I Call to Order and Attendance
The meeting was called to order at 7:30 p.m. by Chairman Eby. All members were present.

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

III Cases
1. Case #20-08  Leslie Taylor, SPECIAL USE PERMIT-Kennel, M-68, Section 12, Littlefield Township

Legal Notice: A request by Leslie Taylor for a Special Use Permit for a kennel and pet grooming business proposed on property located on the south side of M-68 Highway, approximately 1,000 ft. west of the M-68/Miller Road intersection, within the southeast quarter of Section 12 of Littlefield Township. The property is tax parcel 24-07-12-400-014, is zoned FF-1 Farm and Forest, and is owned by Randall Reynaert. The review does not include site plan review and is per Section 2102-9 of the Zoning Ordinance.

Packet Items: Request & location map, tax parcel map, application, impact statement, survey, aerial, staff report, 9/23/08 report of phone conversation requesting withdrawal.

This case has been withdrawn at the applicant’s request.

2. Case #85C-98  David Billideau, SPECIAL USE PERMIT-Drive-thru Restaurant, 1799 N US-31, Section 26, Bear Creek Township

Packet Items: Request & location map, tax parcel map, application, 9/11/08 letter from Randy Wolfgam, impact statement, site plan review checklist, 9/10/08 letter from Health Department, 9/10/08 email from Justin Wing-MDOT, aerial, staff report, 9/29/03 approved plan, 9/3/08 conceptual site plan, 9/3/08 site plan, 9/23/08 letter from Robert LeGrand, 9/23/08 fax of 2/25/08 stop work order from Bear Creek Twp building dept.

As the applicant for this case was not present, the other items on the agenda were dealt with prior to hearing this case.

Doernenburg showed the location of the parcel; located on the corner of Shaw Road and N US 31. The
parcel was developed along with adjoining northeastern parcel and there are two owners. Shaw Road comes in at about a 60 degree angle; current standards require roads to be 90 degrees for safety reasons. Doernenburg stated that this should be reviewed as two reviews; the first to determine if the special use requested fits for this parcel, the second to review the site plan proposed. The parcel is zoned B-2 which would allow for a restaurant as a permitted use and a drive thru if special use conditions are met. There is information that is still required to meet site plan review requirements including fire department review and road commission review. A letter from MDOT has been provided recommending a preliminary approval, although they state that the site seems “a little cramped.” The applicant has stated that the Emmet County Road Commission has said that they would approve the site, however they recommend moving Shaw Road access to the south which would create an access that does not meet the Ordinance standard for a drive-thru access. Bear Creek Township recommended denial. The approved site plan from 2003 was shown. The office use is now vacant. One of the conditions of approval was for the Shaw Road access to be closed. This was never done and MDOT upgraded that access when they improved US-31 in 2006. A stop work order was issued earlier in the year by Bear Creek Township Building Department, however there were no reasons given. The neighboring property owner has sent in a letter opposing the proposal.

Anderson stated that at the township meeting, the site plan was looked at. They did not have issues with the use in the area, but felt that because the parcel is 0.18 acres, the drive-thru and sit down area both would be too big for the site. The applicant didn’t want to reduce the use. Some other concerns were a Consumer Power easement issue, drainage issues, curbing that would have to be moved up and in, not enough room for 5 car drive-thru stacking, and the parking is not adequate. Doernenburg compared this site to the Subway site in south Petoskey. That site is about .5 acres and is very small for the use that is there. Jones asked if the Consumer Power line was located under the existing building. He thought that was what was said at the township board meeting. Derrohn asked about the drive that is discussed in the letter from the neighbor. Jones stated that the drive was brought up at the township meeting and it is shared by four parcels. Anderson stated that if one takes into account all of the ordinance conditions she doesn’t think this proposal can happen. Doernenburg stated that neither the conceptual plan nor the proposed plan submitted meets the ordinance standards; however, the Planning Commission has the authority to allow modifications. Examples were read from the staff report. This is the case for standards of Section 2102-15 a, b, c, and f.

Anderson made a motion to deny Case #85C-98, David Billideau, Special Use Permit for a drive-thru business at 1799 N US-31 Highway, tax parcel #24-01-16-26-300-040 in Section 26, of Bear Creek Township for the following reasons: the use exceeds the capacity of the parcel, traffic flow is unsafe, and the standards of Section 2102-15 a), b), c), and f) have not been met and because the township recommended denial of this case. The motion was supported by Derrohn and passed on the following roll-call vote: Yes: Eby, Neal, Jones, Scott, Gregory, Laughbaum, Anderson, Derrohn, Alexander. No: None. Absent: None.

IV Public comments: none.

V Other business:
- **Blissfest property proposal:** Jim Gillespie was present to informally present a proposal for a special use permit for the Blissfest property. Gillespie explained that they propose to use 40 acres of the 120 acre parcel as a recreation area. They would like to develop low impact retreat facilities for small groups including a campground, cabins, and a pavilion. Section 801-1 of the zoning ordinance allows for non-profits to have recreational areas when operating in the
character of a public recreation area. He feels that the use would fit nicely as they are a non-profit. Gillespie stated that they will officially be on the agenda soon. He passed out a narrative of the proposal for the members to review. This facility will focus on eco-tourism and agro-tourism. This seems to fit well into the Master Plan and is a good use and resource for the community.

Alexander asked if this will be open all year or just seasonally. Gillespie stated that they will primarily be seasonal.

- Master Plan

Doernenburg explained that the final draft of the Master Plan is available in hard copy as well as in digital format. The Planning Commission has received a hard copy of the plan as well as a CD of all of the minutes and agendas from all of the PES & CPAC meetings.

Doernenburg went through a brief history of the Master Plan process for the members. In November 2005, the Comprehensive Plan Advisory Committee (CPAC) was appointed. There were county-wide open houses held in the spring of 2006. The website was developed where minutes, draft chapters, and other pertinent information was posted. On March 15, 2006 the CPAC met for the first of 26 meetings and appointed the first Plan Element Subcommittee (PES) members. When establishing these groups, the CPAC tried to appoint a diverse group of people. After all the chapters were finalized, the draft Master Plan was distributed throughout the County to the townships and to various public buildings. All comments from townships have been positive. Wrap-up county-wide open houses were held. The final CPAC meeting was held on September 23, 2008 in which the resolution to recommend approval to the Planning Commission was signed and the CPAC dissolved.

Doernenburg explained that a master plan should be a guideline for the next 10-20 years. The required elements of a master plan were reviewed. The surrounding areas were looked at to attempt to stay consistent. The Future Land Use and Viewshed, Agriculture, and Open Space Overlay maps were shown at each of the open house meetings and adjustments were incorporated into the maps. Densities for residential areas were chosen and titles were given to each of these areas. Arrows were added in the direction of each respective view on the Viewshed map. Agricultural land was determined based on soil types and if they are classified in the agricultural land tax bracket. Open Space includes state land, public lands, and lands that are under conservancy ownership.

The Michigan Planning Enabling Act now requires a zoning plan in a county master plan. A chart was created that identifies the future land use categories and what designations they would have in the current ordinance. There is a disclaimer that states that this map only applies to the townships that are under county zoning.

The last chapter of the plan is the Implementation Chapter. The implementation chart combines all of the strategies from the plan and assigns them a priority number and a community partner to assist in accomplishing them.

Doernenburg explained that there is a list of contributors in the front of the plan. She thanked Audrey McMullen for editing the plan and also Bill Brennan and Bill Prall for attending most of the meetings. Doernenburg explained that although there weren’t a lot of comments from the open
house meetings, the ones that were received were quality. Each of the suggestions was reviewed in detail with the CPAC. She stated that we have a great plan to forward to the Board of Commissioners.

At this point, the CPAC has recommended approval of the Master Plan to the Planning Commission, the Planning Commission who then will recommend to the Board of Commissioners. The Board of Commissioners would review and then authorize the plan to go to review for 63 days. After the 63 day period, the plan will be heard at a public hearing of the Planning Commission (hopefully in January).

Eby asked if there will be any more major changes. Doernenburg noted that there shouldn’t be. She did note that there have not been any comments positive or negative from Resort Township who has received both a hard copy and a digital copy of the draft plan. Doernenburg thanked the members present from the Pickerel/Crooked Lake Association for all of their assistance and mentioned that they may become community partners as well. Jones stated that he has heard all positive comments about the plan. Anderson stated that all of the PES groups did excellent work. It was pretty easy for the CPAC to look at when they were done with their chapters. Eby asked about typos. Doernenburg stated that they can still be fixed and the statute does allow for typos to be corrected without repeating the process.

Anderson made a motion to authorize Planning Commission Chair, John Eby to sign the following resolution and forward the Master Plan to the Board of Commissioners:

RESOLUTION of October 2, 2008
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: the Master Plan meets all the requirements of Act 33 of 2008,

NOW THEREFORE BE IT RESOLVED: That this Emmet County Planning Commission recommends the Master Plan dated September 23, 2008, to the Emmet County Board of Commissioners,

The motion was supported by Alexander and passed on the following roll-call vote: Yes: Eby, Neal, Jones, Scott, Gregory, Anderson, Derrohn, Alexander. No: Laughbaum. Absent: None.

 Enforcement Report: Distributed; no discussion.
 Derrohn stated that Buffalo Wild Wings has removed their third sign.

 By-laws
 Doernenburg explained that the proposed changes to the bylaws have to be received one month prior to any action being made. The proposed changes were passed out. She pointed out the staff suggestions are in yellow, Civil Counsel suggestions are in red. There is also a page detailing conflict of interest guidelines. The Board of Commissioners is in the process of looking into adopting these as part of their rules of procedure. This is something that the Planning Commission could do as well. They could either be added to the bylaws or could be incorporated by referencing what the Board of Commissioners decides to adopt. These proposed changes will be discussed at next month’s regular meeting.

VI Adjournment
Chairman Eby called the meeting adjourned at 8:12 p.m.

________________________________________  __________________________
James Scott, Secretary        Date