



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, November 29, 2010

Meeting called to Order with the Pledge of Allegiance at 7:02 p.m.

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, D. Krause, V. Tegel, D. White, P. Yamaguchi
Members excused: None
Staff Present: S. Vreeland, Township Manager/Recording Secretary
J. Jocks, Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. Continuing Education – Traffic Roundabouts
 - a) Presentation by Stephen Dearing, Orchard, Hiltz & McCliment
[Link to Presentation Materials](#)
Link to audio file for Roundabout Presentation
 - b) [Video](#) prepared by NW MI Council of Governments of a recent local presentation by Ian Lockwood, a nationally-known roundabout expert (probably won't be shown at meeting; this is for viewing on your own if desired. Go to bottom of page to which the link takes you)
2. Consent Calendar: Motion by Carstens, support by Yamaguchi to approve the Consent Calendar as amended to remove the October 2010 Planning & Zoning News and the Surface Water Quality Testing Monthly Report to New Business for discussion:

Receive and File:

- a) Draft Unapproved Minutes of:
 1. [11/09/10](#) Board
 2. [11/17/10](#) Shoreline Advisory Notes
 3. [11/18/10](#) Parks & Rec Advisory Notes
- b) ~~[October 2010](#) Planning & Zoning News~~
- c) [Status Update](#) – VGT-Phase I SUP Application #2009-01P
- d) ~~[Surface Water Quality Testing Monthly Report](#)~~

Action:

- d) Approve [10/25/10](#) Planning Commission meeting minutes

Motion carried unanimously.

3. Correspondence:
4. Limited Public Comment:
5. Public Hearings:
 - a) [Proposed Zoning Ordinance Amendment 011 - Neighborhood Sign Regulations](#): Vreeland summarized the proposed ordinance amendment.

Public Hearing opened at 8:12 p.m.

Gordie LaPointe, 6375 Plum Drive, thanked the Commission for its consideration of this issue, which was longer and more complex than he expected. He appreciates that earlier discussion of limiting light intensity based on “candlefeet” was abandoned. He understands the concepts behind requiring down-directed lighting. However, it was his intention to use solar lighting sources rather than wired electricity to light the Orchard Shores neighborhood development sign and he feels that the down-directed requirement will all but eliminate the possibility of using solar lighting. This area and this application would require a commercial-grade solar light, and to date he and the lighting and electrical contractors he has contacted have not identified fixtures that would perform adequately in a down-directed position. In particular he found it difficult to find ways they felt would be appropriate to affix the solar light to the sign.

Rachelle Babcock, 4261 Bartlett Road, opined that the solar panel and the light source could be separated to enable down-directed lighting with a sufficient length wire between the two components. Mr. LaPointe said that the distributors he asked did not indicate an ability to custom-fabricate a solution. Zollinger stated that anything can be built at any cost. He worked hard to try to find a suitable solar light source for the sign near the Five Mile/US 31 Intersection welcoming the public to Acme and had difficulties similar to those described by Mr. LaPointe.

Feringa suggested that one solution would be to require downlighting for wired light sources, and permit uplighting for solar sources if some sort of shielding is placed at the top of the sign to prevent light escape into the night sky. Vreeland expressed support for solar lighting, but also concern about other impacts of uplighting, such as glare from exposed bulbs affecting passing drivers. This would seem like a “slippery slope” If the Commission wishes to include such a provision it could add the language in the motion tonight. Landowners could seek variances for uplighting, but to be successful would have to demonstrate a practical difficulty in meeting the ordinance requirements that is unique to their situation.

Public Hearing closed at 8:27 p.m.

David believes that a problem was brought to the Commission and that the Commission has done its best to assist with that problem.

Motion by Krause, support by David that the Planning Commission recommend adoption of proposed Zoning Ordinance Amendment 011 – Residential Development Sign Lighting – to the Board of Trustees.

Motion carried by unanimous roll call vote.

6. New Business:

- a) **Minor SUP Amendment 2010-04P – Olive Creek Furniture:** Vreeland summarized the application. Mr. Larry Hammond was present to support his application to convert the property at 5535 S. Bates Road from its former golf cart storage/maintenance/sales use related to Highpointe Golf Course to a contractor’s office for custom made-to-order cabinetry and furniture.

David did not see a trash disposal location on the site plan. Mr. Hammond usually uses a 3 yard Dumpster at his current site. A Dumpster location with appropriate screening according to the Zoning Ordinance should be added to the site plan.

Zollinger asked whether Metro Emergency Services has reviewed the plans. They have and their review is available.

The business would be relocating from Sixteenth Street in Traverse City. Mr. Hammond makes any custom furniture desired. He sells through word of mouth and has been in business for over 13 years. Much of his work is done for Chicago, Wisconsin and areas downstate.

Motion by Krause, support by David to approve SUP Minor Amendment #2010-04P as presented based on the Acting Zoning Administrator's findings. Motion carried by unanimous roll call vote.

- b) **Scenic Viewshed Definition - Tegel and Yamaguchi:** Yamaguchi guided the Commission through the work she and Tegel did to obtain GPS coordinates for viewsheds described in the Master Plan, pictures in all cardinal directions and a description of what is seen. This work is intended as support for upcoming Master Plan updates. There was discussion about how some areas that might have provided long views now just offer tall trees, as the vegetation has grown substantially since 1996 when the viewshed map was developed. There was also discussion about how the views will continue to change over time, and new development might interrupt something identified as a viewshed today. Some questioned whether the township would be willing to require revision, or even possibly deny approval, of a development if it were to impact defined viewsheds. Things that appear beautiful to one person might not to another. The need to define viewsheds, if defined, as being from along or within public spaces was also discussed. There appeared to be general agreement that viewsheds should not be defined in terms of views from private properties.
 - c) **October 2010 Planning & Zoning News:** Tegel was struck by the article about "complete streets" and suggests that it is important – and required – to specifically address this issue as part of the upcoming Master Plan updates.
 - d) **Surface Water Quality Testing Monthly Report:** Tegel is thinking of this in terms of the Master Plan review as well, along with macroinvertebrate studies being performed along the creeks, the Watershed Center and the Water Studies Institute. She noted that Hans VanSumeren recently visited with the Parks & Recreation Advisory. Vreeland added that there is discussion about cooperating with the Water Studies Institute on a regular basis. She can also copy Andy Knott at the Watershed Center on the data on a regular basis.
7. **Old Business:**
- a) **Action List Update:** The Commission asked that identifying numbers be added to the left of each action list item to aid discussion about them. Zollinger noted that studying up on the issue of township zoning regulation related to medical marijuana according to state law is on the list. The township has been advised that one of its residents plans on opening a retail establishment related to medical marijuana use in the township, probably in a storefront along US 31 North or M-72 East on a property with existing retail SUP approval. The individual asked the township whether anything would prevent the opening of such a retail establishment in such a location in the township at the current time, absent any specific regulation related to medical marijuana at this time. Staff and legal counsel are researching the issue and will respond to the individual by the end of the week.
 - b) **Follow-up to question regarding regulation of power generation plants:** When the content-neutral re-write of the Zoning Ordinance was prepared, attorney Mike Grant listed that how the township deals with "essential services" should be dealt with later as a non content-neutral item. Currently essential services are permitted in any zoning district subject to review by the Zoning Board of Appeals. The standard

for consideration and approval is that the facility be found “reasonably necessary” to public service and convenience. Jock’s recommendation is to remove from the ZBA the authority to review and approve such facilities, and to make them special uses in specific zoning districts that are reviewed by the Planning Commission in the same way that other special uses are reviewed. The Public Service Commission does have authority that overrides the township’s authority in some regards, particularly as to safety and how power is generated. The township would likely focus on the customary site design issues. There are also some issues that have not been decided by the appellate courts yet. Jocks would be willing to draft a framework for an ordinance revision, although he would leave discussion of appropriate zoning districts to the Commission.

8. Public Comment/ Any other Business that may come before the Commission:

David asked the Commission to join him in good wishes to Supervisor Kladder, and congratulations on what appears so far to be a good recovery from recent surgery. Vreeland reported that Kladder is working from home and that the two of them video conference on a daily basis.

Revised Village at Grand Traverse – Phase I (Meijer store, road, water and sewer infrastructure) revised application materials were submitted this afternoon at approximately 4:00 p.m. Copies of the materials will be distributed to Commissioners directly after the meeting, and to Board members within the week. MDOT and Road Commission representatives, and the township’s traffic sub-consultant, Stephen Dearing, took their copies with them this evening as well. Staff encourages the Commission to begin reviewing the application materials so that when the staff reviews are ready they will be more meaningful. Vreeland and Jocks encouraged the Commission to submit questions to them jointly by e-mail as needed, and also to perhaps be prepared with compiled questions to give to staff on December 20 for consideration as part of their reports. Commissioners should be mindful that their questions are likely to be part of the public record. Her current rough estimate is that depending on how the review process goes it may be possible for an initial discussion to occur at the February or March 2011 Commission meeting.

MEETING ADJOURNED AT 9:51 P.M.