EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY JULY 5, 2018, 7:30 P.M.
EMMET COUNTY BUILDING
200 DIVISION ST
PETOSKEY, MI 49770

MEMBERS PRESENT: Kelly Alexander, John Eby, Steve Neal, Toni Drier, David Laughbaum, James Scott, Charles MaInnis

MEMBERS ABSENT: Tom Urman, Jonathan Scheel

STAFF: Tammy Doernenburg, Monica Linehan

I Call to Order and Attendance
Chairman Eby called the meeting to order at 7:30 p.m. All members were present except Urman and Scheel.

II Minutes of June 7, 2018
Alexander made a motion, seconded by Neal, to approve the minutes of the June 7, 2018 meeting as presented. The motion passed unanimously by voice vote of the members present.

III Cases

1. Case PSUP18-005 Blissfest Music Organization, Special Use Permit-Campground & parking (3days/year), 3115 Division Rd, Section 12, Readmond Township

Legal Notice: A request by Blissfest Music Organization for a Special Use Permit for a temporary campground with parking on property located at 3115 Division Road, Section 12, Readmond Township. The camping/parking would be limited to three days corresponding with the time frame of the Annual Blissfest Festival event, and under the same conditions as the consent judgment. The site, zoned FF-2 Farm and Forest, is tax parcel number 24-12-08-12-200-002. The request is per Section 8.01 and 26.29 and Article 21 of the Zoning Ordinance.

Packet Items: 6/20/18 site plan, 6/29/18 revised zoning evaluation, Blissfest response letter, letter from Anneke & Matthew Myers-rec 7/5/18

Doernenburg presented this case. This is the second review for the request to allow camping and parking on this parcel. The parcel is 40 acres and is adjacent to other property owned by Blissfest. The aerial of the parcel was shown. There is an existing barn and two accessory buildings and it is currently being harvested for hay. The second access drive that was approved by the Road Commission has been installed and there are posts on either side of both drives. The aerial of all of the properties used for Blissfest was shown and the uses on each were pointed out. Last month, the Township wanted more time to review the request. The original site plan was shown. This has since been withdrawn and replaced with a new site plan which was provided via email and mail in the supplemental packet. The new plan reduced the number of camping sites; drive-in sites from 145 to 88, walk-in sites from 195 to 155, and parking reduced from 556 to 380 spaces. This plan utilizes 25 of the 40 acres as they were asked to scale down the request. The Blissfest Review Committee did meet on June 28th and the next meeting is scheduled in September. The township has unanimously recommended approval of the revised site plan. The revised motion in the staff report is based on the township review. Letters of concern and responses were included in the supplemental packet as well as a letter that was received today (7/5/18) which was emailed and passed out on desks tonight. This letter was concerned with the number of people at the festival, questioning the need for expansion, and the lack of approval for uses on the property between the
main festival site and the one subject to the current review. Doernenburg stated that she was at the site today and noticed three rows of 8-12” pine trees planted along Division Road between the west property line and buildings. She didn’t notice any trees along the east side of the buildings.

Jim Gillespie, Blissfest, stated that they did do the reductions as requested on the new site plan in response to the township concerns. They reduced both the scope and size. This parcel will be used for auxiliary camping and parking only. Gillespie stated that they will likely only use 10-12 acres of the property this year. They are still utilizing the leased property. This plan looks to the future and the possibility that the leased property may not be available to them at some point. They have planted the three rows of pines all along the entire length of Division Road. He stated that they did formulate responses to the township concerns as well as letters from the neighbors. They have a larger security team now and feel that they will do a better job than the previous security company. They monitored the festival well last year and will be monitoring the new properties too. The new camping areas will comply with the consent judgment and the State campground regulations for water, trash, and sanitation. Gillespie noted that the traffic flow isn’t changing due to the new parcels. They still go down Larks Lake, Beckon, and to Division. Anyone directed to the overflow property would first have to go to the main gate for check in. The posts that Doernenburg noted onsite today are for two new gates to control access. Regarding noise; since this is for camping and parking he stated that he doesn’t feel that it will be a major noise producer. They have made attempts to respond to the neighbors’ concerns and feel that the three-day event can do a good job to maintain decorum in the community.

Neal asked why they aren’t going strictly through the consent judgment to make changes; why is the Planning Commission involved. Doernenburg stated that they go hand in hand and regardless of whether the consent judgment is changed or not they would have to go through this process. She stated that it was her recommendation not to add land to the consent judgment but rather to go through the Planning Commission process for a Special Use Permit. The consent judgment allowed them to come back to the Planning Commission for the addition of uses.

Eby opened the floor to public comment.

Anneke Myers and her husband Matt of 3232 Division Road were present. She stated that they question whether the festival is remaining at their ticket cap. It came to light during the review committee meeting that tickets for Sunday only have been being sold. The County Attorney advised them at that meeting to cease from selling those tickets as it violates the consent judgment and would open it up to other considerations such as amount of volunteers and unpaid tickets. She stated that they also question what is going on with parcel #4 as it has been advertised for camping. Myers stated that they feel that by allowing this amount of camping in an area that hasn’t experienced this directly will cause an issue. She stated that these requests will result in growth of the festival.

Gillespie stated that property number four includes some historical encroachment that existed before they owned it about 50’ into the property. A fence was put in at that area. No additional camping exists on the property. The parcel was given to Blissfest by Forests for the Future to be used as a working forest. They have yet to determine if they can use it for anything else at this point. They are working with the County Civil Counsel regarding the ticket numbers to see how they can comply with the consent judgment. He stated that they have been acting in the spirit of this consent judgment for a long time now.

Bill Sutton, Readmond Township, stated that this is a tricky review since it is a request for a special use permit on property under consent judgment. The festival cannot expand the number of participants unless the consent judgment is changed. The lease may expire on parcel 6. The issue is with capacity and the change in the size of
cAMPING UNITS THAT PEOPLE ARE USING. THIS RESULTS IN AKWARD AND POTENTIALLY DANGEROUS SITUATIONS WITH THE LARGER CAMPERS BEING ON THE SITES. THIS REQUEST WILL HELP ALLEVIATE THE COMPRESSION. THE TOWNSHIP HAD CALLED OUT FIVE ITEMS THAT THEY WANTED TO SEE ADDRESSED AT THEIR PREVIOUS MEETING. NEIGHBOR CONCERNS; A NUMBER OF THEM GOT RESPONSES FROM BLISSFEST IN WRITING AND THEY WANTED TO BE ABLE TO EVALUATE THOSE RESPONSES. THEY ASKED FOR GREATER DETAILS ON THE SECURITY Patrols AND FEEL THAT THIS HAS BEEN SATISFIED WITH THE INFORMATION PROVIDED.

DetaILED INFORMATION ON TRAFFIC FLOW WAS REQUESTED SINCE THE NORTH BOUNDARY IS DIVISION ROAD AND THEY WANTED TO BE SURE THAT THE TRAFFIC FLOW WAS ADDRESSED. SUTTON STATED THAT BLISSFEST HAS A TRAIL THROUGH PARCEL #4 FOR WALKING, BIKING, AND GOLF CART SHUTTLES. THIS WILL ALLEVIATE FOOT AND VEHICLE TRAFFIC ISSUES ON DIVISION. THERE WERE CONCERNS WITH NOISE WHICH SEEM TO BE SATISFIED AS THERE WILL BE NO ELECTRICITY AND NO AMPLIFIED SOUND. THE QUIET HOURS WILL BE BETTER THAN THE MAIN SITE. SUTTON STATED THAT THE TOWNSHIP ALSO FELT THAT THE SITE PLAN ORIGINALLY PROVIDED WAS TOO IMPACTFUL. THEY ASKED ORIGINALLY FOR THE MAXIMUM CAPACITY THAT THE 40-ACRE SITE COULD HANDLE. THEY ASKED BLISSFEST TO SCALE IT BACK AND COME BACK WITH A NEW SITE PLAN WHICH THEY DID FROM 40 ACRES TO 25 ACRES. THE NEW SITE PLAN ESTABLISHES A BUFFER ON THE SOUTH EDGE TO ALLEVIATE ISSUES WITH THE NEIGHBORS TO THE SOUTH; BLISSFEST VOLUNTARILY ALLOCATED 1/3 OF THE PROPERTY INTO AN UNDEVELOPED AREA. SUTTON STATED THAT THE TOWNSHIP FELT THAT BLISSFEST RESPONDED TO THE CONCERNS OF THE TOWNSHIPS AND THE NEIGHBORS AND THAT THEY WERE FORTHRIGHT DURING THIS PROCESS. THIS REQUEST WAS UNANIMOUSLY APPROVED BY THE PLANNING COMMITTEE AND ALSO THE TOWNSHIP BOARD.

Nate Hall asked what the quiet time is. Gillespie responded 1am-8am. Hall asked what the quiet time is at Camp Petosega. Doernenburg stated that she thinks it is 10pm but these properties are under a consent judgment so it is not the same.

Doernenburg noted that they did receive a response from Blissfest stating that they would not continue selling the Sunday tickets. They then were sent a cease and desist letter from Civil Counsel which stated that ticket sales over and above their allotted amount were to cease and desist.

Drier stated that she has attended eight meetings regarding the Blissfest requests. There has been much discussion and she feels that Blissfest has tried to answer everything; usually in writing, and they are working hard with the neighbors. There may have been some misunderstandings but she hopes that we can continue to work together and hopes that the festival will be great this year.

Drier made a motion to approve Case #PSUP18-005, Special Use Permit for a Campground to allow for camping and parking for three days in July during the annual Blissfest Special Event for parcel number 24-12-08-12-200-002, Section 12, Readmond Township as shown on the Revised Site Plan dated Received June 20 2018 and as identified in the document titled Impact Statement dated Received May 7 2018 and follow-up Blissfest submittals dated Jun 22 and 26 2018 because of the facts presented in the case, the proposal meets the standards of Section 8.01, Articles 21 and 20 and Readmond Township Planning Commission and Board recommended approval unanimously. Approval is with the following conditions:

1) all outdoor lighting and signs must comply with the Zoning Ordinance standards and detailed data sheets provided to the Zoning Administrator for review prior to installation,

2) all conditions of the amended Consent Judgment for the Blissfest Music Organization Annual Festival originally approved in 2002 and amended in 2013 are followed,

3) that the campground comply with all state and local laws and regulations,

4) that there be no outdoor public address system or outdoor amplified music on this site during the festival (other than as required by the Fire Department),
5) that noise from the property shall not cause a nuisance under the laws of Michigan or result in an unreasonable noise disturbance beyond the property lines,

6) that Emmet County Road Commission requirements be met,

7) that the use be screened from public view as shown on the site plan,

8) that the Fire Department requirements be met.

The motion was supported by MacInnis and passed on the following roll-call vote: Yes: Eby, Neal, Drier, Scott, Laughbaum, MacInnis, Alexander. No: None. Absent: Scheel, Urman.

MacInnis stated that it seems somewhat redundant to include that an applicant must follow existing laws in a motion. Doernenburg agreed and explained that many of these points are taken from the consent judgment wording.

2. Case PPTEXT 18-001 Emmet County Planning Commission, Text Amendment-Accessory Uses to a Farm Operation

This case was reviewed at the end of the meeting to allow others on the agenda to be reviewed first.

Doernenburg reviewed all of the public and township comments to date. Littlefield Township has recommended approval, McKinley Township recommended clarification of Paragraph C. Springvale Township would like additional time for review. Maple River Township recommended denial stating: that the text contradicts the intent, that perhaps the uses should stay where currently allowed, and if the use is desired in the FF district a PUD could be used. Bear Creek Township recommended approval with modifications: add flexibility by the Planning Commission for modifications to the standards (similar to a Contractor's Use), and that there be a 20-acre minimum. Public comments in support have been received by Vernales Restaurant stating economic benefits and also from Duane & Kristi Schuil who support the request in all zoning districts with a minimum of 20 acres.

David Coveyou stated that the 20 acres was in the drafts for so long and then it was dropped. The text as written without an acreage minimum would allow a small acreage to have a farm which he believes goes against the intent which was supposed to be allowing these uses as a supplement to a larger farm. It seems that most farms are at least 20 acres and this would be easier to regulate. As far as the flexibility, he stated that there may be cases in which the events should be moved to another part of the farm to alleviate neighborhood impacts.

Neal stated that it seems that we took out the 20 acre minimum because we were shifting from size to noise and felt that we were throttling smaller operations. Does this go against the Right to Farm Act? He stated that he can’t remember why it was taken out exactly. MacInnis stated that the noise issues were to be dealt with by decibel levels instead of setbacks. Doernenburg stated that we have been all over the board with this. Acres are easy to measure, decibels at the property line are not. She stated that the smaller areas were more for the wineries. MacInnis stated that he is more inclined to stay with the 20 acre minimum as it gives more of a buffer area. Scott stated that Springvale Township didn’t feel that they had enough time to digest the whole thing. It will help that there is more input from other townships.

Doernenburg asked if they wanted the 20-acre minimum added back in and the townships re-noticed. Neal stated that the input up to this point should be shared.
Eby stated that Maple River Township felt that this has fallen apart. We are looking at everything and picking at pieces of it. Scott stated that he doesn’t feel that his is ready to vote for it and may not ever be. Laughbaum wanted to know how to look at this if you don’t know what the specific use would be. Eby stated that a targeted PUD could be the way to go. It could be an overlay to cover these specific areas and uses. This could also encompass the activities that the Amish Community has been doing through special uses. Drier stated that at this point she will not vote to approve this as she feels that each farm should be reviewed on a case-by-case basis. She can’t wrap her head around this due to the diversity of the County and the potential uses. MacInnis stated that by making decisions on a case by case basis decisions are made incrementally. This is a risk for the farmer because they aren’t going to know what is acceptable. Neal stated that he feels the spirit is to allow farmers to diversify for economic gain without hurting the neighbors; these should be the basic parameters. We want to help and give guidance. Drier stated that this needs more work.

Doernenburg stated that perhaps this should be removed from the agenda due to lack of support by the board. Three members have said already that they won’t support this as is. MacInnis asked if it is possible to draft something that shows standards that all parties can support as he is disinclined to support language that doesn’t work for a township. He doesn’t want to do this on a case by case basis because that is chaotic. He doesn’t know that there is language that can be written that will encompass all parties’ issues.

Drier suggested putting out an email that would ask what items would be generally acceptable to the townships.

Laughbaum asked what the objective was when we started this process. To allow commercial uses not protected by the Right to Farm Act which are not farming activities but are commercial in nature. Eby stated that he doesn’t have a big problem with this but does think that a targeted PUD overlay would include an intent and give the ability to lock out certain uses.

Kristi Schuil asked how many people are actually looking into doing these activities. Doernenburg stated that she doesn’t have a number; there are people that call in asking but currently it is not allowed anywhere outside of a business zoned property. Resort Township allows these activities as does West Traverse to a certain degree. Laughbaum stated that many would be weeded out in the beginning if they don’t succeed at the business. If they aren’t hurting the neighborhoods he can’t see the issue. Schuil agreed stating that hours of operation could be utilized to protect the neighbors. Eby stated that we should send what we have so far to the townships to see what we get back. We have to get some dialogue from them and he is not sure that they all understand exactly what they are looking at.

This case will be postponed until the next regular meeting to allow townships and public to comment on the proposed text amendments.

3. Case PPTEXT 18-002  Emmet County Planning Commission, Text Amendment-Farm Labor Housing

This case was reviewed at the end of the meeting to allow others on the docket to be reviewed first.

Doernenburg went over township and public comments to date. Littlefield Township recommended approval. McKinley Township has no concerns. Springvale Township would like additional time for review. Bear Creek Township recommended approval. Maple River Township recommended denial citing inadequate protection from neighboring properties, current zoning is adequate for use, and there is no way to ensure that residents are working ‘on the farm’. No public comment has been received to
Laughbaum asked what happens to houses as farms fail. Doernenburg stated that this is a good question and goes along with Maple River Township’s concern about how to ensure that the residents of these units are working ‘on the farm’. She is not sure how many farms in the area use farm labor housing. Scott stated that he didn’t look at it strictly as farm labor housing, more of migrant labor housing. The Government has greatly reduced the number of migrant workers allowed. They come to this part of the country to work for 6-8 months of the year and the employers are charged with providing their housing. He stated that many are using hotels and converting them to housing in Mackinaw City. Laughbaum noted that Maple River Township was opposed and asked Eby what the main issues were. He noted that one of the items that came up was transportation. Shouldn’t it be within the transportation section so that it can work with the potential transportation system that the County is exploring. Drier stated that the current proposal in the northern part of the County is for stops at gas stations in Mackinaw City, Levering, Van, and Pellston and one mile off of the highway. Any others would need to get a ride to one of those points.

MacInnis stated that this request would house people that are working. Even if they are not working on a farm, they are working; this is not necessarily a bad thing to house people who are working. There are many towns in the UP who did this for mining villages, it is not a new concept. Eby stated that from this perspective, they’ve embraced it if the zoning is already there, it’s fine. If it isn’t, then maybe we should look at the zoning. There are ways to meet current zoning standards with multiple trailers or something of that nature. Doernenburg stated that if the minimum zoning standards are built to, the buildings could remain. If the use is not there anymore they would have to be removed if clustered. Laughbaum asked about duplexes. Doernenburg stated that currently one of the units has to be owner occupied in FF zones. Eby stated that what we have been shown is a dorm. Laughbaum noted that there used to be small houses for the cherry pickers in Traverse City. Alexander stated that the converted hotels in Mackinaw City are inspected annually but he isn’t sure on the standards. Scott stated that the drawing we were given was housing for 15 people with a kitchen, bathroom, etc. He stated that he strongly feels that there is a need for this and the townships should have more input.

Eby stated that he didn’t think that his township was not recognizing the need but thought that maybe we should be looking at seasonal workers and where infrastructure is applied not necessarily in all FF zoned parcels. Scott stated that most of the employers provide transportation for their workers. Laughbaum stated that in California if you build a house in your back yard for a homeless person they will pay you to have them live there. Is this just building modern day slums? Is this the way that the communities want to go? Feels like it is a loaded gun. Scott stated that the other option is to not do anything and have the employers do what they have to do to get housing for their workers. Alexander stated that at least six motels have been converted for this purpose in Mackinaw City and St. Anthony’s provides bikes for transportation. Scott noted that this is easier where there is a village or community. MacInnis stated that no one that works in his community can afford to live there. Eby stated that it seems that we have a problem that we are willing to look into but doesn’t feel that this amendment addresses the problem. Neal asked if this is a quantifiable problem. Doernenburg stated that workforce housing, affordable housing, seasonal housing is all being discussed in the area. There is a potential that she could have someone come and do a short presentation on these issues. The Master Plan has to be updated next year and this would be a move towards that as well. The Little Traverse Bay Housing Partnership involves many different entities in the community and has recognized the need because as MacInnis stated people that work here can’t afford to live here and transportation costs add to that. If zoning is a hindrance, we should look at what we can do to make it better. Drier stated that the trailer park expansion in Alanson would all be within the proposed transportation area.

This case will be postponed until the next regular meeting to allow townships and public comment.
4. Case PSPR18-006  Bob Drost for Drost Family LLC, SITE PLAN REVIEW-Amendment/Change of Use, 2010 River Rd, Section 17, Bear Creek Township

Legal Notice: A request by Robert Drost for Drost Family LLC for Site Plan Review - Change in Use and expansion at 2010 River Road, Section 17, Bear Creek Township. The property is zoned I-1 Light Industrial and is tax parcel 24-01-19-17-100-002. The request is to allow an auto repair shop per Article 14 and Section 26.37. The review includes an addition of 600 sq. ft. to a 4,000 sq. ft. commercial building.

Packet Items: Request & location map, application, site plan review checklist, impact statement, 6/5/18 elevations and floor plan renderings, lighting info, septic & well permit, drive permit and road commission review, fire dept review, 6/20/18 zoning evaluation, floor plan, 6/14/18 email from Andrea Fettig, 6/8/18 landscape plan, 6/20/18 drainage plan, BC Twp minutes, 6/29/18 revised zoning evaluation, drainage estimate, 6/22/18 landscape/site plan

This parcel is north of the recently approved case for forest products processing on the west side of River Road. It is zoned I-1 Light Industrial and is 1.37 acres. It is adjacent to the City of Petoskey properties that include outdoor recreation uses and the old landfill. There are wetlands across the road. The proposal is to change the use from the 1981 approved use of a shop/storage building to a mechanic garage and add 600sf of offices onto the front of the building. This is a principle use in the zoning district with the restriction that work has to be done inside the building. The building setbacks are met. Gravel surface is proposed for parking. Stone storage areas are proposed on the north and south corners of the property and will be screened by existing vegetation. Bear Creek Township did review this request and recommended approval on the conditions that stone hauling be limited to the hours of 7:30am-5pm Monday-Friday and that the wetlands be identified on their site plan.

Doernenburg noted that the revised staff reports draft motions reflect these recommendations and allows them to turn in the site plan with revisions at a later date as long as the plan itself remains the same. The dumpster has been removed on the revised plan. The drainage cost has been provided and the elevations are met. The floor plan was shown as well as the site plan and photos.

Bob Drost, applicant, stated that they jumped on the property when it came up for sale. They thought the existing building was intact and with a few revisions would work for them. It is a great location but the building itself is an issue. It is a wet site and likely was mucked and filled before the Clean Water Act. There are berms on the property that the previous owners had put in to try to deal with the drainage issues. They are now slowly getting the drainage under control. He stated that he walked the site this morning to see what had been accomplished and was impressed. When the building is completed, it will be painted a light gray color, will have a nice lawn, detention beds for runoff, and parking. It will be a beautiful addition to River Road compared to what it has been. They have gone through a lot of steps to get to this point. Drost stated that Doernenburg has been a great help at directing him and he thanked her and this board for their time.

Doernenburg stated that the township had reviewed this request at length. There were lots of questions on the drainage. The draft motions were revised to include the township discussions.

Drost stated that Great Lakes Ecosystems will map the property next week and then he’ll submit it.

Drier asked about the auto repair part of this; Bear Creek Township wanted it to be just for their vehicles. Doernenburg stated that it is still an auto repair facility and is a primary use in his district. Drier asked if we can regulate whose vehicles they work on. Doernenburg stated that she doesn’t think so. Neal added that they likely won’t work on other vehicles. Doernenburg stated that it is industrial zoned and there is a propane gas facility to the north.
There was no public comment on this case.

Neal made a motion to approve Case #PSPR18-006, Robert Drost for Site Plan Review amendment and change of use for an office and auto repair facility on property located at 2010 River Road, Section 17, Bear Creek Township, tax parcel 24-01-19-17-100-002, as shown on the site plan dated June 22, 2018. Approval is because the standards of Articles 14, 19, 20, and Sections 22.00, 22.02, 22.03, 22.06, and 26.37 have been met, including the outdoor lighting and landscaping as proposed, and on condition that a performance guarantee in the amount of $1620 be submitted prior to issuance of a zoning permit, if a dumpster is desired it must be screened as required by the Zoning Ordinance, fire department, road commission, and health department standards must be met and all repair work to be performed indoors, Bear Creek Township recommended approval and on condition that there be no delivery, hauling, or loading of stone except between the hours of 7:30AM and 5PM, and that the wetland be identified on an updated site plan prior issuance of a Zoning Permit. The motion was supported by Scott and passed on the following roll-call vote: Yes: Neal, Eby, Drier, Scott, Laughbaum, MacInnis, Alexander. No: None. Absent: Scheel, Urman.

5. Case PSPR18-007  Jacquelyn Hall, SITE PLAN REVIEW-Amendment, 2020 Fochtman Industrial Park Dr, Section 26, Bear Creek Township

Legal Notice: A request by Jacquelyn Hall for a Site Plan Review amendment at 2020 Fochtman Industrial Dr. in Section 26 of Bear Creek Township. The property is zoned I-1 Light Industrial and is tax parcel 24-01-16-26-275-103. The request is to construct an additional 40’ x 120’ storage building per Articles 4 and 20 of the Zoning Ordinance.

Packet Items: Request & location map, application, site plan review checklist, impact statement, zoning evaluation, 6/11/18 site plan, BC Twp minutes

Doernenburg stated that this property was reviewed last year for a recently completed storage building. They are now back to request a second storage building. The parcel is zoned I-1 and adjacent properties are also all zoned I-1. The property is approximately 1.13 acres and is located within an industrial park. Surrounding uses include propane storage, vacant property, other commercial industrial activities, and Hearthside Grove to the East. The site plan was shown. The drive exists and the Road Commission has issued a permit for a curb cut. Mini-storage is a permitted use in this district. The parking spaces are proposed to be in front of each unit and will be gravel. The building is situation perpendicular to the road. The drainage plan with estimated cost has been provided. The buildings are proposed at 9’6” in height. Outdoor lighting will only be on the buildings and is fully shielded. Ample snow storage is shown. Fire Department approval has been received. Screening is provided around the perimeter. Photos of the site were shown. It was pointed out that evergreen trees exist around perimeter except for the drive location. The township has recommended approval.

Nate Hall, applicant, was present. There was no public comment on this case.

Neal made a motion to approve Case #PSPR18-007, Jacquelyn Hall for Site Plan Review - amendment for a second storage building at 2020 Fochtman Industrial Park Dr, Section 26, Bear Creek Township, tax parcel 24-01-16-26-275-103, as shown on the site plan dated Jun 11, 2018 because the standards of Sections 14.01 22.05, and 26.43 have been met and the township has recommended approval. Approval is on condition that the exterior lighting be full-cut off/wall mounted only as shown on the plan, and a performance guarantee in the amount of $600 be submitted prior to issuance of a zoning permit, also, the Planning Commission waives the requirement for a Michigan Registered Professional. The motion was supported by Alexander and passed on the following roll-call vote: Yes: Eby, Neal, Drier, Scott, Laughbaum, MacInnis, Alexander. No: None: Absent: Urman, Scheel.
6. Case PSPR18-008  Elaine Keiser for David McBride, SITE PLAN REVIEW-Amendment, 2125 Harbor-Petoskey Rd, Section 27, Bear Creek Township

Legal Notice: A request by Elaine Keiser Architect, Inc for David McBride for a Site Plan Review amendment at 2125 Harbor Petoskey Rd. in Section 27 of Bear Creek Township. The property is zoned R-2 General Residential and is tax parcel 24-01-16-27-200-046. The request is to add a 715 sq. ft. addition to an office building per Articles 5 and 20 of the Zoning Ordinance.

Packet Items: Request & location map, application, impact statement, site plan review checklist, zoning evaluation, 6/11/18 site plan

Doernenburg presented this case. The property is zoned R-2 and is 0.49 acres in area. A Special Use Permit was approved in 1990 for administrative offices. The proposal is for an office addition to the north side of the building. The site plan was shown. The setback standards and height standards are met. The site is adjacent to approved office and residential uses. The access is existing and is a shared drive with the offices to the east. Doernenburg noted that most of the area along Harbor-Petoskey Road is converting into offices or commercial uses. Parking requirements are met. Stormwater will be retained through the existing system and the soils are sandy. Photos of the property were shown. There is an existing dumpster on site which is located in a wooded area of the property and would have met standards when it was approved originally. Additional screening is proposed. No Health Department review is necessary and no outdoor lighting is proposed.

Elaine Keiser, applicant, stated that this is a really simple, nice addition to the building and she has designed it to be compatible with existing rooflines and setbacks. They are just looking to get a bit more office space for him.

MacInnis stated that McBride Construction is doing some work on his house and he knows him. He didn’t negotiate the contract with him and does not feel that his project is a major part of his business and doesn’t feel like he has a conflict but wanted it on the record. Eby asked if anyone had an objection to MacInnis continuing with this case. There were no objections.

There was no public comment on this case.

Scott made a motion to approve Case #PSPR18-008, Elaine Keiser Architect, Inc. for David McBride for Site Plan Review – amendment for an office building addition on property located at 2125 Harbor-Petoskey Road, Section 27, Bear Creek Township, tax parcel 24-01-16-27-200-046, as shown on the site plan dated Received Jun 11, 2018. Approval is based on the facts presented in this case and because the standards of Articles 5, 19 and 20 and Sections 22.00 and 22.02 of the Zoning Ordinance have been met and because the township recommended approval. The motion was supported by Neal and passed on the following roll-call vote: Yes: Eby, Neal, Drier, Scott, Laughbaum, MacInnis, Alexander. No: None: Absent: Urman, Scheel.

IV Public Comments:

V Other Business:

1. Enforcement Report- Distributed; no discussion.
2. Accessory Buildings- Doernenburg put together a list of the accessory buildings reviewed by either the Planning Commission or ZBA since 2002. Fifty-nine reviews were held. Thirty-three of those were in residential zoning districts and 31 of the 33 were approved. 26 were in FF zoned districts and 23 of 26 were approved. All denials in that district were by the ZBA.
When the Planning Commission reviewed these cases there was language in the Zoning Ordinance which allowed the Planning Commission to allow exceptions when the applicant could show that no good purpose would be served by strict compliance with the ordinance; perhaps this could be used as the criteria for review. The other options are to modify the size maximums of the buildings or to change the ZBA review language. She went over some of the historical information on our ordinance size standards and also some other communities and counties. Some are based on property size, some have no size standards. After discussion, it was decided that this should be brought to Civil Counsel for review as to what options would be acceptable.

3. **Wineries:** No new information

4. **Bear Creek Township Access Management Plan:** Doernenburg stated that in February, Bear Creek Township held a public hearing and adopted an access management plan. We reviewed a similar plan two years ago but this one is more conceptual and includes both county and state roads within Bear Creek Township. If interested, a public hearing should be held to discuss adopting this as a guiding document. This is a common practice supported by both the Road Commission and MDOT as a way to increase carrying capacity on existing roads. After discussion, it was decided to move forward with a public hearing on adoption of the Bear Creek Township Access Management Plan.

**VI Adjournment**

There being no other business Eby called the meeting adjourned at 9:21 p.m.