EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 7, 2009
7:30 P.M.
COMMISSIONER’S ROOM
EMMET COUNTY BUILDING
200 DIVISION STREET
PETOSKEY, MI 49770
MINUTES

MEMBERS PRESENT: James Scott, Kelly Alexander, Sue Anderson, Leroy Gregory, Steve Neal, Jack Jones, John Eby
MEMBERS ABSENT: Katie Derrohn, David Laughbaum
STAFF: B. Michalek, T. Doernenburg

I    Call to Order and Attendance
The meeting was called to order at 7:32 p.m. by Chairman Eby. All members were present except Derrohn and Laughbaum.

II    Public Hearing: Emmet County Master Plan
Eby opened the public hearing at 7:32 PM. Michalek used a PowerPoint presentation to explain the process of the Master Plan. He explained the meetings involved and information gathering process in preparation of the Plan. The Board of Commissioners authorized distribution of the plan in October of 2008. The 63 day review period has expired and this Public Hearing is the next step in the process. Public comments have been received verbally, with written comments received only from Charlevoix County. The web-site includes the draft Master Plan, maps, and minutes of the subcommittees and Comprehensive Plan Advisory Committee. Elements of the plan were identified. A Zoning Plan is included which identifies the relationship of the Master Plan to the Zoning Ordinance. The Implementation chapter was pointed out. Minor changes proposed were displayed and one revised paragraph was suggested in response to Charlevoix County’s comments relating to public lands shown on the Future Land Use Plan. During discussion regarding this issue, the committees felt the best use of the land was to keep public land in public use or ownership; however, if public or quasi-public land is sold, it would be reviewed taking into consideration surrounding land uses.

There was discussion about the proposed paragraph change. Eby stated that all zoning changes should be based on the Future Land Use Map prior to making decisions. There was discussion regarding tax benefits of placing land into conservation easements. Michalek further explained the purpose of the change.

Gene Reck from Cross Village Township felt that the plan wasn’t very aggressive regarding high speed internet. Doernenburg responded that as a result of the comments taken at the Cross Village Township meeting, high speed internet/broadband was moved from a priority 2 to priority 1.

There being no other comments, Eby closed the public hearing at 7:45. Eby then opened the regular meeting of the Emmet County Planning Commission at 7:45 PM.

Scott made a motion, supported by Neal to approve the resolution to accept the Master Plan and forward it to the Board of Commissioners for final approval. The motion passed by the following roll call vote: Yes; Eby, Neal, Jones, Scott, Gregory, Anderson, Alexander. No; none. Absent; Laughbaum, Derrohn. Neal complemented staff on the plan, Alexander and other members agreed with Neal. Michalek stated that it was a process involving many individuals and groups.

The resolution follows:
RESOLUTION of January 7, 2009
EMMET COUNTY MASTER PLAN
EMMET COUNTY PLANNING COMMISSION

WHEREAS: The Emmet County Planning Commission held a public meeting on November 3, 2005 during which they created an oversight committee titled the Comprehensive Plan Advisory Committee (CPAC), and

WHEREAS: the CPAC was formed with five (5) total members, three (3) Planning Commission members, one (1) member from the Emmet County Road Commission, and one (1) member from the Little Traverse Conservancy, and

WHEREAS: the CPAC was charged with the sole task of creating and recommending a Master Plan document to the Emmet County Planning Commission, and

WHEREAS: the CPAC completed this task by creating and assigning a total of nineteen (19) members to Plan Element Subcommittees (PES), which were charged with completing several of the chapters, and

WHEREAS: twenty-six (26) CPAC public meetings were held to discuss the Master Plan, and

WHEREAS: twelve (12) Agricultural, Natural, & Cultural Resources, six (6) Economic Development, six (6) Transportation, six (6) Utilities, Facilities, and Community Services, five (5) Intergovernmental Cooperation, and eleven (11) Land Use & Housing Plan Element Subcommittee public meetings were held to discuss that element of the Master Plan, and

WHEREAS: staff completed four (4) Open House meetings in February of 2006, a staffed booth at the 2007 Charlevoix-Emmet County Fair, three (3) meetings with the Rotary Clubs of Petoskey and Harbor Springs, one (1) public meeting of the Cross Village Township Board of Trustees, and four (4) Final Open House Sessions in August of 2008, and

WHEREAS: agendas and minutes of all meetings, as well as all drafts have been posted to the County of Emmet website throughout the planning process, and

WHEREAS: the Comprehensive Plan Advisory Committee recommended approval of the Master Plan dated September 23, 2008 to the Emmet County Planning Commission, and

WHEREAS: a Public Hearing was held on January 7, 2009 by this Planning Commission, and

WHEREAS: the Master Plan meets all the requirements of Act 33 of 2008,

NOW THEREFORE BE IT RESOLVED: That this Emmet County Planning Commission recommends approval of the Master Plan dated January 7, 2009, to the Emmet County Board of Commissioners,

SIGNED

JOHN EBY, CHAIRMAN, EMMET COUNTY PLANNING COMMISSION  Date

III Minutes of December 4, 2008 meeting
Gregory made a motion, supported by Alexander, to approve the minutes of the December 4, 2008 meeting as presented. The motion passed by a unanimous voice vote.

IV Cases

1. Case #44K-92 Blissfest Music Organization, SPECIAL USE PERMIT-Private/Semi-Private recreation lands, 3695 Division Road, Section 12, Readmond Township

Legal Notice: A request by Blissfest Music Organization for a Special Use Permit for private and semi-private recreation lands at 3695 Division Road, Section 12, Readmond Township. The property is zoned FF-2 Farm and Forest and is tax parcel 24-12-08-12-100-006. The request is per Section 801-1 of the Zoning Ordinance.


Items passed out at meeting: 1/5/09 email from Brian Gutowski-ECRC, 1/5/09 Blissfest support petition x 3 pages-17 signatures, 12/31/08 email from Jim Gillespie, 1/6/09 email from Jim Gillespie, 1/6/09 memo from Jim Gillespie, 1/6/09 topo plan, 1/6/09 campsite rendering, 1/5/09 letter from Mr. & Mrs. P. Stefanski, 1/5/09 letter from Harriet Jackson-Readmond Township, 1/5/09 email from Jennifer Kolinske, 1/6/09 email from Michael Guisinger, 1/6/09 email from Mac, Suzie, & Martin Jacob, 1/6/09 email from Tyler Phillips, 1/6/09 email from Karen Strong, 1/7/09 email from Jim Gillespie, 1/7/09 email from Jim Gillespie including draft motion, 1/7/09 site plan, 1/7/09 solar cabin sketch.

Michalek stated that this is the second public hearing. This review is not for the Blissfest Festival, it is for a Special Use Permit for private and semi-private recreation lands; the Consent Judgment regulating the festival remains as previously agreed upon. New information was distributed this evening received up until 5PM today. The Road Commission made a recommendation stating that if the road is paved, the entrance is to be paved; they would like the agreement in writing prior to approval. The review is subject to Sections 801-1, 2100-Special Use Permit and 2405-Site Plan Review. The township recommendations were received at the previous meeting. In today’s new information, an updated plan was received – it is not to scale, and does not meet the Zoning Ordinance standards. Michalek stated that the site plan is not complete.

Eby asked if the Road Commission requested that the deed restrictions be in place prior to the approval. That is what they requested. The applicant has agreed in writing to do so.

Jim Gillespie, representing Blissfest Music Organization, stated that there is more information coming. They’ve been in contact with an engineer who will be providing a letter regarding the parking areas and drainage. Gillespie apologized for not providing complete information, but they will provide it before the next mailing to the Planning Commission. They have provided enough parking spots which will be included in the next revised plan. A landscape architect will be providing information for the next month’s meeting. Gillespie provided a memo answering questions of each commissioner. PA 368 is the Public Health law regulating campgrounds through the DEQ and local health department – those requirements were included in the packet of information mailed to the members. A typical perspective of 3 campsites was provided showing the minimum size of campground spots. A conceptual drawing of a typical cabin was also provided. More details will be coming. He provided a list of motion items covering concerns of the township and also addressed primitive campground and public address systems.

Jones asked about draft park rules. Gillespie has not provided them as yet, but they’ll be ready prior to the next mailing deadline.

Alexander asked about the rules for a campground. Gillespie stated that they vary from campground to campground. Gillespie stated that there are some common rules; they will be providing the proposed rules for the next meeting. He added that the Michigan Township Association has specific guidelines regarding
Jones asked who will be responsible for making sure the guidelines are followed. Gillespie stated that if a camper breaks the rules, they will be evicted.

Doernenburg stated that Civil Counsel indicated that the same language as the consent judgment should be used rather than decibel levels for noise standards. The draft motion submitted by the applicant suggests no amplified music. The motion in the packets provided this evening was prepared by the Blissfest Music Organization; it is not part of a staff report.

Gene Reck, Supervisor Cross Village Township, responding at the request of Township, sent out postcards to 410 property owners. He received 4 e-mails and 2 phone calls – the draft motion he received from the applicant addresses all comments from the people. The general concerns have been regarding traffic and noise. The people want some assurance that it is not going to turn into a festival every weekend.

Bob Cardinal, Chairman Readmond Township, stated that it’s been a contentious case. They’ve been referring everyone to the county since the township has made their recommendation. Center Township contacted Readmond Township but has not provided comments.

Gordon Kruskie, Readmond Township Supervisor, stated that he faxed an invitation to Center Township to formally invite them to submit their concerns and make comments.

Tracy Eby, Bliss Township resident stated that she went door to door obtaining signatures on the petitions. Every neighbor on Hill Road signed that they liked the plan, and they understand that it’s an educational facility for fine arts – not proposing anything like the Blissfest Festival. She came up with 65 signatures, mostly people who live between the Blissfest property and the Cross Village Township store. No amplification is being proposed, but she would like to be able to play a guitar around a campfire. It’s a good thing for the economy and the community.

There were no other public comments.

The case was deferred until the next regular meeting (February 5, 2009).

V Public comments:

No public comments. A break was taken from 8:10 PM until 8:15 PM.

VI Other business:

- **Case #29-08** – Little Traverse Township Zoning Ordinance text amendments proposed. Michalek explained that the text is an amendment to the sign ordinance and closely follows the County’s most recent sign ordinance amendments. Anderson made a motion, supported by Alexander, to approve the memo prepared by staff and authorize the Chair to sign. The motion passed by unanimous voice vote of the members present.

- **Election of Officers:**
  Jones made a motion to nominate the following slate of officers: John Eby - Chair, Sue Anderson - Vice-Chair, James Scott – Secretary. Gregory supported the motion and made a motion to close the nominations and cast the ballot as indicated. Alexander supported Gregory’s motion which passed by a unanimous voice vote of the members present. Officers for 2009: Eby- Chair; Anderson – Vice-Chair; Scott – Secretary.
• **Approval of Meeting Dates for 2009:**
  Motion by Neal, supported by Alexander to keep the meeting schedule as printed, meetings will be held the first Thursday of each month. The motion passed by unanimous voice vote.

• **Bylaws:**
  By law changes have been reviewed over the past two months and changes proposed were reflected in the proposed by-law amendments.
  Jones made a motion, supported by Scott, to adopt the amendments to bylaws as presented. The motion passed on the following roll call vote: Yes; Eby, Neal, Jones, Scott, Gregory, Anderson, Alexander. No; none. Absent; Derrohn, Laughbaum.

• **Planner’s Moments DVD:** sound issues prevented review of the DVD.

• **Zoning Ordinance Advisory Committee Appointments:** Michalek suggested the Commission consider members for a committee to review the zoning ordinance starting in February or March.

• **Enforcement Report:** Distributed in packets, no comments.

**VII Adjournment**
Chairman Eby called the meeting adjourned at 8:23 p.m.

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James Scott, Secretary        Date