleanup on Whiteford Road took place last week. He has also been working on the budget, and has spoken with MMR.

g. Planning and Zoning – Wolf provided the following information and updates: she has been helping Supervisor White with Whiteford Road issues; Trailside Solar site visit memo included in packet, EGLE has asked that the public not trespass for safety reasons as this is an active construction site; the online permitting system through the county may be active in the fall; the department with Ryan Lamott’s assistance, has been working on the parks inventory and master plan; Wolf is awaiting two final letters of support and then the SPARK grant application will be ready for submission; Oak Shore Commons groundbreaking and Truly Free grand opening ceremonial events are scheduled for May 11, 2023 at 11:00 a.m.; regarding Whiteford Road, Acme Township does not allow for use variances. Board discussion occurred.

h. Conservation Easement Monitoring Report – (included in packet)

i. MMR April 2023 report – (included in packet)

F. SPECIAL PRESENTATIONS: None

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:

- a. Treasurer’s Report
- b. Clerk’s Revenue/Expenditure Report and Balance sheet report
- c. Draft Planning Commission minutes 04/10/2023

2. APPROVAL:

1. Accounts Payable prepaid of \$149,044.94 and current to be paid \$1,348.49
(Recommend approval: Clerk, L. Swanson)

Motion by Stevens, supported by Scott, to approve the Consent Calendar as presented. Voice vote. Motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

I. CORRESPONDENCE:

APPROVED

1. **EGLE Dated 04/07/2023 Second Violation Notice – Tart Solar M72/Bates Rd**
2. **Open House Presentation Traverse City Horse Shows LLC in Elk Rapids**
3. **Ground Breaking of Oak Shore Commons and Grand Opening of Truly Free 05/11/2023**

J. PUBLIC HEARING: None

K. NEW BUSINESS:

1. Discussion on Contract Services: Sanitary Sewer Studies

Mark Hurley of Gosling Czubak provided a summary explanation of the contract that is included in the packet. The plan would include assessing the existing system and performing a capacity analysis. Results would be presented to the Board. Board discussion occurred.

Motion by Jenema, supported by White, to approve signing of the Gosling Czubak contract as presented by Supervisor White. Roll call vote. Motion carried unanimously.

2. Parks & Recreation Survey

Wolf provided overview of survey that was reviewed by Parks and Trails Committee. She also provided information about post card mailers promoting the survey. Board discussion occurred. Board approved of the survey and of using mailers.

Motion by Jenema, supported by Scott, to approve mailing the survey through KCI in an amount not to exceed \$2,100.00. Roll call vote. Motion carried unanimously.

3. July 4th Fireworks Boom Boom Club Contribution

Supervisor White stated in previous years the township has donated \$300.00. That amount is currently in the budget. The Board agreed to contribute the same amount this year.

Motion by White, supported by Stevens, to contribute \$300.00 to the Boom Boom Club. Roll call vote. Motion carried unanimously.

4. Resolution to establish Traverse Transportation Coordinating Initiative

Supervisor White led Board discussion. White and Wolf would represent Acme Township on an Intermunicipality Committee.

Motion by Stevens, supported by Jenema, to support Resolution 2023-11 as read. Roll call vote. Motion carried unanimously.

Motion by Scott, supported by Hoxsie, to amend the agenda by moving K. #5 ARPA Discussion (New Business) to L. #4 Old Business. Voice vote. Motion carried unanimously.

5. Purchase of utility trailer (originally added to the agenda as #6)

White led board discussion regarding purchase of trailer for transporting the township tractor as needed. Quoted purchase price from USA Trailer Sales \$6,564.94.

Motion by Hoxsie, supported by Scott, to approve purchase of the trailer. Roll call vote. Motion carried unanimously.

L. OLD BUSINESS

1. Discussion on disposal of old lawnmowers and other equipment at Lower Nature preserve

Per Supervisor White, the equipment has no value and he would like to have it disposed of. He contacted TBA Career Tech Center to see if there is an interest in the equipment and has yet to hear back. Board recommended Supervisor White make a second attempt to contact them and if they are not interested, he should then take necessary steps to dispose of the equipment.

APPROVED

Motion by Hoxsie, supported by Scott, to take means to dispose of the old lawn mowers as discussed. Voice vote. Motion carried unanimously.

2. Final Payment Application No. 9 Acme Connector Trail

Board discussion regarding the need for clarification from soil erosion about areas where grass seed has not taken hold and who is responsible for the follow up. State reimbursement is pending in the amount of \$140,000.

Motion by Aukerman, supported by Hoxsie, to approve payment of \$75,820.00 only after we have action by Chris DeGood that soil erosion is satisfied and there is stabilization of two areas as specified. Roll call vote. Motion carried unanimously.

3. Water Testing at Bayside Park

True North owner of the Shell station in Acme Township, is asking to do water testing this summer at Bayside Park. EGLE will oversee the testing. The township is currently working on an Access Agreement with True North. The process involves drilling proposed replacement wells and performing water monitoring tests. Replacement wells are necessary because they were unable to locate more than two of the old monitoring wells. Board discussion occurred.

Motion by Scott, supported by Hoxsie, to sign the contract once reviewed by Township Council and approved, so they can do test wells and testing in described areas as presented. Voice vote. Motion carried unanimously.

Motion by White, supported by Scott, to add *Cemetery Discussion* to the Agenda under L. 4. Old Business (in place of ARPA Discussion). Roll call vote. Motion carried unanimously.

4. Cemetery Discussion

Board discussion occurred regarding the number of plots purchased by residents and nonresidents since 2016; the option of using ground penetrating radar in a section of the Acme Cemetery to potentially identify plots available for purchase; and the option of only selling cemetery plots to Acme residents as was the case prior to 2016. Supervisor White requested further discussion on the last point at a later time. Legal counsel noted that the Cemetery Ordinance would have to be amended if the Board chooses to sell plots to Acme residents only. Jocks will also research and inform the Board at the next meeting as to whether the township is required to expand the cemetery once all current plots are sold, in order to accommodate residents.

Motion by Stevens, supported by Scott, to move ahead with ground penetrating radar in the cemetery. Roll call vote. Motion carried unanimously.

Motion by Scott, supported by White, to table ARPA Discussion to a future meeting. Voice vote. Motion carried unanimously.

PUBLIC COMMENT and OTHER BUSINESS:

Public comment opened at 9:43 p.m.

Brian Kelley, Acme resident

Public comment closed at 9:46 p.m.

Motion by Scott, supported by Hoxsie, to adjourn the meeting. Voice vote. Motion carried unanimously.

The meeting was adjourned at 9:46 p.m.



ACME TOWNSHIP REGULAR BOARD MEETING

**ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, June 6, 2023, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

ROLL CALL: Members present: J. Aukerman, P. Scott, D. Stevens, L. Swanson, D. White

Members excused: D. Hoxsie, A. Jenema

Staff present: Lindsey Wolf, Planning & Zoning Administrator; Cristy Danca, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Limited Public Comment was opened at 7:01 p.m.

Brian Kelley, Acme resident

Tim Maylone

Limited Public Comment closed at 7:05 p.m.

B. APPROVAL OF AGENDA:

Motion by Swanson, supported by Scott, to approve the agenda as presented. Voice vote. Motion carried unanimously.

C. APPROVAL OF BOARD MINUTES: Regular meeting 5/09/2023 and Special meeting 5/15/2023

Motion by Aukerman, supported by Swanson, to approve the meeting minutes from 5/09/2023 and 5/15/2023. Voice vote. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

a. Clerk – New Township logo is now on the window near the front door. The signage on the township hall’s side exterior wall will be changed to match in 2-3 weeks. Grand Traverse County clerks will meet with Representative John Roth June 19, 2023, to discuss Proposal 2.

b. Parks – no report

c. Legal Counsel – no report

d. Sheriff – For the month of May, Officer Abbring reported 10 citations issued, 14 crashes and 6 arrests. The speed sign has been used along 31 and he invited requests for other locations.

e. County – Rob Hentschel, District 5, County Commission Chair, provided the following information: tomorrow there will be a commission meeting to renew a contract with Benzie County Jail as this provides a less expensive option for housing inmates – the county also contracts with Leelanau County Jail; Northern Lakes Community Mental Health agreement has been ratified by all six counties; Cherry Capital Airport fire service will no longer be provided by the city of Traverse City - the service will likely be outsourced to a private agency; the first ARPA dollars have been obligated to Grand Traverse Pavilions; Commissioner Hentschel attended the Road Commission meeting regarding the road kill situation and they continue to look for options (salvage tags are now available online); and, lawncare pricing for the county has doubled from last year. Board discussion occurred.

DRAFT UNAPPROVED

f. Supervisor – Supervisor White provided follow-up information on the following: the borings for the water sampling at Bayside Park will happen June 12th - 15th; the old mowing equipment was donated to TBAISD and they were very appreciative - one piece of equipment has already been used for instructional purposes and the other two will be projects for next year; Acme Township has made a written offer to TCAPS for the purchase of the Bertha Vos property - Superintendent John Van Waggoner will present it to the TCAPS Board Monday June 12th, if TCAPS Board approves, the goal is to close by the end of the year following satisfactory inspections; White will meet with MMR tomorrow; and he has been working on completing the budget. There was no board discussion.

g. Planning and Zoning – Wolf provided the following information and updates: a Trailside Solar wetland delineation handout was provided and soil erosion has approved the project to move on to phase 3 provided they obtain a land use permit from the township; Wolf is awaiting a few letters of support regarding the SPARK grant application - submission deadline is June 26th; Wolf complimented LaMott and Danca for their help working on the Parks Master Plan - the first public engagement session is scheduled for June 13th at Samaritas; postcards for the parks survey will go out in the next week or two; the survey will be on the website soon and will also be promoted throughout the township; the Planning Commission did not have a meeting in May, nor will there be one in June.

h. MMR May 2023 report – included in packet

F. SPECIAL PRESENTATIONS – None

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:

- a. Treasurer's Report
- b. Clerk's Revenue/Expenditure Report

2. APPROVAL:

1. Accounts Payable Prepaid of \$43,718.00 and current to be paid \$45,000.00
(Recommend approval: Clerk, L. Swanson)

Motion by Swanson, supported by Scott to approve the Consent Calendar as presented. Roll call vote. Motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

I. CORRESPONDENCE: None

J. PUBLIC HEARING: Acme Township General Appropriations Act Fiscal Year 2023-24 Annual Budget hearing

Public Comment was opened at 7:37 p.m.

Brian Kelley, Acme Township resident, spoke describing the budget preparation as well organized and raised a question about whether the Treasurer had declined a compensation increase. He requested the budget be in text document spreadsheet format to allow for searching for key words.

White clarified that the Treasurer declined a stipend only, she did not decline a cost of living (COLA) increase. White noted two incorrect amounts reflected in the budget as follows: Treasurer's salary of \$28,804 should instead be \$29,399 reflective of the 8.7% COLA; and Deputy Treasurer's salary of \$33,889, should instead be \$34,588 reflective of the 8.7% COLA. These corrections were made to the budget following Board discussion.

Public Comment was closed at 7:52 p.m.

1. Resolution Township Supervisor Salary

DRAFT UNAPPROVED

Motion by Scott, supported by Aukerman, to approve #R2023-12, *Resolution to Establish Acme Township Supervisor's Salary for \$51,795 Fiscal Year 2023-24*, as presented. No discussion. Roll call vote. Motion carried unanimously, with White excused.

2. Resolution Extra Duties – Supervisor

Motion by Aukerman, supported by Stevens, to approve *Resolution of the Acme Township Board of Trustees #R2023-13 In Support of Stipends for Elected officials for Extra duties performed above Statutory responsibilities as defined by MI State Law, Dated June 6, 2023*, for \$3,500 as presented. No discussion. Roll call vote. Motion carried unanimously, with White excused.

Aukerman amended the motion to add for the extra duties - specific list attached. Supported by Stevens. No discussion. Roll call vote. Motion carried unanimously, with White excused.

3. Resolution Township Clerk Salary

Motion by Stevens, supported by Aukerman, to approve #R2023-14 *Resolution to Establish Acme Township Clerk's Salary for \$51,795 Fiscal Year 2023-24*, as presented. No discussion. Roll call vote. Motion carried unanimously, with Swanson excused.

4. Resolution Extra Duties – Clerk

Motion by Scott, supported by Aukerman, to approve *Resolution of the Acme Township Board of Trustees #R2023-15 In Support of Stipends for Elected officials for Extra duties performed above Statutory Responsibilities as defined by MI State Law, Dated June 6, 2023*, for \$1,500 as presented with the addition of the specific list of extra duties attached. No discussion. Roll call vote. Motion carried unanimously, with Swanson excused.

5. Resolution Township Treasurer Salary

Motion by Scott, supported by Swanson, to approve #R2023-16 *Resolution to Establish Acme Township's Treasurer's Salary for \$29,399 Fiscal Year 2023-24*, as presented. No discussion. Roll call vote. Motion carried unanimously, with Jenema excused.

6. Resolution Township Trustees Salary

Motion by White, supported by Swanson, to approve #R2023-17 *Resolution to Establish Acme Township's Trustees' Salaries for \$7,800 Fiscal Year 2023-24*, as presented. No discussion. Roll call vote. Motion carried unanimously.

8:05 p.m. Board at ease. Brief Board discussion with Tim Maylone regarding broadband service.

8:08 p.m. Board resumed with discussion on the budget.

7. Acme Township General Appropriations Act 2023-24 Resolution

Motion by Scott, supported by Swanson, to approve #R2023-18, *Acme Township General Appropriations Act Fiscal Year 2023-24*, as presented with corrections to Treasurer's Salary to reflect \$29,399 and the Deputy Treasurer's Salary to be \$34,588. No discussion. Roll call vote. Motion carried unanimously.

K. NEW BUSINESS:

1. Acme Village – Proposed Private Road Names

Wolf summarized the handout included in the packet, identifying proposed names as Foothills Drive, Piedmont Street, and Enclave Avenue. The Road Commission signed off on these names and the next

DRAFT UNAPPROVED

step is for the township to consider approval. Board discussion occurred briefly.

Motion by Scott, supported by Stevens, to approve Acme Village proposed road names as presented. Voice vote. Motion carried unanimously.

2. Saputo – Proposed Private Road Name

Wolf explained that Mr. Saputo applied for a land division with a private road entering off Sayler Road. Huntsman Drive is the proposed road name and it was approved by the county. No discussion.

Motion by Scott, supported by Swanson, to approve the Saputo private road name as presented. Voice vote. Motion carried unanimously.

3. Appointment to Parks & Trails Committee

White recommended appointment of Radu Danca to the Parks and Trails Committee to replace Pam Harper who stepped down. Danca would complete Harper's term ending July 15, 2025.

Motion by White, supported by Scott, to appoint Radu Danca for the remainder of the term ending July 15, 2022. Voice vote. Motion carried unanimously.

4. Resolution Moving Monies from Funds 407 and 225

White explained this resolution as moving money within the Bertha Vos fund from engineering to legal to keep the fund balanced and for the PDR payment.

Motion by White, supported by Swanson, to move monies within the Bertha Vos fund (407) and within the 225 fund supporting Resolution #R2023-19. No discussion. Roll call vote. Motion carried unanimously.

5. Resolution Moving Monies from Funds 101 to 407

White explained this resolution as moving funds into the Bertha Vos fund from contingency and capital outlay funds.

Motion by Scott, supported by Swanson, to approve Resolution #R2023-20 moving money from contingency to Bertha Vos, capital outlay to Bertha Vos as presented. No discussion. Roll call vote. Motion carried unanimously.

L. OLD BUSINESS:

1. Continued Discussion on ARPA funds

White began discussion asking the Board where they would like to spend the nearly \$500,000 in ARPA funds and noted the need for public comment as the decision process progresses. Suggestions included Bertha Vos renovations if that comes through (including the land behind Bertha Vos that is identified as a community park); sewer line work on the forced main on Parson's Road; Mount Holiday's request for ARPA funds; Bayside Park improvements; a water study/infrastructure for sewer and water; and some form of safer passage for people crossing US 31 to and from the park. There was Board agreement not to divide the money up among so many projects that it would not really benefit any, as well as having it go toward something to benefit the community at large. Aukerman offered to research capital improvement plan projects identified in years past. White suggested the Board identify a couple possibilities and then have a public hearing.

Motion by Scott, supported by Stevens, to table continued discussion on ARPA funds to the next meeting. No discussion. Voice vote. Motion carried unanimously.

PUBLIC COMMENT and OTHER BUSINESS:

Public comment opened at 8:43 p.m.

DRAFT UNAPPROVED

Brian Kelley, Acme resident

Tim Maylone was given extra time to speak to the Board about his company (Cherry Capital Connection) and the possibility of installing fiberoptic cable in Acme Township as a consideration for allocation of ARPA funds.

Public comment closed at 9:07 p.m.

Motion by Scott, supported by Stevens, to adjourn the meeting. Voice vote. Motion carried unanimously.

The meeting was adjourned at 9:07 p.m.



**ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6042 Acme Road Williamsburg, MI 49690
April 10, 2023 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE 7:00 pm

ROLL CALL: Present: Dan Rosa, Dan VanHouten, Steve Feringa, Karly Wentzloff, Marcie Timmins, Jean Aukerman

Excused: Jack Challender

Staff Present: John Iacoangeli, Planner, Beckett and Raeder; Lindsey Wolf, Acme Township Planning and Zoning Administrator; Marcie Timmins, Acme Township recording secretary.

A. LIMITED PUBLIC COMMENT: Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator’s discretion.

Opened at 7:01pm

Brian Kelley- Discussed the mandatory forebays in Acme’s ordinance and how the Acme Village Flats site doesn’t have them. Felt that Gosling Czubak’s explanation that the sediment would be localized and collected in the spillways entering the wetlands is “twisted logic”. The ordinance has forebays for the very specific reason of stopping the spread of sediment throughout the basin. Went on to read parts from the stormwater ordinance including that the part about capacity of the forebays shall be equivalent to 5% of a twenty year flood control volume. Says the plan will need extensive changes to meet that requirement. Worried about the slopes on the east and west side of the building sites. Looks like they are building right up to the wetland buffer and the 35% slope. He saw that they logged 40 feet along the right-of-way. There is a wetland there, it is on the national wetland inventory. The wetland drains down Mt. Hope Rd. and regularly floods two hotel parking lots and ends up in an MDOT basin that drains directly into Grand Traverse Bay.

Public comment closed at 7:05

**B. APPROVAL OF AGENDA: Motion by Rosa, support by Timmins to approve the agenda with the addition of G.2.-Kelley
Motion carries unanimously**

C. INQUIRY AS TO CONFLICTS OF INTEREST: None

D. SPECIAL PRESENTATIONS: None

E. RECEIVE AND FILE:

1. RECEIVE AND FILE

a. Unapproved Township Board Meeting Minutes 3.7.23

Motion by Feringa, support by Timmins to receive and file the Township Board Meeting Minutes from 3/7/23

Motion carries unanimously

F. APPROVAL OF MINUTES:

a. Approve Draft Planning Commission Meeting Minutes 3.13.23

Motion by Feringa, support by Timmins to approve the Draft Planning Commission Meeting minutes from 3/13/23 with edits: spelling of Timmins; change under old business, scenario two, picture A should be labeled picture B; correct the spelling to Sara Kopriva’s name under old business.

Motion carries

G. CORRESPONDENCE:

1. Elk Rapids PC- notification from the Township of Elk Rapids that they will be preparing to revise their Master Plan.

2. Kelley- Outlining four issues from Acme Village Flats, phase one. The four issues are, 1)

stormwater issues that do not comply with the Acme ordinances. 2) Wetland clear cutting along Mt.Hope Rd. April 5th and 6th. 3) Construction as close as possible to the wetlands and the flooding risks. 4) Traffic concerns regarding the 55 mph road and the two million dollar new tart trail route.

H. PUBLIC HEARINGS:

1. None

I. OLD BUSINESS:

Wolf- Based on previous discussion the Planning Commission decided that the future land use map was part of a larger discussion to have during the Master Plan five year update. Wolf notified the applicant and spoke with counsel. Jeff said that the letter the applicant had written was sufficient to withdraw the requests. The planning commission doesn't have to take any further action on the two rezonings.

1. Formal withdrawal of Rezoning Amendment 001
2. Formal withdrawal of Rezoning Amendment 002

J. NEW BUSINESS:

1. SPR 2023-01 Acme Village Flats -

John I.- The area in question for the site plan is zoned for neighborhood, mixed use housing under the M72/US31 zoning amendment that was made several years ago. Project density is estimated at 5.75 the density in this district can go up to 12 units an acre. It meets density and parking requirements for the district. Development provides 8,880 sq. feet of snow storage,per the ordinance. The project meets all the setbacks and landscape requirements. Observations, they are providing a 5' sidewalk along Mt.Hope as required in the ordinance. They only show a sidewalk on one side of the development, recommending a sidewalk on both sides of the street. As per the ordinance it says that all development in this district will be a walkable neighborhood with walkable sidewalks. With the option for on street parking. Another concern is that the sidewalk is adjacent to the street and when they clear the snow the sidewalk will be completely covered. Recommended that the right in, right out on the drives be eliminated, didn't think it was necessary. This was confirmed by the traffic study, that there wasn't sufficient traffic to warrant the right in, right out. Also noted a 25' setback from the adjacent wetlands, due to the topography that additional plantings, particularly native grasses, be installed in order to slow the water down and increase the filtration. Noticed that the emergency drain overflow between buildings one and two and at the southwest corner of the property drains directly into the wetlands. There should be some type of mitigation in terms of additional plantings there in order to reduce the blossoming of the stormwater and to create additional filtration before it gets into the wetland area. The monument sign detail was too large according to the ordinance. Illuminated signs can only be 6' in height with an area of twenty-four square feet. Recommended that they install pole lighting less than 22 feet in height: LED at the entrance and exit off Mt. Hope, at the mailbox cluster, and at the two crosswalks at the end of the development.

Wolf- Talked with Bob Verschaeve, same situation as horse shows. Confirmed that they didn't drill 2 test holes and they didn't meet the five foot depth minimum. Jeff responded in a meeting that it needs to meet the ordinance. The Planning Commission approved horse shows with a condition based upon it meeting the stormwater standards of drilling the 2 holes and meeting the five-foot depth standards in the ordinance. Per Wolf, Verschaeve said that this is outdated and needs to be revised when we do our rewrite. The Planning Commission is not at that point yet. To be consistent with how we have treated

other applicants it is important we treat this the same.

Wentzloff- just to address the sediment forebay?

Ryan Cox- from G-Tech. There is a lot of elevation on Mt. Hope Rd. Talked with Verschaeve. There is a treatment forebay that is for an industrial site, not one like this. Then there is a sediment forebay. They are proposing a bio retention basin that will have planting that will help accumulate sediment and also uptake things for the basins themselves. Where they have any overflow they have quite a bit of volume before an overflow can happen. Looked at two scenarios for the basins and did infiltration testing. The reason for that is they were going to do infiltration basins, based on a 100 year volume minus what the capacity of the infiltration of the soil was. They didn't do that but did prove they had infiltration. The reason they didn't do it at five feet, is because there is a layer of clay down there. So they did it elevated at four feet above what they thought would be the bottom separating the groundwater table. The reason for that is it is similar to an onsite wastewater treatment system. Half the site is hard surface and half is not. The buildings themselves have a stone drain behind them that will catch runoff from the roof. The rest of the site has an enormous amount of stormwater volume, including taking on water from 6 acres that runs off the hill that comes down to it. The overflow locations are where the natural drainage would run off this site. Bob and I came up with an agreement that would be bio infiltration basins, very very large areas of the ponds that we are ok with the stormwater sitting there. Thinks that most of the stormwater that hits the wetlands is actually from Mt. Hope Rd. Confirmed that they have good infiltration on site, so they don't actually need a slow release into the wetland.

Discussion followed about what is needed to meet the ordinance on this site. They need to bore the correct number per basin and to the correct depths.

Wolf- Explained that Verschaeve had felt that doing more than 1 boring in a basin would give the same result because it is in the same basin with the same soil.

Wentzloff- That is where Jeff (Jocks) would say we have to still comply with our own ordinance .

Ryan Cox- Believes they met the ordinance because of how they worked it out with Bob (Verschaeve). We have three borings drilled to some pretty deep depths on the site. Then we did three hand-auger borings. They all show the same thing: there is sand and a layer of clay. So we brought the basins up to pretty much a matching grade. With the bottom of the basins established at about four feet where they saw the groundwater when they did some hand augers out there. The requirement is an infiltration basin which we initially proposed but ended up changing it to the design we now see. Would be happy to talk to Bob further if the PC feels the project isn't meeting the ordinance.

Wentzloff- Stated she doesn't know enough to have an opinion on the design, only knows that legally the township has to follow our guiding document.

Discussion followed

John I. - Told Ryan to check appendix 9; percolation test. There has to be a minimum of two holes, 4-6 inches in diameter to a depth of five feet below the bottom elevation of the proposed stormwater infiltration basin.

Wolf- What Bob's (Verschaeve) report is showing is a series of linked infiltration and bioretention basins so it's calling out two different types of stormwater systems.

Ryan Cox- Will be happy to work with Bob to solve this problem.

James Sharba- Works with Spaceworks, Granger and G-Tech
Sharba stated that, early on in their diligence, they did three borings, twenty feet down. He said the township is getting rid of this in the ordinance but, because the township hasn't done that yet, the Township expects them to comply with it. He said they will complete the additional borings and whatever they have to do to get that done. He doesn't want the PC to have any issues. He wants this to be successful.

Aukerman- Said she has been through this on the board for Horse Shows and now with this discussion. Explained she has no idea what the stormwater ordinance rewrite will look like and what it will entail. Doesn't know what will go away or what will lessen. Emphasized that, right now this is the ordinance so we need to adhere to it.

Sharba- Said he doesn't understand why this wasn't addressed with Bob (Verschaeve). When Sharba reviewed all Bob's comments, this wasn't mentioned.

Wentzloff- I can't tell you why Bob didn't catch it.

Sharba- Went over the bioretention basins, 5 foot sidewalk, and the current location of the TART Trail along Mt. Hope Rd. Discussed the set back of the facade. They also have recessed porches on the backs of the buildings. Went over how the process started in 2022. On parts of the site there is a 38' fall from Mt. Hope down to the wetland area. Discussed speed limit along Mt. Hope Rd. They originally thought it was 35 mph. After sitting down with the road commission they found out the 35 mph was just a suggested speed for the curves, because it is not posted, it is 55 mph along Mt. Hope Rd. They started talking to Lindsey and Doug, the fire chief, the sheriff and TART Trails. There is a lot of support to lower the speed limit. Worked with Doug, and the board voted to submit the request for lowering the speed to 35 mph to the County. The County has sent it down to Lansing. The state police have it now and will be doing their analysis. Our hope is it gets reduced down to 35 mph. They see the speed limit as a safety issue. Because they don't know if the speed limit change will happen they have designed the project without it being 35 mph. Found out there was a PD on this property that stuck with the dirt. Nothing had been built on it since the hotels. Reached out to the landowners to see if they could get rid of the PD. When they started this project early on Acme had a different ordinance. There was a hold out on getting rid of the PD, so they had to work with it. As a result they applied for a minor amendment which the planning commission granted. This allowed us to move forward on phase one, the project they are here presenting tonight. As well as the other portion of the site they own that they are referring to phase two. They have a water agreement as a draft tonight.

The project they are bringing are three different style flats. They have a zero entrance off the driveway through the front door that makes them very manageable from a handicap standpoint if need be. All of them have two car garages. There are two, 2 bedrooms and one 3 bedroom. They range from 1300-1400 square feet. They were able to create private balconies on the front of the building and every unit also has a rear patio as well. Talking with TART to improve on the path and make it part of their project. They show it along the railroad and through their project and back down. They would very much like to see the trail go along the project and get the right of way along the railroad.

Addressed John I.'s issues. The first observations 1-6 are pretty straight forward.

Nothing in there to take issue with. The garages and having some articulation in their design. I feel like with our rendering we have achieved that. Driveways are 24', helps with the grade and gives plenty of room. In this development you don't see front doors as they are set back. Comment number 4 had to do with landscaping on the west side of the development. Our property is outside of the 25' set back. There is a 12' easement for the sewer then there is another 10' after that before we get to the building. They are sitting 45-50' away from the wetland. The comment talked about adding some landscaping in there to help with the filtration. They are happy to look at that. There is additional landscaping they are proposing to do, around the foundations and some other areas. What we are seeing on the plan is what is required by Acme's ordinance. They put a tree in front of each of the units, it just turns out there are 60 trees. They will look at putting additional grasses, to make this lush.

Feringa- Down below building B2, calls for a grass swale or a grass retention area, the smaller one. Wanted to clarify that was what it was going to be?

Cox- We did change it to a bioswale, because that was the final release from the site if we ever get a whopper of a storm. That flows back into the ditch.

Sharba- Let's talk about sidewalks. Showing sidewalks around the interior, they are 5' as called for. Pointed out crosswalks and where a road extended further for connecting a future project. In hopes, I'm indicating the TART trail, where he pointed out the dotted line. Then the connection would come back into our development. Can't find any information that the sidewalk should be anywhere other than where Sharba would like to put it. Has talked to the fire chief, Brian Belcher, about the space needed for turning around. They had 4' planned, and the fire chief asked for 5'. Do we need to put sidewalks on both sides? If so, that will cause a major redo of our plan.

John I.- The sidewalks were pointed out about 10 months ago, the response I got from Lindsey is that you would wait and make your pitch to the planning commission. Two months ago I gave you some of my initial observations. You certainly had time to talk to me about it.

Sharba- Apologized, didn't know he could reach out to John I. and have a conversation. Lindsey has been his contact.

John I.- The ordinance says that the community should be walkable. The PC has to decide if they think one sidewalk adjacent to a paved road makes it a walkable neighborhood.

Discussion followed

John I. asked about off street parking

Sharba- pointed out the areas of parking throughout the development for off street parking.

Aukerman- asked about people adhering to the correct use of parking areas and not parking on the streets.

Sharba- They enforce the parking, especially because of snow removal. They don't want to be towing cars.

Wentzloff- asked about garbage, does each unit have their own or is it collective? And Where are the bike racks?

Sharba- each unit has their own garbage can, and we forgot to add bike racks but we will. Would want bike racks near the CBU area.

Discussion followed about the number and location of bike racks.

Sharba- Asked that the condition give the flexibility to work with Lindsey administratively to come up with the number and locations of the bike racks.

Sharba- discussed the access roads off Mt. Hope and onto the development. If the speed limit remains at 55 mph, 610'- line of sight is needed from the road over to the development driveway. The blue line on the plan represents the line of sight needed if the speed limit drops to 35 mph. It improves from a sight line stand point. The second access road is needed due to the tightness of the site. Without it they couldn't get a firetruck back out without getting rid of a building or two at the end and creating an area for a truck to turn around. The Brian, the fire chief, preferred to have the ability to get back out to Mt. Hope.

John I.- Wanted to clarify that by getting rid of the right in/ right out, wasn't to get rid of the whole driveway. Just make it a normal driveway.

Discussion followed

Wentzloff clarified that if the speed limit remains 55 mph the driveway would remain right in/ right out due to the sight lines, but if the speed limit gets dropped to 35 mph then it will function as a normal driveway.

Discussion followed to clarify the road commissions report and comments showing that it has to be right in/right out at a higher speed. Also discussed what would happen if they get the land use permit and then the speed gets changed. A request for an amendment would have to be filed.

Wentzloff- Seems everyone wants it to be a traditional intersection not the right in/right out.

John I- recommends putting it in as a condition.

Discussion followed on why MDOT and not the County Road Commission was weighing in.

Sharba- Had gotten the dimension wrong on the sign. It is just under 24 square feet after adjusted measurements.

Photometrics- Wall sconces on the side of the garage door and one at the front entry of each unit. Those will all be on a timer. Will take John's comments into consideration and look at the locations for lighting at the pedestrian scale. Would like to make them even lower than 22'.

Wolf- will these be rental units or will they be available for purchase?

Sharba- They will be rentals.

Rosa- asked about the width of the sidewalks on the inside of the development.

Sharba- They will be 5'

Rosa- Will the sidewalk have a concrete curb, or will it be flush with the pavement?

Cox- It will be flush with the pavement.

Wentzloff- Is it color delineated?

Sharba- Yes the roads are asphalt and the sidewalks are concrete. Done so that the whole area can be plowed.

Rosa- asked where the snow would go when removed or if it would be pushed into the yards?

Sharba- There are maintenance contracts in place for snow removal for the roads and the driveways.

Wentzloff- asked what the PC thought of having the sidewalk on one side of the road versus two.

Discussion followed.

VanHouten- asked about a covered bus stop for kids.

Sharba -asked why the buses wouldn't come into the development

Wentzloff- explained TC bussing issues.

Wentzloff- took a strawpoll about having sidewalks on just one side.

PC members were ok with having sidewalks on just one side of the development.

Aukerman and Timmins both support having more native grasses between the wetlands and the development.

Motion by Feringa, support by Timmins to approve SPR 2023-01 Acme Village Flats, with these five conditions.

1) site includes additional lighting at the entrances, mailboxes and crosswalks. Not to exceed 22' and they will be LED lights.

2) Soil borings would be done to a depth and quantity as required by the stormwater ordinance, prior to issuance of a land use permit and reviewed administratively.

3) The site will include three bike rack locations with a minimum of three racks at each location.

4) The right in/ right out, will turn to a standard intersection if the speed limit is reduced to 35 mph. This will be reviewed administratively.

5) Additional native plants will be included along the west boundary adjacent to the

wetland. To be reviewed administratively by a landscape architect.

Motion carries unanimously

K. PUBLIC COMMENT & OTHER PC BUSINESS

Public comment opened at 8:42 pm

Brian Kelley- No issues with this project per se, just adamant about some stormwater issues. Discussed the Koti site and the solar site as examples of stormwater run off into the stream as well as basins built too close to wetlands and creeks. Discussed the clay bands that run throughout the township and how they may vary in depth just a few feet away. Loves bioswales but worries that the bioswale they have by the road will get clogged with sediment from the road. Disappointed the PC didn't put a condition on to address the forebays. He thinks it will be hard to get the sediment out of the bioswales. Disappointed that flint fields are still struggling to get infiltration tests done. Wetland and basin cleaning is more expensive than just implementing forebays. Wondering where the open space is on this development?

Closed at 8:46

1. Planning & Zoning Administrator Report – Wentzlott asked if the updated bylaws were up on the website.
Wolf- they are not up on the website, made a note to put them up.
Next week is the MTA conference a few from Acme will be attending. Wolf is going specifically to a workshop on affordable housing. Would like to work with Beckett & Raeder on discussing doing a housing inventory. Also attending a workshop on increased park usage, as they get ready to update the Park and trails master plan. Monday they are reviewing the next survey, Beckett & Raeder are hosting.
Reaching out to Trailside Solar, EGLE, soil erosion, stormwater inspector plus Lindsey and Doug are scheduling an inspection prior to spring construction operations beginning.
2. Township Board Report – Jean Aukerman- The Board is continuing to discuss the sewer line replacement along Parsons. Looking for funding, two million was awarded from the County due to ARPA funds. Continuing to work on the due diligence for the Bertha Voss project
3. Parks & Trails Committee Report –

**ADJOURN: Motion by Timmins, support by Rosa to adjourn.
Motion carries unanimously.**

Planning Report

Serving & Planning Communities Throughout Michigan

July 2023

Top Story

Governor's office goes big on growth

New council and position are focused on workforce, education, and infrastructure

After a May report from the Citizen's Research Council found that "Michigan is on a path of slowing population growth leading into a declining population in a generation," the governor has been talking about more Michiganders. An executive order established the Growing Michigan Together Council to identify a population goal for 2050 and recommend specific policies to prepare Michigan's workforce for in-demand and emerging industries; improve preK-12 educational outcomes and higher education funding; and, relevant to planners, develop transportation and water infrastructure funding solutions to meet the needs of those new neighbors. Complementing the work of the Council will be the state's first "chief growth officer," housed at the Michigan Economic Development Corporation.

Citizens Research Council. <https://crcmich.org/PUBLICAT/2020s/2023/prosperous-future-popul.pdf>. *Bridge Michigan.* <https://www.bridgemi.com/michigan-government/whitmer-taps-gop-businessman-tackle-michigan-population-crisis>.

Legal

Supreme Court wetlands ruling doesn't affect Michigan

Michigan is one of just three states to administer federal approval under its own program

According to the Michigan Department of the Environment, Great Lakes, and Energy, "A ruling by the U.S. Supreme Court changing the federal definition of protected wetlands will have little to no impact in Michigan," because it is one of three states that administers its own wetlands program. The decision limited the circumstances under which a wetland can be protected by the Clean Water Act. Michigan became the first state to administer its own wetland program in 1979, and the agency notes that this recent ruling "reinforces the importance of having a comprehensive and stable program in Michigan."

Michigan Department of the Environment, Great Lakes, and Energy. <https://www.michigan.gov/egle/newsroom/mi-environment/2023/06/22/wetlands-regulation-stable-in-michigan-despite-supreme-court-ruling-changing-federal-definition>

Good News

Bridge whiz kids: good news for education AND infrastructure

Middle and high school teams take top national honors in a civil engineering contest

It's not quite planning, but it's too good to resist: "Michigan middle and high school students continued their dominance of a national bridge-building competition event," bragged MDOT, and rightly so. State students made up six of the 18 teams hosted by the American Association of State Highway and Transportation Officials in Seattle last month, selected from a pool of 86 portfolios. Once they were there, our bright young things took home five of the nine top honors, including first place in all three age categories and a ten-year winning streak by the Negaunee High School team.

Michigan Department of Transportation. <https://content.govdelivery.com/accounts/MIDOT/bulletins/35c6250>



Tree planting grants available

Up to \$4000 available in partnership with ReLeaf Michigan

Applications for DTE Energy Foundation Tree Planting Grants are open through August 11 to help communities clean their air and water, boost sales at local businesses, lower the crime rate, increase home values, and improve health outcomes. The program offers up to \$4,000 to communities in the DTE service area to plant trees in parks, right-of-way, streets, schools, and nature areas. (Yes, trees do all that. And more!)

Michigan Department of Natural Resources. <https://www.michigan.gov/dnr/managing-resources/forestry/urban>



A few chickens is neither a hatchery nor an excluded use

Court of Appeals says the ordinance as constructed permits chickens...or no use at all

A family with a backyard chicken coop received a zoning violation stating that a variance would be required to keep their “farm animals” since their one-family dwelling wasn’t a farm, defined in the Bloomfield Township Zoning Code as being at least 40 acres. After the ZBA denied that variance in deference to a neighbor’s objections, the family argued in court that they didn’t even need the variance in the first place, since the ordinance is silent on keeping the chickens at a one-family dwelling. The court agreed, first rejecting the Township’s argument that the backyard coop constituted a “hatchery” and then the argument that the chicken-keeping use must be expressly permitted, since under that logic, “every activity at a one-family dwelling must then be excluded because the ordinance does not list any activities that may be conducted at a one-family detached dwelling.”

Michigan Court of Appeals. <http://www.michbar.org/file/opinions/appeals/2023/060123/79606.pdf>

Yes, you really have to submit the survey with the application

Also, an ordinance may build upon the requirements of the Land Division Act

Two parties who were trying to move the boundary line between their properties asked the courts to compel their township to act on the application, which the Township had deemed incomplete because it did not include a requested survey of two adjacent parcels owned by one of the parties. The parties argued that this information was irrelevant, and moreover that the local ordinance conflicted with state Land Division Act which expressly permitted the transfer. But the Court of Appeals found that the local ordinance built upon, rather than conflicted with, the LDA. It also cited language in the Grattan Township ordinance stating that adjacent lots under common ownership may be treated as a single parcel for the purposes of zoning, justifying the need for the additional information.

Michigan Court of Appeals. <http://www.michbar.org/file/opinions/appeals/2023/051823/79519.pdf>



National Brownfields Training Conference

August 8-11 at Huntington Place, Detroit. Cost: \$125-\$400.

Detroit is this year’s host of the annual EPA event focused on environmental and economic revitalization.

More information: <https://brownfields2023.org/registernow/>

Michigan Economic Developers Association Annual Meeting

August 13-16 at Northern Michigan University, Marquette. Cost: \$335-\$460.

The theme is “A solid foundation for a vibrant Michigan economy - Inside and Out.”

More information: <https://www.medaweb.org/2014-03-07-03-45-34/2014-03-05-19-47-14/annual-meeting>

**ORIGINAL TEXT FROM THE 1ST DRAFT OF THE NOW
ADOPTED ORDINANCE**

ARTICLE 4 Overlay Districts

- E. Bicycle Parking: Bicycle parking shall be required for every new development and additions or improvements to existing developments that add over one thousand (1,000) square feet of additional impervious surface at the following rate:
 - 1. Two (2) bicycle parking spaces plus one (1) bicycle parking space for every ten (10) vehicle parking spaces.

4.3 WATERFRONT OVERLAY DISTRICT

4.3.1 Intent and Purpose

The Township Board finds that protecting water quality, lakes, streams, wetlands, and other sensitive environmental features is good land use planning and protects the public health, safety, and welfare of the community. Thus, owners of waterfront lots have an added responsibility regarding the preservation and protection of these natural resources, water quality, and community scenic and recreational values.

4.3.2 Applicability

The standards of the Waterfront Overlay District shall apply to all private development and/or use of that portion of a lot or parcel of land within fifty (50) feet of the following:

- A. The ordinary high water mark on Grand Traverse Bay.
- B. The normal stream bank of Acme Creek, Bakers Creek, Tobacco Creek, Yuba Creek, and any associated tributaries.
- C. Any established wetland.

4.3.3 General Requirements

The following requirements shall apply to all uses, structures, and lands within the Waterfront Overlay District:

- A. Compliance with the Acme Township Stormwater Control Ordinance, as amended, is a zoning requirement and a condition of approval of any and all land uses and structures.
- B. As to any specific property on which commercial farm products are produced within the meaning of MCL 286.472(a), if any applicable Generally Accepted Agricultural Management Practices (GAAMP) approved by the Michigan Department of Agriculture conflicts with any provision of this chapter, the GAAMP shall control.
- C. The use of pesticides, herbicides and fertilizers shall be prohibited.
- D. Composting, including the collection and storage of leaves, grass clippings, or other similar yard/garden waste shall be prohibited.
- E. No fill or excavation shall be permitted, except as allowed through an approved shoreline stabilization project.

4.3.4 Natural Shoreline Buffer

- A. Purpose: The purpose of the natural shoreline buffer is to protect water quality by preventing soil erosion, providing a filter for the removal of nutrients,

ARTICLE 4 Overlay Districts

pesticides, fertilizers, and other potential water pollutants, and to preserve a visual barrier by maintaining a strip of natural vegetation along the shoreline.

- B. Extent: The natural shoreline buffer shall include all lands located within twenty five (25) feet of the ordinary high water mark on Grand Traverse Bay, a normal stream bank, or an established wetland.
- C. Preservation: Vegetation within the natural shoreline buffer shall be maintained in a natural state. The removal or pruning of trees, shrubs or other native vegetation, and the mowing of grasses and herbaceous plants shall be prohibited within the natural shoreline buffer with the following exceptions:
1. Pruning to remove dead portions of trees, shrubs or other vegetation.
 2. Removal of dead trees, shrubs or other vegetation, however, the root systems shall be left in place for shoreline stabilization.
 3. Removal of invasive species as identified by the Northwest Michigan Invasive Species Network.
 4. Removing limbs and/or branches from living trees up to a height of twelve (12) feet above grade and trimming herbaceous plants that exceed a height of four (4) feet above grade to establish filtered views.
 5. Clearing and removal of vegetation to accommodate a walkway, a deck or patio structure, and/or to provide reasonable water access. Such allowed vegetation clearings shall be limited as follows:
 - 1) For parcels along Grand Traverse Bay, such clearing shall be limited to twenty (20%) percent of lot width at the ordinary high water mark, or twenty (20) feet, whichever is less.
 - 2) For parcels having a stream bordering or traversing the property, such clearing shall be limited to twenty (20%) percent of the length of the stream bordering or traversing the parcel, or twenty (20) feet, whichever is less.
 - 3) For parcels bordering or containing a wetland, such clearing shall be limited to twenty (20%) percent of the length of the wetland's border within or along the property line, or twenty (20) feet, whichever is less.
- D. Restoration: For any project or development requiring a land use permit on a waterfront lot that does not have an established natural shoreline buffer meeting the standards of this Section, the establishment, restoration, and/or maintenance of a natural shoreline buffer shall be required that meets the following standards:
1. Any and all fill material placed within the natural shoreline buffer shall be removed, except those placed as part of an approved shoreline stabilization structure. Only soil substrates consistent with the composition of the pre-existing on-site soil substrates shall be allowed when necessary for growth of new vegetation. The placement of beach sand shall be prohibited.
 2. The natural shoreline buffer area shall be replanted solely with native, non-invasive species best suited for that habitat and shall meet the Landscaping

Standards and Criteria in Article 6.

3. Native vegetation shall be required at a rate of one (1) deciduous tree and three (3) deciduous or coniferous shrubs per twenty five (25) feet of shoreline. The placement of the trees and shrubs shall be so designed as to imitate the natural shoreline exemplified along the waterfront and to evenly distribute root structures throughout the natural shoreline buffer area to provide soil stability against erosion. The remainder of the natural shoreline buffer area shall be planted with native wildflowers, vines, grasses, rushes, sedges, and/or ferns.
 4. All natural shoreline buffer restorations shall require a landscape plan satisfying the requirements of Article 6 and shall be reviewed and approved by the Zoning Administrator.
- E. Violation: It is a violation of this Ordinance to alter or disturb the natural shoreline buffer, except as permitted. If altered or disturbed, the following corrective measures shall be required:
1. The natural shoreline buffer shall be restored as prescribed in the Restoration item of this subsection.
 2. Plantings that are removed shall be replaced at a rate consistent with the requirements in the Existing Landscape Credit Ration table in Article 6. For example based on the table, if a ten (10) inch deciduous tree is removed, it will need to be replaced with four (4) deciduous trees with a minimum caliper size of two and a half (2 1/2) inches.

4.3.5 Permitted Structures

- A. Permitted structures within the Waterfront Overlay District shall require a land use permit and shall be limited to the following:
1. Patios and Decks: One (1) permeable patio or deck, not to exceed two hundred (200) square feet. Patios and decks shall be limited to a maximum of two (2) feet above average finished grade surrounding the structure. Fill and excavation shall be prohibited.
 2. Walkways and Stairs: A maximum of one (1) walkways, including portions constructed as stairways and boardwalks, shall be allowed per parcel to allow reasonable private riparian access. Walkways and/or stairs shall be limited to four (4) feet in width and constructed of a permeable surface. Allowance may be permitted by the Administrative Review Committee on a case by case if the applicant can document the necessity of additional width requirement for accessibility needs.
- B. All permitted structures shall be constructed of pervious material such as porous concrete, patio blocks, wood chips, gravel, or decking.
- C. All permitted structures must meet the side yard setbacks for the district.
- D. All permitted structures shall meet the standards of any applicable federal, state, or local agency requirements and shall secure any necessary permits.

4.3.6 Shoreline Stabilization Structures

Shoreline stabilization structures may be allowed in the Waterfront Overlay District through a site plan review approval by the Administrative Review Committee. In addition to the standards for site plan review approval in Article 8, the following standards shall be met for shoreline stabilization structures:

- A. The need for the shoreline stabilization structure is to protect existing structures on the property from the imminent threat of loss or damage, and is the minimum amount necessary to provide protection against the threat.
- B. In order to minimize negative impacts of natural shoreline processes on neighboring properties and the shoreline ecosystem, shoreline stabilization structures may be permitted in the form of sloping revetments. Vertical structures such as sea walls and structures exceeding a fifty (50%) percent slope (1:2) shall be prohibited.
- C. Shoreline stabilization structures shall be constructed parallel to the natural shoreline.
- D. Any disturbance to the natural shoreline buffer shall be restored as prescribed in Restoration item of this Section. A landscape plan may be required to indicate the necessary restoration efforts.
- E. All permitted structures shall meet the standards of any applicable federal, state or local agency requirements and shall secure any necessary permits.

4.3.7 Limitations On Funnel Development

Any parcel with water frontage to Lake Michigan that is proposed to be used by more than one (1) family unit shall meet the following requirements:

- A. The waterfront access shall be on a parcel adjacent to, or contained within, the parcel for residential development for which common access is proposed.
- B. Meet the minimum parcel size and setbacks as required by the zoning district in which such use is proposed. The minimum parcel size shall increase by three thousand five hundred (3,500) square feet for each dwelling in excess of two (2) having access privileges.
- C. Have a minimum frontage on the water of not less than one hundred (100) feet, measured at the ordinary high water mark. The minimum frontage shall increase by fifty (50) feet for each dwelling in excess of two (2) having access privileges.
- D. No dwelling units or clubhouse shall be permitted on any such shared waterfront parcel.
- E. Individual docks, boat hoists and related installations shall not exceed one (1) per fifty (50) feet of water frontage, measured at the ordinary high water mark, and shall be located as near as possible to the center of the parcel.
- F. Off-street parking shall be provided at a rate of one (1) spot per dwelling having access privileges located on an adjacent lot further than three hundred (300) feet away from the waterfront parcel.
- G. For waterfront parcels adjacent to residentially used properties, a twenty (20) foot wide greenbelt as prescribed in Article 6.

construction code and fire safety.

10. All rooms for rent in any bed and breakfast home or inn shall be rented for temporary periods of time. No room shall be used as the primary residence of any non-family renter.

7.11 CAMPGROUNDS

Campgrounds shall comply with the provisions of Part 125 of the Michigan Public Health Code, and with the following requirements:

- A. No campgrounds shall be located except with direct access to a major thoroughfare, or with a minimum lot width of not less than fifty (50) feet for the portion used for entrance and exit. No entrance or exit shall be through a residential district or shall require movement of traffic from the campground through a residential district.
- B. The minimum lot area per campground shall be ten (10) acres.
- C. Campsites in campgrounds may be rented by the day or week or for indefinite periods; or sold provided, however, that no site shall be occupied as a permanent or principal residence.
- D. Management headquarters, recreational facilities, toilets, showers, off-street parking areas, laundry facilities and other uses and structures customarily incidental to the operation of a campground are permitted as accessory uses provided that:
 1. Such accessory uses shall not occupy more than ten (10%) percent of the area of the campground.
 2. Such accessory uses shall be restricted in their use to occupants of the campground and their guests.
 3. Such accessory uses shall present no visible evidence of their commercial character which would attract customers other than occupants of the campground and their guests.
- E. No campsite shall be so located that any part intended for sleeping purposes is within one hundred feet of the right-of-way line of any public road or highway. Setback spaces shall be occupied by plant materials and appropriately landscaped. Plant materials shall be of sufficient size when installed to assure immediate and effective screening of the park from adjacent roads and properties. The plans, specifications and proposed arrangement of such plantings shall be prepared by a registered landscape architect.
- F. The campground site plan shall be subject to the review and approval of the Grand Traverse County Health Department.
- G. Individual campsites are not subject to setback and accessory structure placement requirements that would otherwise be required under this Ordinance.

7.12 ACCESSORY DWELLING UNITS

Accessory dwelling units (ADU's) are intended to provide flexible housing options in the Township by allowing homeowners to establish a second dwelling unit on their property. ADU's are subject to the following standards:

- A. ADU's shall be limited to permitted districts and properties with single-family dwelling

units as the principal use. ADU's shall be subordinate to the single-family dwelling unit.

- B. The owner of the property shall live on site, either in the principal dwelling unit or the accessory dwelling unit.
- C. Both the principal dwelling unit and ADU shall be prohibited from being operated as a short-term rental.
- D. ADU's shall have their own separate entrance, kitchen, sleeping area, and full bathroom facilities.
- E. ADU's may be attached to the single-family dwelling unit and may occupy a basement, first floor or second floor of the principal dwelling, or may occupy a separate, detached accessory building.
- F. The use of a mobile home, camper trailer, recreational vehicle, or other temporary and/or transient structures shall be prohibited from being used as and ADU.
- G. ADU's shall be connected to municipal sanitary sewer.
- H. All ADU's shall meet applicable building and fire codes.
- I. Building materials and designs used on detached ADU's or additions to the principal dwelling for an attached ADU, shall be of similar style as that of the principal dwelling
- J. The minimum size living area shall be three hundred (300) square feet.
- K. The maximize size shall not exceed eight hundred (800) square feet, or the size of the principal dwelling unit, whichever is less.

7.13 DUPLEX DWELLING UNITS

- A. Duplexes shall be limited to permitted districts.
- B. The principal structure containing the duplex dwelling units shall meet the minimum ground floor area for the district.
- C. Duplex dwelling units shall be connected to municipal sanitary sewer.
- D. The use of a duplex dwelling unit as a short-term rental unit shall be prohibited.

7.14 TOURIST HOMES

The specific provisions related to the operation of tourist homes are outlined in the Acme Township Short-Term Rental Ordinance. All tourist home operations shall require a license issued by Acme Township.

7.15 VACATION HOMES

The specific provisions related to the operation of vacation homes are outlined in the Acme Township Short-Term Rental Ordinance. All vacation home operations shall require a license issued by Township. Vacation homes in the C - Corridor Commercial and CF - Corridor Flex Districts shall be limited to operating within detached single-family dwellings.

7.16 HOME OCCUPATIONS

Home occupations may be carried on in a dwelling or accessory building to that dwelling