



**ACME TOWNSHIP REGULAR BOARD MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**Tuesday, May 12, 2009 6:30 P.M.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE AT 6:30 p.m.**

**Members present:** D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama (7:00 p.m.), L. Wikle, F. Zarafonitis

**Members excused:** None

**Staff present:** S. Vreeland, Township Manager/Recording Secretary  
C. Bzdok, Legal Counsel  
T. Henkel, Parks & Maintenance Supervisor

- A. STUDY SESSION: Invasive Phragmites – Ellen Kohler, Policy Specialist - The Watershed Center:** Ms. Kohler began with a 10-minute video presentation. This European Reed spreads rapidly and is difficult to remove. Broken ends are extremely sharp, and the plant has no nutritional value to wildlife. It is too dense to provide good wildlife habitat. It forces other plant species, and wildlife that depends on it, out. It overtakes fish habitat. Where phragmites is just beginning to take hold, remediation can occur.

The plant is a giant grass with broad leaves (up to 1" wide) with a large silvery plume. In winter they look like thin canes. Early on it looks like small grass, and near the edges large runners can creep across the ground, expanding 60-80' per season. Native phragmites is much shorter. It spreads by rooting as opposed to seeding, and even small portions of plant can grow into large stands. It also spreads by water, on boats, and through earth moving equipment. It has been purposefully used for duck blinds and erosion control, and to treat sewage sludge.

The video stresses the importance of early community-wide phragmites control. Mapping infestations can help plan removal. Removing new growth promptly is very important, including every bit of the root system (usually difficult.) Cutting off the seed heads does not help. Cutting spreading runners along the perimeter of an infestation is useful. All parts of the removed plants must be disposed of immediately. It cannot be composted and won't be killed that way – it must be placed in the trash. Larger segments rather than smaller ones can help stop the spread. Sometimes the only answer is chemical use, which must be done carefully. Ordinary Round-up should not be used, and herbicides should be used in the late summer and early fall when they will be carried into the roots as the plant prepares for the fall. Using certified and trained professionals is advisable. Continued vigilance against recurrence is important for several years. Dead thatch should be removed to make room for native species to repopulate the area. One good website for more information is [www.agreatlakesjewel.com](http://www.agreatlakesjewel.com).

There is significant phragmites in the region and in Acme Township, but is not yet out of control. The Watershed Center seeks to protect the integrity of aquatic and terrestrial ecosystems related to the bay. Invasive species such as the zebra mussel and phragmites is the second greatest threat to our water quality. The DNR initiated a stakeholders meeting in October 2008 (conservation districts, conservancies, watershed groups, government agencies, birders, fishers, etc.) The DNR and the Michigan Natural Features Inventory have worked on grant applications. An aerial map of the local phragmites infestation on the bay has been prepared, and is viewed as an optimistic outlook. It seems to rim the majority of bayfront shoreline. On Beaver Island, where 27 acres of infestation existed along 43 miles of shoreline, a township-wide ordinance for coordinated treatment was prepared. This permitted the whole township to apply for DEQ eradication permits for one permit fee, rather than for one fee per landowner. First year treatment costs were \$27,000 for 27 acres, in year 2 they spent \$5,500 to treat 3 acres, and this year expect to have to treat only one acre.

The Watershed Center would like to work with interested governmental units on a coordinated approach to phragmites eradication, including ordinance preparation and DEQ permitting. In other local counties, their Conservation Districts are leading the charge. Ms. Kohler also provided a sample [ordinance from Peaine Township](#) for Acme's review.

Kladder asked where eradication funding could come from; perhaps from some grants the DNR is seeking. Local match would be required. Permit applications are due by August 15, and September is an ideal time of year for chemical eradication measures. Perhaps federal stimulus money could be obtained. The DEQ may provide permits on a township-wide basis, but probably not on a county-wide basis. The permit application can be started while the details of a spraying program are worked out. The herbicide normally used is hand-dabbed onto each plant in smaller stand, but could be broadly sprayed on larger stands, and can kill other plant life. It will always be necessary to be vigilant, but if we can get on top of the problem early the ongoing monitoring should be much easier. On Beaver Island a volunteer group is performing the monitoring. Locally the effort might be combined with monitoring for problems with bird die-offs.

The Watershed Center will also seek to work with the County, MDOT and the state...all bayfront property owners. Kladder noted that there is also phragmites inland in Petobego swamp. The Natural Features Inventory has sought grant funding to survey the true extent of the infestation through our watersheds, as shoreline eradication will be less valuable without broader watershed considerations. Kladder noted that this is the time when the township is preparing our annual budget, and we would need a potential dollar amount to include in our budget as soon as possible. Ms. Kohler observed that the township could seek donations, and she suspects our costs will be much lower than Beaver Island's since we should have less infested acreage.

Henkel has noted phragmites in Bayside Park, but not at Sayler Park. He has not looked along the creek near Bartlett Road, but believes there is some along the creeks. Ms. Kohler suggested budgeting for mailings about a proposed ordinance and eradication methods, perhaps even more than for township-wide control measures. Coordination across jurisdictional boundaries will also be important.

There will be educational sessions June 6 at the Hagerty Center, both morning and evening sessions. Bzdok said that along Lake St. Clair all you see along the shoreline is phragmites, so getting on top of this issue early is critical.

**B. LIMITED PUBLIC COMMENT:**

Rachelle Babcock, Bartlett Road noted earlier today on the agenda this evening that there would be consideration of a rezoning request from Immanuel LLC. The agenda contained a link to a letter dated May 11 from Generations Management regarding their request. She was not previously aware that this issue would be on the agenda again this evening. Because the proposed Bates Crossings project has a large footprint, she hopes that the Board will not make a hasty decision.

Bridget Thuente, 4517 Ground Pine Trail spoke on behalf of the Fix Holiday Road Committee, stated that they have not yet formed a steering committee but are working on one that will represent both East Bay and Acme Townships well. She thanked the township for the work they have done on this issue to date and to prepare for an information meeting held on April 23. Some roads in the Holiday Hills area are over 30 years old and in complete disrepair. Funding is scarce, and the area residents are keenly interested in finding funding to bring the roads back to good condition. Citizens are considering the possibilities for a millage or creation of a special assessment district to fund repairs, and are aware of the need to somehow rank/prioritize road repairs so that funding can be appropriately allocated. The citizens group is asking the Board to adopt a township-wide road repair prioritization list to facilitate the process.

A meeting is coming up at 6:30 on Thursday, May 14 at Mt. Holiday to continue discussions on how to fix the Holiday Hills area roads.

Gene Veliquette, Elk Lake Road in Whitewater Township, hopes that there will not be time of sale septic and well inspection ordinances. He believes the township should focus on “getting back on track.” We have natural gas and oil, wind, and farm crops that make this a great place to live, work and play. He believes the township should not “place road blocks” or hire advisors from Ann Arbor. The Board should take responsibility and “move things along.” He also believes that a candidate for Traverse City Mayor should not represent the township.

Kevin Vann, Generations Management, spoke to the proposed time of sale inspection ordinance. He spoke to this last year in Long Lake Township, where he could well understand concerns about untreated wastes leaching into Long Lake. He hopes that there could be exemptions in such an ordinance for property transfers that are exempted from property transfer taxes; otherwise the expenses would be overly burdensome.

**C. APPROVAL OF AGENDA:**  
**Motion by Dunville, support by Zarafonitis to approve agenda as presented. Motion carried unanimously.**

**D. INQUIRY AS TO CONFLICTS OF INTEREST:** None noted

**E. CONSENT CALENDAR:**  
**Motion by Zarafonitis, support by Takayama to approve the Consent Calendar as presented, including:**

**RECEIVE AND FILE:**

1. **Treasurer’s Report** as of **03/23/09**
2. **Clerk’s Report as of 05/05/09**
3. Draft Unapproved Meeting Minutes:
  - a. GT County Road Commission **03/11/09**
  - b. Planning Commission **04/27/09**
  - c. **Shoreline Advisory 04/29/09**
  - d. Metro Emergency Services Newsletter **April 15, 2009**

**ACTION – Consider approval:**

4. **Township Board meeting minutes of 04/07/09**
5. **Accounts Payable** of \$980,211.59 through 05/05/09
6. **Grand Traverse Veterans Council July 4<sup>th</sup> Fireworks Contribution**
7. **Six month extension of current assessing contract**
8. **Railroad Land Rental Agreement for 2003 Sewer Bypass Line**

**Motion carried by unanimous roll call vote**

**F. SPECIAL PRESENTATIONS:** None

**G. REPORTS:**

1. **Sheriff’s Deputy** – **Mike Matteucci:** Deputy Matteucci verbally presented the April 2009 calls for service statistics. There were 238 total complaints, including 21 criminal complaints. Hardin asked if there is any information about the recent van theft from the Bayview Inn; some additional evidence is being examined and interviews completed. Kladder asked a trend line report could be prepared to see if certain types of activities are increasing; Deputy Matteucci will work on this.
2. **County Commissioner’s Report – Larry Inman:** Regarding a possible time of sale well/septic inspection ordinance, the County is currently in an investigative phase on this issue. They are reviewing the Long Lake Township ordinance, as well as the actual

experience of several other municipalities that have adopted such ordinance. Local Realtors are not very enthusiastic about the program, expressing particular concerns about winter property sales and inspections and whether it's necessary if there has been a fairly recent inspection or the property is a new home. There will be a June 18 joint County/Township/City meeting at 9:00 a.m. at the Civic Center; he expects the potential ORV ordinance to be discussed at this time as well. Questions are how the cost of signage related to such County and/or township ordinances would be handled, and handling costs for repair to road shoulders if they are damaged by ORV use. The County is discussing changes to the septage facility rate structure. Several townships are asking the County to assume ownership and responsibility for the septage plant. Neither the question of the County loan to the five townships that currently own the plan nor any guarantees have been resolved. Upcoming issues also include a millage renewal and increase for senior services and potentially having the County assume responsibility for the Senior Center from the City. There will be a June 18 meeting at 6:00 p.m. to discuss the landfill surcharge and discuss alternatives. The surcharge expires at the end of the calendar year and impacts the recycling drop-off site funding. Some feel it is unfair that commercial operations are charged but may not use the sites. Earlier this year the County invited the public to help with the strategic planning process for 2009-12. 1,000 strategic plan reports will be printed for distribution throughout the county and it will be available on-line as well. Many townships and Fife Lake Village have expressed a desire to at least partially emulate the County's plan in their strategic planning process and reporting.

3. **Parks and Maintenance** – **Tom Henkel**: The township parks should be open next week. The new Sayler Park playground equipment should be installed next week as well.

#### H. **CORRESPONDENCE:**

1. **05/05/09 Letter from the Fix Holiday Road Committee**: Kladder asked Vreeland for thoughts on how a road ranking such as the one requested might be composed. She replied that she has obtained the Road Commission road condition database in spreadsheet form, and can re-sort and manipulate it by road condition or by road name. Her initial tendency would be to rank the roads for repair from worst rating to best rating. Then she would further refine the model to promote what could be thought of as primary collector roads, such as Holiday and Bunker Hill Roads which gather traffic from neighborhood roads to the top of the lists. Roads that could be seen as secondary collector roads that are needed by many neighborhood roads to reach the primary collector roads could also be promoted to a secondary position on the list. Examples of secondary collector roads might be Greenwood and Bartlett.

Kladder asked why the ranking might be sought. Renee Kaufman, 3452 Autumn Leaf, stated that one funding option might be township-wide road repair millages in Acme and East Bay Townships. Special Assessment Districts (SADs) are another option, particularly if a group of roads can be created under one SAD to spread costs more broadly. Either way, as a citizen group they would need to see Holiday Road high on the priority list on each township before they could put their support behind one or both of these funding options. Kladder noted that residents of other areas of the township would favor their areas before Holiday Hills. Ms. Kaufman supports the idea of identifying key collector roads in the township that gather traffic from other subdivision roads and funnel it to the main arterials. Holiday Road would be one such road. Mt. Holiday recreational area is also located on Holiday Road and is a major community resource and benefit. It's not just a residential road; there is a major destination that draws people from the area as well. They believe that the road conditions are deterring home sales and lowering property values. The group was at the East Bay Township meeting last night, and the same type of ranking system based on the Road Commission road condition ratings (PASER) combined with prioritization by the character of road usage was discussed.

Kladder wonders about the impact of a road ranking on the likelihood of a road repair millage being adopted. Kay Lassila, 3654 Village Circle, believes that if the township leadership lays

out a goal for road repairs for the next five years, it will help people evaluate whether they would vote for a millage. It is not realistic to think that a millage can be adopted that will repair all of our roads in the short-term future. Other possible funding sources are being examined as well. Kladder asked if a simple statement of several top priority roads, vs. a township-wide ranking might suffice for the purpose without being overly time-intensive. Ms. Lassila believes that the more detailed the report, the more favorable the outcome. Scott addressed concerns about the outcome if a millage were approved in one township but not the other.

Garfield Township representatives talked to the citizen group about creating a revolving fund for road improvements funded by a permanent road millage. Hardin liked this idea as a way to perpetually improve and maintain the roads. He likes the idea of the whole community pitching in to improve the infrastructure of the whole community.

Kladder is concerned that becoming too specific about road ranking too soon could actually work against passage of a millage rather than for it. He is concerned about all of the roads in the community. He recommended pursuing a more general statement about how the policy would be formulated and that he could speak further with East Bay Township Supervisor Glen Lile on this matter.

Takayama supports the idea that the roads need to be repaired. He finds it interesting that we are always looking at these issues from the perspective of hindsight. He recalls becoming lost in Holiday Hills amongst houses he was surprised were built. Perhaps the community should make developers expanding their subdivisions contribute financially to the repair and upgrade of infrastructure to support the new development. One key reason that the approval process for Lautner Commons was so long was the close examination of the traffic impact studies. The Board is doing its best to anticipate the problems during the development approval process.

2. **05/08/09 e-mail from Concerned Citizens of Acme Township regarding deep injection well zoning regulations:** Kladder noted that on May 19 there will be a public hearing regarding two deep injection well applications pending before the EPA. One would be a new Class 2 well in Acme Township for disposal of oil and gas exploration brine wastewater; the other would be a change from Class 2 to Class 1 of an existing well in Whitewater Township, which would permit disposal of fruit processing wastewater as well. Many concerned parties have asked the township to take a position on this issue as being important to public health, safety and welfare. The township is eager to learn more about this issue at the public hearing and informational session. Our current understanding is that there is little the township is empowered to do from a regulatory standpoint on this issue. Ms. Babcock reported that there will be an informal informational session between 5-7 p.m., with one public hearing from 7-8 p.m. and the other from 8-9 p.m. She is concerned that liquid cement kiln waste could be placed in the Class 1 well. The hearings will be held at Mill Creek School. Each person will be allowed to comment for 3 minutes only; to ensure being on the record the handing in of written statements is recommended. Bzdok stated that there is no specific case law regarding the ability to regulate this land use through zoning ordinances – it is a grey area at best. He believes that learning more at the public session is a good strategy, and would like the Board to know that if it seeks to pursue ordinances that it may be an interesting course of action to take. Zarafonitis asked if there are any known deep injection well contamination issues; Ms. Babcock is researching a potential situation in Kankaska County. She states that there are deeper dormant deep injection wells in Whitewater Township that could perhaps be used instead, although they could be owned by different companies.

Takayama asked why someone would want a deep injection well on their property and if they are profitable. Ms. Babcock believes that oil and gas exploration companies stand to earn the most from such wells by basically entering the waste disposal business. Kladder noted that one question is how the wastewater reaches the site, and how it is handled in transit. Ms.

Babcock believes that there are needed structures and piping that should at least be addressed by the Drain Commissioner. Henkel recalls attending a meeting here where the oil and gas industry experts stated that they pump water underground to fracture the rock formations and push the oil and gas towards the collection point. There was extensive discussion of how this process works at Township Yuba Creek Natural Area steering committee meetings and Board meetings when we were considering requests to lease our mineral rights. Scott noted that reinjection of production brine was discussed, but never the introduction of unrelated wastewaters. Wikle has a neighbor in the oil and gas business, and asked them how it works. One reason the old wells are not reused is that the modern casing systems are not installed, and without appropriate casings and alarm systems huge fines can result. Monitoring is key.

**I. PUBLIC HEARINGS: None**

**J. OLD BUSINESS:**

1. Consider **Zoning Ordinance Amendment request** by Immanuel LLC, seeking to rezone a portion of the south half of a parcel of land on the south side of M-72 East west of the intersection of M-72 E and Bates Road from R-1MH, Mobile Home Park: Kladder noted the public comment and the e-mail from Paul Brink, Winter Road, received today suggesting that any decision on this matter be deferred until such time as the public would be able to review any new information developed. This issue was last discussed by the Board in the late fall, at which time the Board directed Kladder and Hardin to meet with the applicant to see if some common ground could be found.

Mr. Vann stated that they began their application for rezoning in the fall of 2007. Initially they sought to rezone all of their property south of the railroad tracks in Bates from R-1MH to R-3. Exclusionary zoning issues were raised, which the applicant addressed with a request for an amendment to our zoning ordinance language. They subsequently proposed rezoning a portion of the property to R-3 with a portion of unspecified location to remain R-1MH; however, the Board directed that specific locations for zoning designations be provided. The applicant made a proposal, and the Board asked Kladder and Hardin to meet with them to discuss the proposal further.

Between now and last fall the applicant has reviewed various potential development scenarios based on the discussions that were held at the Board's direction. They looked at having a 23-acre R-1MH area, with the remaining 70 acres being R-3. They began considering the possibility of those 70 acres being R-2, or split as 60% R-2 and 40% R-1. Their projections were that this last scenario would result in losses to the company. Part of the issue involves achieving a high enough housing density to offset the cost of road, water and sewer infrastructure. The applicant also reviewed different percentage splits between R-2 and R-1 zoning, and with very minimal R-1 found their economic modeling to predict marginal results at best. They are willing to leaving 23 acres of land zoned R-1MH in a manner that works with the site topography and would protect against exclusionary zoning concerns, with the remaining 70 acres zoned R-2 rather than R-3 out of considerations for concerns expressed by the township about the range of mixed uses that could result under R-3 zoning.

Takayama asked if the modeling took density bonuses for clustered development into consideration; it did. The modeling is dependent upon the engineering assumptions based on the specific site conditions. The applicant projects that with R-2 zoning on 70 acres they could achieve about 250 units of development using density bonuses. Under the R-1MH zoning they could achieve many more units, but would have to sacrifice some creativity in working with the natural characteristics of the land. To the north of the property the zoning is B-3, to the east it is B-4 and A-1, and to the west and south it is R-1.

At the meeting held with the applicants, Vreeland roughly calculated possible housing densities, using clustering regulations with 50% open space as being:

- All 70 acres R-2: 252 units

- 60% R-2 (42 acres) and 40% R-1 (28 acres): 185 units (67 units/27% less)

Kladder's perspective is that the township's primary concern is the health, safety and welfare of the community. The future land use map shows the desired use for this area as rural residential, with lower densities and design characteristics that work with the land. He believes the township should be less concerned with maximizing profit and more concerned with appropriate use of the unique characteristics of the land. Hardin noted that the Planning Commission recommended approval of the R-3 rezoning for all but 15 acres to be left as R-1MH, but never considered the possibility of R-2 instead. He and Kladder were trying to have the site fit with the Master Plan as well as possible, and also provide for a natural progression of land uses that would maximize compatibility with existing surrounding zoning and land uses. With R-2 zoning there is not a possibility of inclusion of a commercial component to the development.

Mr. Vann stated that the applicant is prepared to hear a decision on their official request to rezone the property from 93 acres of R-1MH to 23 acres of R-1MH and 70 acres R-2. Zarafonitis noted that the Planning Commission has not offered an opinion on the revised request from the applicant; Wikle and Dunville believe this should be done. Hardin disagreed, stating that the proposal has changed since being passed along for the 2<sup>nd</sup> or 3<sup>rd</sup> time from the Planning Commission, and that sending it back again would be a wasted process.

Kladder observed that the options available to the Board are to approve the request, deny the request, or defer a decision to a later meeting. To facilitate decision-making, Takayama would like to see a condensed report that includes an enlarged and focused section of the future land use map, as well as a report that compares the options and housing densities side by side. Bzdok stated the ability to present this information this evening if desired. Scott and Dunville feel that the applicant has waited long enough for a decision. Hardin observed that when considering a rezoning request it should not be done in light of any possible or proposed development plan, but rather in light of all the things that could happen on the site and how they fit with existing land uses and the long-term goals of the community. The decision on the rezoning issue should not be based on the potential profitability, number of houses allowed, or prior rezoning. The property could be sold to a different entity that would propose different plans for the land or view the situation in an entirely different way.

When John Iacoangeli reviewed this matter for the township, he recommended denial of the requested rezoning to R-3 because it would be a high density residential use and the master plan calls for low density residential in that area. The applicant asserted that the R-3 density would be a lower form of high density than the R-1MH, and Iacoangeli countered that if the township is being asked for a rezoning it should seek a rezoning that is as compatible as possible with the goals expressed in the Master Plan, and not merely better than what exists today. He agrees with Hardin's statements regarding the township's perspective on rezoning, and he understands the applicant's need to view the rezoning in terms of whether it meets their financial goals.

Scott's concerns with R-3 zoning centered on the possibility of future commercial development on the site, which is eliminated under R-2 zoning. When asked, Bzdok stated that Iacoangeli felt that the minimum viable size for the R-1MH area was 30 acres; he feels at the township attorney that 23 acres is sufficient to resolve exclusionary zoning concerns based on actual examples of existing mobile home park developments of about that size, which are clearly large enough to be viable.

Kladder feels that the rezoning as requested would be contrary to the township's Master Plan. Zarafonitis observed that it could be closer to the Master Plan than the existing zoning. Scott feels that limiting the site to housing rather than potential commercial development is sufficient.

**Motion by Scott, support by Dunville to approve the rezoning request by Immanuel LLC, leaving 23 acres immediately south of the railroad tracks zoned R-1MH and rezoning the remaining 70 acres to R-2. Motion carried by a vote of 4 in favor (Dunville, Scott, Wikle, Zarafonitis) and 3 opposed (Hardin, Kladder, Takayama).**

Bzdok stated that the township needs the applicant's file on the size and viability of the mobile home park. Vreeland asked for the GIS shapefiles for the rezoning, as they would otherwise be difficult to draw on the township zoning map.

2. **Consider recommendation to G.T. County about pursuing a Time of Sale Well and Septic Inspection Ordinance:** A presentation was made on this issue last month.

**Motion by Scott, support by Wikle to adopt Resolution R-2009-08 as presented.**

Kladder suggested a minor modification to the resolution to encourage regular periodic inspections rather than only at time of property transfer, which could be of a varying period. Scott and Wikle believe that perhaps this possibility will be considered as the County studies the issue. Takayama and Zarafonitis agreed with Kladder that the inspections should not be tied to property sale. The last sentence of the resolution could be amended to say "...developing a regular program of septic and water inspection."

**Motion rescinded by Scott, support by Wikle.**

**Motion by Takayama, support by Wikle to adopt Resolution R-2009-08 as amended to read at the end of the last sentence: "...developing a regular program of septic and water inspection." Motion carried by unanimous roll call vote.**

3. **Consider resolution requesting G.T. County to assume responsibility for the Septage Treatment Plant:** East Bay and Garfield Townships have adopted resolutions asking the County to take over the septage treatment plant and all associated obligations. Peninsula, Elmwood and Acme Townships have not acted in this regard yet. At a recent Septage Finance Committee meeting some County representatives present indicated they would consider assuming both the plant and the responsibility for the associated debt incurred by the five townships.

**Motion by Zarafonitis, support by Takayama to adopt Resolution #R-2009-07 as presented. Motion carried by unanimous roll call vote.**

#### **K. NEW BUSINESS:**

1. **Discuss potential County and/or Township ORV ordinance(s):** At the last joint County/townships/City meeting the possibility of a County ORV ordinance was first raised. Kladder is seeking to make the Board aware of the ongoing discussions. Some area township representatives favor allowing ORVs on county roads for economic reasons, some do not. Some support County-based ordinance, and some prefer that the matter be left to local township control. Some local farmers do not support ORV use, and they are specifically allowed to move their farm equipment on the local roads. The DNR has mixed thoughts on the topic. The packet includes a list of roads the County Road Commission has considered exempting from ORV use; they can exempt a maximum of 30% of the total public road miles. The County is seeking input as to additional roads the townships might want to exempt. The Board should further consider whether it wishes to participate or opt-out, and letting the County know how we feel about having County regulation at all. The Sheriff's Department has expressed a preference for one central County ordinance to enforce rather than many potential different ordinances by township to have to learn and enforce. Inman reports that some of the less populated southern townships tend to support ORV use, while the more populated and centralized townships are tending towards opting out.

Scott believes that the township should pursue a course that allows the Sheriff's Department to enforce ORV usage regulations within our boundaries. Many people shared stories of current ORV use on the Bunker Hill portion of the TART, on the VASA, and in other areas where it is not permissible. Henkel uses a township-owned golf cart to move between some of the northern public lands. It is not equipped as required for street-legal use.

The County is seeking input on roads the township would want to close to ORV use under a county-wide ordinance by June 30.

2. **Discuss facilities issues:** Kladder holds quarterly meetings with Paul Soma from TCAPS regarding the status of Bertha Vos Elementary. Mr. Soma has had difficulty attracting interest from potential purchasers because it is seen as somewhat remote. At the last meeting Mr. Soma stated that the school system is interested in selling Bertha Vos. They are required by state law to sell all property at fair market value, so they cannot sell it to the township for \$1 even if that is the price at which they acquired it from us originally. Originally they were seeking \$2 million for Bertha Vos and Norris; at this point Norris is due to be occupied by a human services agency. There has been much public speculation about Acme's interest in Bertha Vos.

The school property has been appraised at about \$500,000. The TCAPS board would like to build synergistic relationships within the community. Kladder is seeking ideas for what the township might do with the property should we acquire it. Remodeling the building for reuse as a township or civic facility could be prohibitively expensive...more costly than constructing a new building. Potential asbestos contamination may make demolition costly. Current carrying costs for the vacant building are about \$40,000/year. After the initial media buzz, few people have contacted Kladder with interest or ideas. He has spoken to some of the Save Bertha Vos Committee to see if they would be interested in pursuing the matter, but nobody has stepped up to date. Scott believes that the people who were involved in the committee believes that TCAPS might be less than fully forthright about the conditions on the site and the appropriate price. He wonders if the independent appraiser looked at potential asbestos and other issues. He would not want anything to do with investigating possible acquisition of the property. Takayama asked if there were deed restrictions on the property when it was originally donated to the township that require it be used as a school; we have a copy of the deed and there were no restrictions placed on it. Zarafonitis believes that the price on the property may be too high. He wonders if it would make good offices, and Dunville wonders if it would make a good community space. Scott and Zarafonitis support at least some basic investigations, but wonder if hazardous materials remediation might cost more than the property is worth. Kladder can ask for a copy of the property appraisal to see what issues it considered. Takayama believes that TCAPS "finds itself in a pickle" and closed the school for reasons that perhaps they have not truly disclosed. He favors letting them retain the property for a while. They put themselves in this position, and the township should "call their bluff." He feels that it was built to be a school and perhaps only another school could truly be interested in it, particularly in this economy. Hardin believes that if the school finds it too difficult to reuse the building, we would too. All the issues we are considering regarding potential adaptive reuse of the Real Estate One building would apply to the former school, and would be magnified by the size and age of the building. Dunville would like to see a community center on the site, even if only the gym is retained and the athletic fields were used. Wikle believes it would be a poor investment at best, and the boiler on site would require specialized care. The roof is leaky too. As a vacant property for a park she'd have more interest, but she believes the building itself is a poor investment. Kladder will see what types of information he can obtain, and may arrange a walk-through of the building for a group of people. Henkel stated that a township near Alden moved its offices into an old school and might be able to provide perspective.

3. **Discuss question from Planning Commission about affordable housing:** Vreeland, Hardin and Jay Zollinger summarized the memo provided and the discussion at the last Planning

Commission meeting. The Commission has been learning about affordable housing and what it would take to promote truly affordable housing development within the township, but concerns were expressed over whether the Board had the political will to support such an initiative in the face of potentially strong community concerns. Takayama feels that shoreline and farmlands are not the places for high density. The success of such initiatives does, in his opinion, call for clustering higher densities of housing in core areas. He supports the initiative, and believes that development guidelines must go hand-in-hand with other regulations to ensure that it is quality affordable housing. He does not believe that mobile homes are affordable housing anymore. Modern affordable housing is a quality small space with shared walls and lower utility costs due to energy efficient construction. He read comments in the Commission meeting minutes about the township being opposed to affordable housing in the form of mobile homes; Takayama believes that the question is different – that it's about quality housing on an affordable scale. Hardin noted that the discussion did not center on mobile homes. At the former state hospital new apartments are being developed that are as small as 450 sq. ft. and there appears to be significant demand at significant market-rate pricing. A number of units are being set aside in a price-controlled program as well. If it can be palatable in that setting, why can't it be palatable in Acme Township. If ordinances were put in place allowing true high density by right rather than by special use permit after a long struggle, we would be competitive with other townships for developer interest. Hardin has lived in a variety of types of housing throughout his life. People move through a variety of living situations at different points in their lives. If we don't allow the type of density that promotes affordable living, then we need to be honest about our orientation towards it and move on. The more land we preserve, the more expensive remaining land will become. Allowing higher density is the key tool that will combat this trend. The Planning Commission is up to the challenge if the Board is supportive as well. There will be people who are concerned about higher density development. Dunville supports the effort. Wikle believes in affordable housing and that there is a place for it. If the township proceeds carefully it can develop a good plan. She believes it is worth the effort and a shame to the township if we do not pursue it. Kladder concurred, as long as open space and farmland areas are respected. A safe walkable community with a downtown area would be his desire. He would like to achieve a sense of community, and to create a place with affordable housing that does not become a ghetto or breeding place for crime. Planning Commissioner Jay Zollinger stated that these last statements could be problematical. Ruling out some options at this stage would be unwise. There will be trade-offs to be observed and the township should be relatively open-minded about possible locations for high density zoning. Nels Veliquette, 311 S. Maple Street in Traverse City, stated that he foresees much public opposition to the initiative. He fears that there is not widespread-enough support for true high density housing. Zollinger noted that most of the appropriate areas will be right along US 31 and M-72, perhaps in Acme Village. Kladder noted that people with very small apartments only sleep there. They spend the rest of their time in public and commercial spaces, so areas for this use should be near those facilities and amenities, near parks and coffee shops and downtown areas. There should be an integration of housing types and price points. Hardin also noted that "low income" and "poor" should not be treated as synonymous. Young adults starting out their careers, new people to town, and older empty-nesters who are downsizing and simplifying all need smaller and more affordable housing options, but are not a permanent underclass. Ms. Babcock thought that the township was seeking to hire a planner who would help the township allow for this type of growth in an integrated fashion rather than placing clusters of low-income housing in various places such as near a farm operation, in places where they could walk to services and recreational opportunities. Takayama stated that low-income housing and affordable housing are two different things. He grew up in post-World War II affordable housing. Hardin believes that the township should also consider relaxed height restrictions that allow taller buildings that require less footprint and impervious surface. In the form of the condos at the Resort, we already have some true high density areas. Hope Village is actually another example. We need to have the zoning in place to do this more easily on a broader basis.

4. **Consider working jointly with other area townships on Cable Franchise Ordinance**  
**Update:** The township's existing cable franchise ordinance was written when we were a member of the Cherry Capital Cable Council, which has been dissolved. All of the former member townships need to redraft their ordinances to account for this change, and since there is no foreseeable need for significant variety in the ordinances from township to township they are considering jointly hiring an attorney to minimize costs.

**Motion by Takayama, support by Zarafonitis to work jointly and share the legal expenses with other local townships to prepare a new cable franchise ordinance. Motion carried by unanimous roll call vote.**

5. **Set date in late June for special Board meeting for 2009-10 budget public hearing:** Monday June 22 at 6:30 p.m. was selected for the special meeting for the budget public hearing. The preliminary discussion will be held at the June 2 regular Board meeting.

**Motion by Zarafonitis, support by Wikle to set a special meeting for the 2009-10 budget public hearing for Monday, June 22 at 6:30 p.m. Motion carried unanimously.**

**L. PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:**

Nels Veliquette, does not know how many others present have attempted to create an affordable housing development besides himself, but suspects that when the township begins discussing potential densities that are 3 or 4 times current maximums that there will be a public outcry. He believes that no matter where we propose to locate the high density area, a well-organized group of citizens will oppose it strongly. How could this be such a hot topic in the township when nobody supported his effort to bring affordable housing to the township by using the only method currently available through the zoning ordinance. How come people characterize the same piece of land as agricultural one day and rural residential the next? In Traverse City the idea of accessory dwelling units that could house senior family members and young professionals was so violent and completely opposed. For years he has heard about discussion about various initiatives in the township, but for years the only person who has proposed actual action on those initiatives has consistently lacked support from the administration or the public. He would be curious to see Immanuel LLCs mobile home park economic figures. He believes that the room will be full of angry citizens who don't want high density housing in their back yards.

Kladder stated that there will be a meeting tomorrow at 6:30 at the Civic Center for public input on the County's Parks & Recreation Master Plan. He only found out about it today. He has been promoting having more developed recreation (tennis courts, soccer or baseball fields) placed in Acme Township.

**Meeting adjourned at 10:35 p.m.**