



DRAFT UNAPPROVED

ACME TOWNSHIP PLANNING COMMISSION MEETING

SPECIAL MEETING

Acme Township Hall

6042 Acme Road, Williamsburg, Michigan

7:00 p.m. Monday, November 16, 2009

Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.

Members present: M. Vermetten (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, D. Krause, D. White, P. Yamaguchi, J. Zollinger

Members excused: None

Staff Present: J. Hull, Zoning Administrator
S. Vreeland, Township Manager/Recording Secretary

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

APPROVAL OF AGENDA: Motion by Carstens, support by Yamaguchi to approve the agenda as presented. Motion carried unanimously.

1. **Limited Public Comment:** None
2. **Approval of the October 19, 2009, Minutes from the Special Planning Commission Meeting:**

Motion by Carstens, support by White to approve the minutes of the October 19, 2009 Planning Commission meeting as presented. Motion carried unanimously.

3. **Old Business:**
 - a) **Bates Neighborhood Center Planning (Meeting #2):** County Planning Director John Sych was again present to facilitate the process, and began with a **PowerPoint presentation**. He began with various definitions of the term “hamlet” which is used to describe the desired character of the Bates area in the Master Plan. Four definitions were cited, ranging from the traditional British meaning through the definition used recently in Charlevoix County, to the meaning currently in New York, and as described in the book Rural By Design by Harold Williams for the Rensselaerville Institute. Sych also mentioned the local New Designs for Growth Guidebook developed by the local Chamber of Commerce to describe best design and development principles.

The historical center of Bates appears to be at the current North Bates/M-72 East intersection. A suitable boundary would be a ¼ to 1/3 mile area in each direction from the center, which would represent a 5-minute walk at an easy pace. Along with the proposed Bates Neighborhood boundary would be a wider “area of influence” which would impact and be impacted by what happens in Bates proper. He displayed an aerial photograph, on which existing structures are clearly visible, with 1,500’ and 2,000’ radii, parcel lines and soils maps overlays.

Sych displayed the current zoning designations of the land within 1/3 mile of the intersection. The map also showed locations of main buildings on several of the parcels of land in the area. Hull developed a census of the existing land uses and buildings within the subject area. There are a total of 58 buildings, about half of which are agricultural or residential and the other half of which are commercial.

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We are seeking to document the history of the area, including older aerial imagery, historic and existing land uses, current demographic data and transportation information.

Sych outlined a proposed planning process that would extend to March 2010. The steps include the preliminary process planning and initial assessment (tonight), a final assessment and development of visions and goals, implementation of recommendations and consideration and potential adoption of a plan.

Zollinger found the current zoning map interesting. While it may reflect the state of things today, he is uncertain it reflects discussion that has occurred about what could or should be. He recalls that there was discussion at one time about potential development of housing and light retail uses as part of the Highpointe Golf Course. There is talk of future development at Turtle Creek and perhaps to the east on the "Hoxsie Property" portion of the Resort property.

Yamaguchi approves of the suggested timeline and appreciated the information provided about a potential definition of the Bates area and the term "hamlet." She would like to hear more from Bates-area landowners about what they would like to see in this area in terms of land use. At the last meeting they mostly spoke about traffic issues.

Vermetten also approves of the suggested timeline, which moves the process along quickly. Sych suggested that for the December or next meeting much more information should be available. It might be effective for people to be able to discuss their visions for the area based on the available information and their personal experiences. This visioning process will be a crucial part of the process. The visions elicited can be short-term or long-term in nature.

Rachelle Babcock, 4261 Bartlett Road, asked if any studies have been done on the water quality of Yuba Creek and surrounding marsh areas, and if this will have any impact on what is planned for these areas, particularly the pink development area on the zoning map. Vermetten noted that the pink development area has been studied extensively recently (the property owned by Immanuel LLC and proposed as the Bates Crossings shopping center. Vreeland noted that for years the township has been sampling Yuba and Acme Creeks at 6-7 different points each. To date we have had little success in getting someone to interpret the data for us, but we continue to work towards this. Recently the township received an e-mail from Virginia Tegel with some recent study results. She provided some figures and an assertion that the numbers were indicating a decrease in water quality, but no detailed information about it. The township's water quality testing data extends at least sporadically back to 2002 or 2003.

Krause believes that several key questions related to this process are: whether and when there will be a traffic light at the center of Bates, whether and when North Bates Road will be realigned, and two challenges are that the north and south halves of the area are separated by a high-speed highway.

Denny Hoxsie, 6578 M-72 East opined that another key factor is the routing of the power lines in the area, particularly the new high-voltage power lines being installed. The alignment of these should be part of the initial fact-gathering.

Ken Engle, 8433 Bates Road, feels that how Bates Road is managed is critical, It can be either an opportunity to calm traffic and divert it from the heart of farmland preservation area, or we can fail to do this and create potential difficulties for the farmland area. The way this is managed could sincerely change the character of Bates itself. Mr. Engle was at a meeting last week about farmland preservation and reflected that in the past the township may have often fallen into a trap of zoning land agricultural until we figure out something else to do with it. Now that we have a concerted farmland preservation program, we should think of something

else to do with miscellaneous non-producing, non-developed lands.

Andy Andres, Jr., 1107 Barlow Street in Traverse City, believes that perhaps public comment is slow because the public is waiting to see what the Planning Commission decides should be put into the Master Plan. He recalls that during the Future Land Use Map (FLUM) creation process people had the opportunity to use maps and sets of base information to draw their ideas out on blank maps and have more discussion to sift things down to one final consensus map. Vermetten agreed that at this stage we are “planning the plan.” He doesn’t know whether this exercise will lead to potential changes to zoning designations – this was not his original vision but it could happen. Mr. Andres believes that without a list of “givens” and a clear sense of direction, it is hard for people to begin dreaming. Sych agrees that the next step is to have the basic assessment information prepared as a basis for the public visioning. He hopes that the visioning session will be held with the room arranged in a less formal way (current room arrangement has the Commission at a table facing an audience) where there can be a free exchange of ideas. Vermetten encouraged everyone to review the information prepared by staff for this evening’s meeting as a starting point.

There was some discussion about whether the potential realignment of North Bates Road will cause the perceived center of Bates to be moved with the Bates/M-72 intersection or not. Some think it might move west about 700’ with the intersection. Mr. Andres proposed that it could move east with the potential higher level of development at Turtle Creek.

David stated a recollection that this process started in part due to an awareness of increasing development pressures in the general Bates area, and the existing level of development that is there already. He feels that the effort should be focused on the development that exists there today and potential future development, particularly commercial, that could accompany an intersection realignment.

Hardin noted that the plan could study not the “Bates Neighborhood” itself but also the broader areas of influence further from the center of Bates. Whatever happens with the proposed road realignment, he sees no reason why the centerpoint could not continue to be seen as the current intersection of North Bates and M-72. To him a bigger concern is that the areas north and south of M-72 seem entirely unrelated to one another currently. Now may be a perfect time to somehow integrate the two rather than having them continue to function separately.

Krause noted that we are not starting with a blank slate. There are some open areas, but right now they are largely non-contiguous. Another question he has is how the existing North Bates Road just north of M-72 will be accessed if the road is realigned and this intersection is closed? There are few open areas left in Bates, in his opinion, to be planned for, and he is uncertain that we can create a cohesive neighborhood plan.

Sych stated that the rationale behind the historic center was the need to create a center for a study area. So much is happening along the M-72 corridor that it would be easy to become distracted and broaden focus beyond a reasonable limit.

Mr. Engle has heard concern from residents of Bates who were present when M-72 was widened and experienced the impact of this on their neighborhood. Changing roads can change a lot. He disagrees with the idea that the road realignment shouldn’t be discussed because he believes that it is the key to economic development in the area. The design, use and zoning around the road will truly decide what Bates becomes.

Art Hughes, 3159 Scenic Hills Drive and developer of the Railway Industrial Park, stated that Acme Township made a decision a long time ago to place all of its B-4 Industrial Zoning in

the Bates area. He does not see this existing zoning changing.

Dave Wylie, 6699 Bates Road asked if there has been any discussion about what Consumers Energy would like to do. Vreeland stated that in meetings about the road realignment they indicated that they never needed so much land for their substation, but had to purchase the whole property. They indicated a desire to resell it for commercial development. She senses that they would sell it in pieces or in whole for others to develop rather than developing it themselves. She told them that the land is currently zoned agricultural, and Bill Carlson from Consumers indicated that he wouldn't mind having some general idea how a rezoning request would be received. Mr. Wylie stated that originally when he sold the property he was given a certain amount of time to vacate the property, he was more recently approached about potentially vacating early. This gives him a sense that perhaps they have some firmer plans or immediate opportunities for the property than they have yet disclosed.

Hardin noted that one of the points of this process is to make some of these decisions and determine what this area will ultimately become. Carstens stated that the current dictates of the Master Plan should also retain a large place in the development of the neighborhood plan. The potential impacts on the farmland areas to the north must be carefully considered.

Mr. Hoxsie stated that another key factor may be the Village at Grand Traverse. In the early 2000's when the plan was originally proposed, the town center was supposed to be a receiving area for all commercial development in the township; that commercial development in the future should be confined to a town center and not created elsewhere. Krause believes that the Bates neighborhood should contain small neighborhood shops and eateries geared towards nearby housing and not as a shopping destination for a broader area. Vreeland noted that while there may be a vision of concentrating most or all new commercial development in a town center area, the township has never done anything to rescind commercial zoning designations elsewhere in the township. We still have Acme Village, with 145 remaining acres approved for a mix of commercial and residential development. She is aware of nothing that would permit the township to deny commercial development out-of-hand if outside of the town center area. Carstens noted that while this is true, the township is likewise not compelled to create additional commercial zoning outside of the town center area either.

Zollinger stated that we have not heard enough from the people who live in Bates yet about what they would like or not like to see in this area. Vermetten noted that one Bates resident spoke passionately towards slowing down any process that would potentially damage the viability of their residential neighborhood. Mr. Hoxsie responded that he thought this evening was about planning the process and not planning the details of the plan. Zollinger feels he could use a little more input to even know if the proposed plan is appropriate, or if the exercise is truly necessary.

Mr. Wylie stated that there are 13 residences in the core of Bates, and that at least 4 of them are vacant or not in use as residences at this time. Sych observed that surveying the residents is part of the process of gathering the background demographic data mentioned earlier. Hull extended this to surveying the existing businesses as well.

Ms. Babcock stated that the Master Plan discusses a desire to limit sprawl and using a town center to set boundaries for the expansion of highly developed areas. She recalls that the Master Plan discusses future development in Bates as for localized convenience and remaining minimal.

Chuck Walter, 6584 Bates Road, stated that there is no "tight" community in Bates. He has never seen a neighborhood party in that area...at least not one he was invited to. He does not believe it merits future discussion. The key point is the road realignment, which started this

process rolling. There is already a development plan for the industrial park. He would like to see the road realignment proceed.

Mr. Engle stated that few people are truly able to look at a plan on paper and envision what it will truly become in real life. So many things are happening in Bates right now and we don't know what development will be like, or what a road realignment will be like. He didn't know until tonight that power lines were going in. Many people dislike living near power lines. How can we plan for something when so much change is underway? Hardin believes that the staff could come up with two different scenarios, one based on a road realignment and one based on the roads as they are today. Then we would have a working blueprint for either eventuality.

Vermetten believes that proceeding with a landowner survey is a first good step. Perhaps we will learn that there is not an overwhelming cry to create a neighborhood center plan.

Krause is uncertain that the Bates area should be a hamlet. How is it different than any other intersection in the township? Is this an exercise in futility? David believes that the difference is that there was historically a village at Bates. If the township does not plan for this area, the township will need to face future special use permit applications solely based on the existing zoning.

Sych understands that the question of "when is the right time to plan" is difficult, and it seems there is never a perfect time. He does not see this as an attempt to create a hamlet. Many different forces are at work in Bates, so this is an opportune time to assess all of these things and decide what we would prefer as a community rather than just going with what we have in place.

Hull stated that for 30 years one of the most powerful people in New York City was the City Planner. Plans will be upset by what happens in real life, but they are still important. He has a sister who lives in a post-war community with power lines nearby. Every property abutting the power line has a gate that allows them recreational access to the power lines. Some people don't mind living next to them and enjoying the amenities that go along with the challenges.

Vreeland suggested that if the community and the Commission decide that creation of a Bates neighborhood plan is not necessary, then the dictate to do so should be amended out of the Master Plan. However, she also urged the Commission to continue the planning process. How many times in the past has the township received a zoning application, and officials and/or the public have wished that they already had better planning tools in place before it happened? This is our opportunity to have that plan we always wish for in place for the zoning applications that may come in the future. It's also important for when the township wants to take a stand on a regional issue or apply for grant funding – people look at our planning documents to see if our position is supported in them. Vreeland also believes it's important to not assume that creation of a neighborhood plan automatically equals planning for increased development in the area; perhaps a plan will be developed that does not substantially increase the level of proposed development in Bates. Perhaps the few non-contiguous open properties Krause is worried will be difficult to work can be viewed as an opportunity to create a cohesive and positive design for the area – they can become the glue that holds things together.

Vreeland also suggested that rather than plan for Bates two ways, with and without a Bates Road realignment, that the Commission should choose one scenario or the other to advocate and plan around that one. She believes Mr. Engle makes a good point that whatever happens right at the Bates/M-72 intersection with increasing development on the eastern side of the township our north/south traffic patterns will be changing and we should be planning how to

manage them for the benefit of our protected and most active farmland and manage traffic further north. He also makes a good point that the other lights planned along the M-72 corridor at Lautner Road, Turtle Creek and Elk Lake Road should have positive impacts on traffic elsewhere along the corridor. A few months ago the township held a public meeting to inform all Bates area landowners about the conversation a few had been having with the township and the road authorities about the proposed realignment. As part of that meeting Sych asked for a show of hands to gauge support for various realignment scenarios (the working plan was subsequently adjusted in keeping with input received), and when he asked how many people present supported some sort of realignment over doing nothing at all 100% of those present raised their hands. Planning is largely about having a vision and goals for the future. Sometimes that vision ultimately becomes reality, and sometimes it does not, but having the vision in place makes it more likely it will be achieved. In summary, she would suggest creating one plan based on one assumption and public support for Bates rather than two, and working hard to try to make that plan a reality. Hull agreed with Vreeland that the Commission should either create a neighborhood plan for Bates or remove the call to do so from the Master Plan.

Mr. Engle stated that perhaps we should be planning for traffic signals at Elk Lake Road, Turtle Creek and Lautner Roads, but not at Bates Road. Perhaps those other signals will calm and time traffic at Bates well enough to manage the situation.

Mr. Wylie asked if it is a “done deal” that North Bates will be realigned. Vermetten suspects that it is more likely than not that the realignment will occur. Mr. Wylie stated that perhaps the road is all that would change. Vermetten noted that something may change with the Highpointe Property and with the land at Turtle Creek. Zollinger observed that a survey is a good way to get input from people who may not be inclined to come to the meetings. Feringa observed that it is also a good way get important base data and to educate the public about things they may not currently be aware such as the coming new power lines. David would particularly like to see the new rights of way defined, and White would like to see the data on the location of the new power lines.

Vermetten suggested setting another special meeting for this issue for December 14. This would allow sufficient time for surveying and other data gathering to occur, and for everyone on the commission and public to receive copies of the data generated to review in advance. Then everyone can be better prepared for active visioning at a meeting in January. Sych suggested that they could plan to present the gathered assessment information at the December 21 regular meeting to keep the process moving.

Vermetten thanked everyone for their input this evening.

Mr. Engle asked when potential road realignment might occur and when new power poles might be going up. Vreeland stated that she had been told that new power poles would begin going up last month; it should be happening any time. Her best estimate for when actual paving of a realigned road might occur would be a year to two years; while things are actively going on at all times it takes a while to perform engineering and gather funds. Mr. Engle asked if it is true that the Road Commission will be paving existing portions of Bates Road in the near future. Vreeland stated that the Road Commission received funds from the Tribe, who received them in turn from the BIA, to pave Lautner and Bates Roads from M-72 to Brackett Road. Lautner has been done, but they are holding off on Bates pending the outcome of the realignment project.

4. Public Comment/ Any other Business that may come before the Commission: None

Meeting adjourned at 8:43 p.m.