

PLANNING COMMISSION MINUTES

DATE: May 5, 2014

CALL TO ORDER: Chairman Steve Ryder called the meeting to order 7:00 PM.

ROLL CALL: Members present –Laurie Hodack, Mike Skop, Mark Felton, and Marie Kelenske,

Also Present: Township Supervisor Sue Hobbs, Edward Kelenske, Neil Gerred, Robbie Gerred, Charles Philliben, Scott Morin and family, Steve Matthews, Walt Coyle, and John DiMartino

APPROVAL OF MINUTES:

Motion by Steve Ryder seconded by Mike Skop to approve the minutes of April 7, 2014. All Ayes, Motion Carried.

PUBLIC HEARING

Steve Ryder opened the public hearing for the Boyne USA Site Plan review for the soccer & lacrosse fields, property numbers 15-002-009-021-00, 15-002-009-025-00, 15-002-016-001-00, 15-002-016-006-00, 15-002-016-010-00 & 15-002-006-003-00 at 7:05.

Steve reminded the audience that the decision of the zoning ordinance is based on fact. The rezone of the property was approved at the April 7th Planning Board meeting and the Township Board will vote on the change at the May 12th meeting. Final site plan approval will be discussed at the June 2nd, 2014 Planning Board meeting.

Section 8.4, C-1, Article D, area regulation side yard requires a “side yard setback of fifty (50) feet where the side of a lot in C-1 Zoning district abuts a lot in any residential district in which case a fifty (50) foot side yard shall be required and maintained.” The current setback on the plan is fifteen (15) feet in one area. Even adjacent to a commercial activity, ordinance requirements are thirty five (35) foot side yard. With traffic volume, noise from the athletic fields, as well as traffic on the road and potential dust, would have an adverse impact the neighboring houses. Speaking with Steve Matthews he has agreed to move the entire project another fifty (50) feet to the east. This will provide a setback of sixty five (65) feet to the closest western property line.

Without drawings for the concession/restroom building, nor information on field and driveway lighting must have approval by the Zoning Administrator, Health Department and County Building Department approval before construction.

All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and

size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in the Ordinance.

The landscape shall be preserved in its natural state. Special attention shall be given to proper site drainage so that removal of storm water will not adversely affect neighboring properties. Run-off from such sites must run through detention and settling basins before being discharged off site. Such basins shall have the storage capacity to handle all stormwater runoff from a three and one half (3.5) inch in a twenty-four (24) hour period rainfall event.

All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.

Every structure or dwelling unit shall have access to a public street; walkway or other area dedicated to common use.

All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six feet in height.

Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets nor add to the visual light pollution of adjacent properties.

All utility (power, telephone, water, gas, and cable TV) serving these parcels shall be placed underground.

PUBLIC COMMENTS

Scott Morin asked Steve Matthews to construct a one hundred foot (100) privacy fence. Steve suggested a tree buffer or privacy fence that Morin can put in on the Boyne USA property if he wanted at his expense. No privacy fence or tree buffer will be constructed by Boyne USA. Sue Hobbs said that if Morin wants to construct a fence it cannot be over six (6) feet tall in the side yard or back yard. Mike Skop asked Steve Matthews what the setback would be at the side of Morin house and the amount would be one hundred (100) to one hundred fifty (150) feet.

The township has no noise ordinance at this time.

Public Hearing closed at 7:45 pm

BOYNE VALLEY TOWNSHIP

DEVELOPMENT SITE PLAN REVIEW STANDARDS

FINDINGS OF FACT

Article V Section 5.4 Standards for Granting Site Plan Approval

In order that buildings, open space and landscaping will be in harmony with other structures and improvements in the area, and to ensure that no undesirable health, safety, noise and traffic conditions will result from the development, the Planning Commission shall determine whether or not the development plan meets the following criteria, unless the Planning Commission determines that one or more of such criteria are inapplicable:

ORDINANCE REQUIREMENT	STATUS	FINDINGS
<p><u>1. General.</u> All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.</p>	<p>Means this site plan meets requirements beyond zoning from 50-65 feet</p>	<p>Does meet requirements</p>
<p><u>2. Landscape.</u> The landscape shall be preserved in its natural state.</p>	<p>Boyne USA will move road to preserve the older and larger trees</p>	<p>Meets requirements</p>
<p><u>3. Stormwater.</u> Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties. Run-off from such sites must run through detention and settling basins before being discharged off site. Such basins shall</p>	<p>Pond on plan not for run off for irrigation purpose only. No hard surface in plan all sandy soil. If needed in the future will grade to back of property toward river.</p>	<p>Meets requirements</p>

<p>have the storage capacity to handle all storm water runoff from a three and one half (3.5) inch in a twenty-four (24) hour period rainfall event.</p>		
<p><u>4. Emergency vehicle access.</u> All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.</p>	<p>Will be accessible to all vehicles</p>	<p>Meets requirements</p>
<p><u>5. Sidewalks, Pedestrian and Bicycle Circulation.</u> Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.</p>		<p>Meets requirements</p>
<p><u>6. Loading.</u> All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six feet in height.</p>	<p>Park type garbage cans will be used and will be taken to the Resort for disposal.</p>	<p>Meets requirements</p>
<p><u>7. Lighting.</u> Exterior lighting shall be arranged so that it is directed away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Nor add to the visual light pollution of adjacent properties.</p>	<p>No lighting on fields just the pathway.</p>	<p>Meets requirements</p>
<p><u>8. Utilities</u> All utility lines (power, telephone, water, gas, and cable TV) serving these parcels shall be placed underground.</p>		<p>Meets requirements</p>

<p><u>9. Vehicular and Pedestrian Traffic</u></p> <p>The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in this ordinance.</p>	<p>Private roads any entry will be dictated by MDOT when the roads or driveway comes off a State Highway M75. This will be only a seasonal driveway or road.</p>	<p>It was suggested that a gate be constructed when the fields are not in use.</p>
<p><u>10. Street and Roads</u> All streets shall be developed in accordance with this Ordinance or the County Road Commission specifications.</p>	<p>Will have to be developed by MDOT</p>	
<p><u>11. Other Permits.</u> Site plans shall conform to all applicable requirements of Township, County, State, and Federal statues and approval shall be conditioned on the applicant receiving all necessary permits before final site plan approval.</p>	<p>Will be required as needed</p>	
<p><u>12 Approval Process.</u> The development plan shall be reviewed by the Planning Commission. If disapproval is recommended, the Planning Commission shall cite reasons for such disapproval. If the Planning Commission finds a development plan not in conformity with this section, it may, at its discretion, return the development plan to the applicant with a written statement of the modifications necessary to obtain approval. Upon resubmission of the modified development plan, the Planning Commission shall review the plan. The Board may approve, disapprove</p>	<p>Any signage will have to be approved by the Planning Board.</p>	

<p>or approve subject to compliance with such modifications and conditions as may be deemed necessary to carry out the purpose of this Ordinance and other ordinances and resolutions of the Township. If disapproved, the Planning Commission shall cite reasons for such disapproval.</p>		
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A motion by Mike Skop to approve a preliminary approval for the site plan with amendments to include moving the entire project fifty (50) additional feet from the western lot line. Make sure there is dust control, being the road and parking area is not paved and that the Health Department requirements are also met. If lighting is installed and buildings are constructed in the future, this will have to be approved by the Zoning Commission to make sure that it meets zoning requirements, seconded by Mark Felton. All in favor. Motion passed.

PUBLIC HEARING

Steve Ryder opened the public hearing for the Bea Grody & Tony Napont Home Occupation Site Plan review at 8:05.

The purpose of the Home Occupation Permit would be for a Beauty Salon. The property is zoned RR1, and a Special Land uses is allowed for home occupations.

The Planning Commission shall review the proposed use in terms of the standards stated within this Ordinance and shall find adequate evidence based on the following:

- A. Will be designed and maintained so as to be harmonious with the existing character of the general vicinity.
- B. Will not be hazardous or disturbing to existing or future nearby uses.
- C. Will be equal to or an improvement in relation to property and to the township as a whole. Township always wants businesses to locate in the township.
- D. Will be served adequately by essential public service and facilities or the persons responsible for the establishment of the proposed use will adequately provide for any such service or facility. Grass will be mowed, snow cleared, and a sign will be kept up.
- E. Will not create additional public costs and will not be detrimental to the economic welfare of the township.
- F. Will be consistent with the intent and purposes of this Ordinance.

There are other people in the area doing this type of Home Occupation and is not out of the norm.

Mark Felton asked if someone wants to add employees what the Ordinance requirements would be. It was stated that only one other person could be added.

Mike Skop asked if the house sold to another person would the Home Occupation go with the house. It would not if another person wanted to have another home occupation in the residence they would have to reapply.

BOYNE VALLEY TOWNSHIP

DEVELOPMENT SITE PLAN REVIEW STANDARDS

FINDINGS OF FACT

Article V Section 5.4 Standards for Granting Site Plan Approval		
<p>In order that buildings, open space and landscaping will be in harmony with other structures and improvements in the area, and to ensure that no undesirable health, safety, noise and traffic conditions will result from the development, the Planning Commission shall determine whether or not the development plan meets the following criteria, unless the Planning Commission determines that one or more of such criteria are inapplicable:</p>		
ORDINANCE REQUIREMENT	STATUS	FINDINGS
<p><u>1. General.</u> All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.</p>		Does meet requirements
<p><u>2. Landscape.</u> The landscape shall be preserved in its natural state.</p>		Meets requirements

<p><u>3. Stormwater.</u> Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties. Run-off from such sites must run through detention and settling basins before being discharged off site. Such basins shall have the storage capacity to handle all storm water runoff from a three and one half (3.5) inch in a twenty-four (24) hour period rainfall event.</p>	<p>Reconstruction of Dam Road will take care of water</p>	
<p><u>4. Emergency vehicle access.</u> All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.</p>	<p>Will be accessible to all vehicles</p>	<p>Meets requirements</p>
<p><u>5. Sidewalks, Pedestrian and Bicycle Circulation.</u> Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.</p>		<p>Meets requirements</p>
<p><u>6. Loading.</u> All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six feet in height.</p>		<p>Meets requirements</p>
<p><u>7. Lighting.</u> Exterior lighting shall be arranged so that it is directed away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Nor add to the visual light pollution of adjacent properties.</p>		<p>Meets requirements</p>

<p><u>8. Utilities</u> All utility lines (power, telephone, water, gas, and cable TV) serving these parcels shall be placed underground.</p>		<p>Meets requirements</p>
<p><u>9. Vehicular and Pedestrian Traffic</u></p> <p>The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in this ordinance.</p>		<p>Meets requirements</p>
<p><u>10. Street and Roads</u> All streets shall be developed in accordance with this Ordinance or the County Road Commission specifications.</p>		<p>N/A</p>
<p><u>11. Other Permits.</u> Site plans shall conform to all applicable requirements of Township, County, State, and Federal statues and approval shall be conditioned on the applicant receiving all necessary permits before final site plan approval.</p>		<p>All State licenses and Health Department licenses will be attained.</p>
<p><u>12 Approval Process.</u> The development plan shall be reviewed by the Planning Commission. If disapproval is recommended, the Planning Commission shall cite reasons for such disapproval. If the Planning Commission finds a development plan not in conformity with this section, it may, at its discretion, return the development plan to the applicant with a written statement of the modifications</p>		<p>Paper work all in place for the requirements.</p>

<p>necessary to obtain approval. Upon resubmission of the modified development plan, the Planning Commission shall review the plan. The Board may approve, disapprove or approve subject to compliance with such modifications and conditions as may be deemed necessary to carry out the purpose of this Ordinance and other ordinances and resolutions of the Township. If disapproved, the Planning Commission shall cite reasons for such disapproval.</p>		
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Motion by Marie Kelenske to approve the Site Plan for the Home Occupation of Bea Grody and Tony Napont, Seconded by Mike Skop. Motion passed

OLD BUSINESS:

Boyne Valley Master Plan update: We received a \$5,000.00 Grant from the Charlevoix County Community Foundation. We will be updating our Master Plan this has not been done since 1974. Mary Campbell will be working on the Master Plan along with the Planning Commission and Recreation Board. We will be having Public Meetings to help with the input. Will be having on a web site also.

Next meeting: June 2nd at 7:00 p.m.

Motion by Steve Ryder seconded by Marie Kelenske to adjourn.

Meeting adjourned at 8:45 pm

Submitted by Marie Kelenske, Planning Board Secretary