



ACME TOWNSHIP PLANNING COMMISSION MEETING
WILLIAMSBURG BANQUET AND CONFERENCE CENTER
4230 EAST M-72, WILLIAMSBURG
7:00 p.m. Monday, October 24, 2011

Meeting called to Order with the Pledge of Allegiance at 7:03 p.m.

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), C. David, S. Feringa, R. Hardin, V. Tegel, K. Wentzloff, D. White, P. Yamaguchi

Members excused: None

Staff Present: S. Vreeland, Township Manager/Recording Secretary
P. Kilkenny, Deputy Zoning Administrator & Planner
J. Jocks, Legal Counsel

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. Continuing Education/Special Presentations: None
2. Consent Calendar: Motion by Yamaguchi, support by David to approve the Consent Calendar as amended to remove the Planning, Zoning and Administrative Update, Planning & Zoning News and Planning Commission minutes to New Business for discussion including:
 - a) Receive and File:
 1. Draft Unapproved Minutes of:
 - a. Board 10/04/11
 2. Planning, Zoning & Administrative Update – S. Vreeland
 3. Planning & Zoning News September 2011
 - b) Approval:
 1. ~~Minutes of the 09/26/11 Planning Commission Meeting~~

Motion carried unanimously.

3. Limited Public Comment:

4. Correspondence: None

5. Reports: None

6. Old Business:

- a) Continued discussion – special events in the Agricultural District: Kilkenny summarized the contents of his staff report. He investigated local ordinances as well as the special events section of the Winery portion of the ordinance to provide ideas as to how the ability host special events or “barn functions” in the agricultural district might be regulated if and as desired. Kilkenny’s report indicated that currently private parties would be in violation of the zoning ordinance but this is in error; a private party would not be a violation but renting space commercially for parties in the agricultural district would be.

David expressed that if language such as was proposed in the memo were adopted, it would differ from what is required currently for Wineries in many ways. It does not address food preparation for special events on or off-site or bed & breakfast operations. If the special events section were to be moved from the Winery section, would there be anything left there? There would be provisions left in the Winery section specific to winery operations. He also noted that page 4 of the memo proposes that the latest a special event could be held on the weekend would be 11:00 p.m. Is this late enough?

Hardin suggested that page 4, number 7, where there is a requirement that food for an event be prepared off site, should be looked at. A recent event was held at the Garvey barn that was catered by Catering by Kelly's. They used a grill to finish preparing food on-site. It may be appropriate to allow on-site food preparation in temporary food preparation facilities. Perhaps this should be addressed in the Winery section as well if the special event section there is left intact.

Yamaguchi also felt that the hours of operation suggested were too limited and that weekend events should not have to end at 11:00 p.m.

Tegel asked if the Winery section of the ordinance, particularly the special events portion, has been used. One project has been approved under this ordinance but it has not yet been fully constructed and operational. She also asked if staff looked at the special events provisions from other townships in the area, such as near Suttons Bay where there are wineries that hold special events. Kilkenny did look at other ordinances and found that what we have on the books and what is proposed is comparable to what those other locations have. Tegel feels overall that the proposed ordinance may represent over-regulation that would require more staffing to handle. She expressed concern about item e on page 6, feeling that the term "negatively impacting" is a term that is too broad and overly subject to interpretation. It needs to be better defined.

Feringa also feels that the ordinance may be overly restrictive. He supports the use of barns in this way as a property right and agrees with many of the concepts already expressed.

In response to Tegel's concerns about the term "negatively impacting", Hardin expressed that if there are parties held in barns in the agricultural district, there may be noise or other disturbances to neighbors. Carstens believes that much of the regulation in the existing ordinance was proposed for just this reason. He would like to hear more from other farmers about whether they have concerns before moving too far forward. The agricultural district is primarily for agricultural production and we should be careful that everything that happens promotes and does not interfere with agricultural activities.

White asked Mr. Garvey what his intention was when he moved the barn to his property. Mr. Garvey replied that his intention was to hold parties and fundraiser functions. He stated that not everyone wants to live life the same way, and they may not understand why people like to do what they do, but what they do is not necessarily detrimental to neighbors. His example was the horse sports park. White is concerned that Mr. Garvey moved the barn thinking that he would later get the zoning changed to suit a commercial use so he could make money, but Mr. Garvey asserted strongly that this was not the case. He stated that he had long wanted a barn, and had originally tried to talk his neighbor Mr. Ziebart into letting him move a barn from a neighboring property, but failed. He wanted to move the barn he obtained

intact, but it proved too expensive. It had to be disassembled, and afterwards much of the original materials could not be reinstalled. After the barn was moved so he could have private parties, he said he was approached by many brides wanting to be married there and began thinking it could be a good way to make some money to help support the upkeep of the land. The matter was discussed by the farming community at some Farmland Preservation meetings until the advisory was reminded by the Supervisor that this issue was not within the scope assigned to them by the Township Board.

Zollinger expressed questions about several things in the proposed ordinance language. How would an appropriate amount of liability insurance be established? Is the term “non-profit” really what is intended as used? What guidance can we find about an appropriate maximum number of people to be hosted? How would sound impacts be measured appropriately? Who would maintain and review the special events log?

Kilkenny noted that if people feel that the first option in his memo is too extensive or restrictive, he did propose a second option in the memo that would provide for a less intensive, more case-by-case process. Carstens prefers a general ordinance rather than a requirement for people to come back to the township for each and every event.

Zollinger feels that a public hearing should be set, in part to gather input from the farming and general communities.

Ken Engle, 6754 Yuba Road has looked over the proposal. The most significant difference he sees, and what makes him feel it should be separated from the Winery ordinances, is that wineries are established specifically to be commercial operations. The Commission should define whether these sorts of events will be confined to barns. At his Winery he could erect a new event space that would not be a barn. He thinks a lot of good work on a new ordinance has been done so far. On page 5, Section vii discusses ways to get bonus space that is specific to wineries. If one is using a barn for functions one would be using the original structure. He feels that the intent of the ordinance is not to allow commercial use of the barn for special events, and that therefore one would not encourage expansion of a barn to be used. On page 5, item 9.11, this is language he helped to right but creating a calendar of events a year in advance is difficult and he feels this requirement should be eliminated. Mr. Engle feels that the special events section should be removed from the winery section of the ordinance.

David supported much of what Mr. Engle said, but he felt that the winery ordinance should be left intact and an entirely new ordinance for barn events created. There was consensus that the provisions need more work on the staff level before proceeding to a public hearing.

Kilkenny reported that he did not conceive of limiting such events to barns. He conceived of allowing any agricultural property to have special events. Hardin wanted to clarify that we are only talking about regulating events where the property owner charges money for use of the property, and not about events such as a family reunion. He does not believe that an ordinance that requires a permit for each event would be a good idea because it would be too cumbersome for a landowner. “One-off” events should not require an SUP.

land uses: Recently staff realized that only in the B-1S district does the zoning ordinance allow public land uses such as township halls or fire stations. This seems counterintuitive for the type of facilities involved and the nature of the shoreline district. It is also only allowed by SUP. He is unsure if this was intentional or an accident when the ordinance was revised in 2008.

Motion by Carstens, support by Yamaguchi to schedule a public hearing on a proposed zoning ordinance amendment to allow public land uses in a broader range of zoning districts.

Tegel asked if the definition of “public land uses” would be discussed this evening. Zollinger suggested that it could be discussed at the public hearing.

Motion carried unanimously.

7. Public Hearings:

a) SUP/Site Plan Approval Application #2009-01P - Village at Grand Traverse LLC (continued)

- [Township Consultant PowerPoint](#) (Environmental review portion that could not be completed at the September meeting due to malfunction will be delivered)
- [Resolved/Outstanding Review Issues Matrix](#)
- [Submitted Public Comment](#)
- [Legal “Road Map”](#) to standards of review for the application
- [VGT Request for Roundabout Recommendation](#)

Discussion on this application for the evening began with completion of the presentation by Dr. Chris Grobbel as the township’s environmental review sub-consultant regarding the proposed VGT Phase I. His concerns fall into two categories: stormwater issues and dark sky exterior lighting.

Six dry water storm basins are proposed by the applicant intended to hold and evaporate stormwater. Preliminary soil borings on the site indicate a large degree of silt and clay, and a high water table in portions of the site. The proposed design would have basins #3,4 and 6 overflow by design into wetlands and ultimately discharge to the creek. The applicant has applied for a DEQ permit for wetlands discharge. Dr. Grobbel is also concerned that the basins have been designed to be larger than they need to be, particularly as the proposed amount of impervious parking lot has been reduced, and he recommends that the basin sizes be reduced. It is unclear to Dr. Grobbel whether the applicant is proposing to develop the entire stormwater basin chain designed to serve full project buildout during Phase I, or whether the applicant would only construct the portion needed for Phase I. A meeting between himself and the applicant’s consultant has been arranged for Wednesday to discuss locations for additional soil borings and potentially more innovative stormwater management and treatment train design. Dr. Grobbel would prefer to see a more decentralized system design that is phased with build-out and using a “green” treatment train that creates ecological and open space value since the applicant is counting the detention basins as part of their project green space. He would also prefer to see further reductions in sealed surfaces and the recycling of runoff from building roofs for irrigation use. Dr. Grobbel indicated that the type of approach he is recommending was proposed and approved by the township for the Meijer-proposed Lautner Commons development in 2005. Dr. Grobbel displayed pictures of some of the types of innovated materials and approaches that can be used, including green swales, porous surfaces and underground water storage tanks that slowly release water to groundwater or created wetlands. These concepts have been used at West

Middle school, where runoff is channeled to a rain garden planted with native plantings. He stated that bioswales can be nearly maintenance free and very safe. These concepts have also been used at Munson Medical Center. If soils are difficult, it is possible to dig through them to better soils, and there are other methods that can be employed.

Dr. Grobbel feels that progress has been made in recent discussions with the applicant in terms of more openness to exploring innovative options than previously indicated.

David asked if porous pavements would work well on this site with infiltration-resistant soils. Dr. Grobbel indicated that this is problematic, and that while some porous pavement areas can be employed, for the most part it will be necessary for this project to deal with runoff. David also asked whether the vegetation has to periodically be thinned from bioswales. It is occasionally necessary to do some maintenance, but such a system does not become clogged with sediment as a rule.

Carstens mentioned global warming, and what seems like an increase in larger, more violent storms. If such a trend continues, would the systems proposed be up to handling them? Dr. Grobbel stated that they can be designed to contain that type of water volume, although most of the time they would be handling less water. The more decentralized the approach, the smaller the structures need to be that handle the runoff.

Yamaguchi asked if she heard correctly that the applicant is considering some more innovative approaches. Dr. Grobbel believes he heard this in a recent phone conversation, but would encourage the Commission to have the applicant speak for itself.

Tegel asked what type of impacts could occur if runoff is inappropriately released into Acme Creek so close to where it enters East Bay. Dr. Grobbel stated that this stretch of the creek is sandy-bottomed, cold and clear, and in a former cedar swamp. The County is mostly concerned with temperature and sediment contamination of natural waters. Dr. Grobbel is suggesting an approach that also addresses pathogens and contaminants such as nutrients and heavy metals. He said he would stake his reputation on the statement that if the currently-proposed system is implemented it will damage the creek. Acme Creek is in good condition at the site and upstream, but downstream the creek is degraded. Contaminants entering the creek at this site would eventually be carried through to the bay. There is already an increase in rooted vegetation at the creek mouth due to nutrient runoff and he believes this would increase. Dr. Grobbel did note that the impacts to the subject site itself would be significant and are the primary focus of the application review.

White asked how much water the basins are currently designed to contain. They are designed to overflow at a 25-year storm level, (.13 cubic feet/second/basin), which is a lighter rain than the one experienced last week. In those conditions the basins would release to the wetlands and the creek. White also asked about porous pavement. He has worked with cement and is familiar with the concept that you don't want water to get into it because the water freezes and cracks the concrete. Dr. Grobbel noted that downtown near the post office are some test patches of porous pavement options. Some have worked well and some have not, so it has already been identified as to which options work best in Traverse City. All freeze, and when the ice melts it runs through the surface. Traverse City and The Watershed Center are hosting a seminar on this subject at 1:00 at the Governmental Center tomorrow.

Tegel was intrigued to hear of the various public facilities such as schools and hospitals that are using innovative stormwater management approaches. Since such facilities are often budget-challenged, so she is imagining that cost of using innovative approaches is not a barrier to implementation. Dr. Grobbel added to the list some features at the new Elmwood shoreline park improvements. Tegel also stated that she is a frequent parks user, and she notices when beaches in the city are closed due to e Coli contamination. She is very concerned about contamination of not only public beachfront but privately owned shoreline as well.

Yamaguchi asked where the degraded area of Acme Creek begins. Dr. Grobbel helped set up the township's current water testing program. The increases in temperature and other negative factors begin at or near the VGT property and extend downstream.

John Iacoangeli, the township general planning consultant from Beckett & Raeder, updated the Commission regarding recent work with the applicant. Similar to the Lautner Commons project review, a checklist has been prepared regarding this project. This one differs in that it contains not only the standards for review and the township's consultant's position on how well they are satisfied. This one also contains the position of the applicant on each item. Each item is also identified as being one where there is agreement between the consultant and applicant, or where there are still outstanding concerns, or where there is disagreement. Iacoangeli was pleased to report that there are currently no issues that fall into the disagreement category. Many fall into the agreement category. Outstanding issues related to the traffic impact study are largely about refining the report so that it is clearly understandable to later users rather than about functional concerns. There are still many outstanding issues related to the environmental review, but as just noted there is active discussion ongoing. As to site design issues such as lighting, landscaping, project signage design and the like, the applicant will be providing updated materials shortly. Both the township and applicant have been awaiting further input from TART about preferred alignments for the required non-motorized trail easement. The applicant has agreed to consider adding complete streets design elements to main interior roadways.

Zollinger added that this spreadsheet was recently refined and updated at a technical meeting between township staff and consultants and applicant representatives. It does not mean that the staff has committed the township to a point of view. It represents current recommendations for Commission deliberation.

Howard Yamaguchi was present as an official representative of TART to update the Commission on a meeting held last week between TART and representatives of the VGT. [Copies of a letter from TART](#) (on attorney Peter Doren's letterhead) were on the tables this evening and contain the proposal discussed. The proposed trail alignment would have a trail spur along the southern VGT property boundary from Lautner Road westward. TART is also proposing a trail spur that would run roughly north-south and connect to the roundabout at the center of the key internal boulevards, therefore also connecting to the internal sidewalk network. TART is also proposing that sidewalks be developed along Lautner Road and M-72. TART continues work on how to connect from the southern boundary of the VGT property through other neighboring properties to the current trailhead on Bunker Hill Road. A sample easement document was provided by TART to VGT. The easements are typically 30' wide and are held by the GT County Road Commission because they are potentially a more enduring entity than TART. If possible, TART is also asking that the township consider requiring the TART to be constructed as part of Phase I, going beyond the requirement that just easements be provided. TART is ultimately

trying to extend trail connections all the way from Charlevoix County to Leelanau and Benzie. Mr. Yamaguchi stated that VGT has been very cooperative in talks and thanked them and the township for being supportive of their projects.

Pete Doren is associated with TART but not officially representing them this evening. TART sees this as an opportunity to close the trail link between the Resort and Traverse City. He thanked the Commission for addressing this issue as part of their deliberations. TART has asked the developer for two things, and the developer has not committed yet but has responded favorably. They need to connect to the railroad corridor to help connect the missing but long-planned stretch of TART between Bunker Hill Road and Lautner Road. Secondly they have asked the developers to construct a significant portion of the trail through their property as part of Phase I. TART hopes the applicant will agree, and is also asking that the township require this construction as a condition of a Phase I SUP.

Hardin asked about the required design manual. Iacoangeli noted that the manual would theoretically contain specifications for fixtures down to model numbers. However, buildout of this project might not occur for many years, and the fixtures specified might be discontinued or model numbers might be changed. Iacoangeli replied that model numbers might change but something new that is compatible in design should be obtainable. When this project was originally proposed, the developer asserted that it would look like a traditional downtown. If the details such as lighting and benches and even trash cans change with each phase, that cohesive look cannot be obtained. Styles will change over the years, and changes will be requested. Iacoangeli stated that the Commission will need to deliberate over how the "skin" of the proposed store should be designed, as at this time he does not anticipate that architectural standards for all buildings in the development will be set forth in the development manual. Another key component that must be in the development manual is a signage package for the overall property. The applicant should not be submitting only a signage plan for the proposed store at this time. Signage is a big part of the overall development character. Iacoangeli stated that minus architectural detail that they should provide a detailed development guidebook and that they will.

Tegel thanked TART for its dedication to trail building in Acme Township. She attended a township Parks & Recreation Committee meeting last Thursday night. Looking at a map handed out at that meeting by Mr. Yamaguchi, it recommends a sidewalk along M-72. No sidewalk along M-72 is part of the proposed VGT Phase I development plan or the map in the letter from Mr. Doren handed out this evening. . Mr. Yamaguchi stated that this is something TART thinks would be beneficial to the Acme community, but it would not be an official part of their trail system. Showing a sidewalk along Lautner Road is consistent with other efforts underway to connect trail systems in the Traverse City area to Elk Rapids and trail networks north of there. TART is applying for a Community Foundation Grant to study potential trail route alternatives from Acme to Elk Rapids.

Yamaguchi asked whether a transit center is being planned. Iacoangeli reported that there is word that there have been discussions. One has not been included by the applicant

Public Hearing opened at 8:45 p.m.

Vreeland summarized an e-mail received from Max Binkley, 5243 Bethesda Ct. in opposition to the use of roundabouts. He is concerned about people's ability to get used to using them safely, particularly if they are visitors to the area or older individuals.

Vreeland summarized an e-mail received from Vince Balog, 4329 Hampshire Drive in favor of roundabouts. Mr. Balog has used roundabouts in other countries very successfully.

The Chair declared a recess from 8:50-8:55 p.m.

Jim Heffner and Donna Hagan, 4050 Bayberry Ln. recently built a house right near the VASA trailhead and along Acme Creek. They were asked to do on their residential property all the things VGT is being asked to do on their commercial property to prevent runoff from reaching the creek. Recently he went to Meijer to buy some fresh fish. As he was driving he noticed Kid's Creek. When Meijer expanded their store and parking lot they were required to relocate a portion of Kid's Creek and Mr. Heffner felt it was a useless idea at the time. He also feels that the Conservation District's Nature Center on Cass Road has a very poor example of a rain garden. He asked for Dr. Grobbel's input. Dr. Grobbel noted that one must begin by defining goals and then design to meet the goals and measure the results. He also said that traditionally constructed wetlands have suffered from being placed in areas that don't naturally want to be wet. Location has to be understood and plants have to be used that are native to the area. Mr. Heffner also noted that there have been quite a bit of coverage in the newspaper about the possibility of roundabouts associated with this project. He noted quoted from citizens opposed to them who have no experience of them, but also from Road Commission Manager Mary Gillis who has worked with them. Mr. Heffner understands roundabouts as being able to handle higher volumes of traffic with a lower incident of accidents. He noted that Russ Soyryng from Traverse City would welcome Acme being a leader in bringing a roundabout to the local area. Mr. Heffner watched the construction of Radio Center and 101 N. Park St. and feels they are very fine anchors to the downtown community. Their facades are precast brick-like items that are bolted up. He would rather see brickwork facades than plain precast concrete in terms of community character.

John Nelson, Grand Traverse Baykeeper works with the Watershed Center to protect and restore the waters of Grand Traverse Bay. They have been tracking the township review of this project for some time and chose now to comment. Mr. Nelson confirmed that the lower portion of Acme Creek is "impaired," and they are thinking of asking the state to officially add it to an "impaired" list to make it eligible for remediation funding. Macroinvertebrate counts and the growth of aquatic vegetation provide the proof of the conditions. Dr. Grobbel enumerated some low-impact development techniques, many of which are included in a Low-Impact Development ("LID") guidebook developed by the Watershed Center. This project is an opportunity for the township and the project developer to showcase best practices. This is the first major project in the area to be moving ahead since the Grand Vision guiding principles were adopted. This project can address two of those principles: protecting natural resources and creating concentrated areas for economic and social development at strategic points throughout the region. If LID techniques are used to create wetlands and add interpretive signage as was done on Kid's Creek, the stormwater treatment train areas can truly be usable public open spaces. This can be beneficial to the developer. The Watershed Center's goal for this project would be infiltration of all runoff water such that none reaches the creek over the land surface. The County Drain Commissioner is willing to work with developers to use LID practices to meet county stormwater control standards. Mr. Nelson believes the developer should be directing its consultants to do what's best and not just what's basic and customary to meet code. Perhaps LID design will cost a little more, but it is worthwhile.

Jim Hanna, 3000 Mt. Vernon Rd, Midland and an Acme property owner noted that

statistics were given earlier for the capacity of the proposed stormwater detention basins. He has experienced flooding, where 42" of water entered his basement twice at 10-year intervals. Dr. Grobbel mentioned that last week in Lake Leelanau 3" of rain fell in 1 hour. Mr. Hanna's calculations were that this would equate to 1430 barrels of water falling on 1 acre of land – a true flood. He urged the Commission to obtain reliable measurements as to how much runoff would occur.

Bob Garvey, 6377 Deepwater Point Road feels that many communities would not examine an application of this magnitude as extensively as the township has. He is glad that the community is working with Dr. Grobbel, who earlier urged the township to be "fair but firm." He appreciates this idea, and also feels that where there is doubt the township should lean towards protection of Acme Creek. He also asked what types of environmental issues may remain to be worked out. Dr. Grobbel stated that he will be meeting with the applicant's consultant on Wednesday to discuss additional soils testing and possible stormwater management alternatives. Perhaps they will reach greater consensus on an appropriate plan, or perhaps not. Mr. Garvey asked what would happen if the two consultants don't come to consensus. Zollinger reported that the Commissioners will deliberate towards a final recommendation to the Board as to what would be appropriate. The Board will render a final decision.

Rose Zivkovich 6415 Arrowhead Way is a relatively new resident of Arrowhead Drive. She was reading the minutes of the last meeting, and saw that there could be expansion of Lautner Road. Would that be only south of M-72, or north also? The northern side of the intersection may be widened, but there is no plan to widen extensive lengths of N. Lautner.

Gayle Hanna, 3000 Mt. Vernon Rd, Midland has been pleased to hear Dr. Grobbel's recommendations for protection Acme Creek and the bay. She has been concerned throughout the process that substantial amounts of runoff would go straight from parking lots to overflow basins to the creek and bay. She has also heard much discussion about M-72 E and Lautner Road but very little discussion about the impacts of more truck traffic on Bunker Hill Road and on people trying to bicycle on its deteriorated shoulders. She recommends that Bunker Hill Road not be a route for semis to access the development. She complimented the Commission on how they are proceeding through the project review to date.

Mr. Engle was encouraged as well to hear the discussion about engineering the stormwater control features. He tries to use innovative natural plantings to manage water on his farm as well. He realizes that the design of the VGT project is largely set already, and that it is supposed to have a residential component. When his daughter went to college the town had a shopping center that was supposed to have some professional and residential development as well. As to roundabouts, an important consideration is the traffic-calming aspect. On "M-72 Speedway" from Kalkaska, people might run yellow and red lights. If there are roundabouts everyone would be compelled to slow down to navigate them.

Randy Smith, 6222 Bunker Hill Road is upstream of the proposed development. He saw the article in the newspaper after the last meeting about roundabouts and was interested. He thinks they are a great solution for traffic calming and urged the Commission to make using them a condition of the permit. He first used them 30 years ago as a student downstate. They are energy-efficient, easy to maintain and can be crossed by pedestrians. He will be personally affected by exterior lighting and the impact on the night sky which is spectacular at his location due to low light infiltration. He requests conditions that the exterior lighting plan be as night-sky friendly as possible, perhaps with some of the lights turned off at night. Finally, Mr.

Smith would encourage use of best management practices to protect the Acme Creek watershed.

Rick Pike, 4925 Hampshire Drive has lived here for 7 years. At that time he thought an Acme Meijer store was a “done deal.” At that time there was discussion about whether it would be permitted to be a 24-hour store. He asked if that issue has been discussed relative to this application; it has not. Mr. Pike supports 24-hour store operation. He has 4 young children and sometimes they get sick in the middle of the night and he needs supplies for them. Also, as they grow older it would be good to have a place where they could get jobs as teens and perhaps be able to ride their bikes to work instead of needing a ride. If the project is done properly he feels it can be beneficial for Acme. As to roundabouts, 3 years ago he would have been totally opposed to them. In the meantime several have been installed downstate near his parents’ house. They were concerned about them now but have become fans of how smoothly they work and how they keep traffic flowing. Mr. Pike visited Massachusetts recently and used a roundabout that had good signage telling people how to use it. He now thinks they are beneficial

Vreeland summarized a letter from James Bruckbauer of the Michigan Land Use Institute, written on behalf of the Grand Vision Transit Subcommittee. The letter urges the inclusion of walkable and accessible bus and non-motorized transfer facilities in the first phase of the VGT project.

Public Hearing recessed at 9:29 p.m.

Jocks began a discussion of the legal aspects of the review process. He encouraged extensive use of the “road map” memo in this unusually complex review. The material is available on the township website. The first reminder is that this application is subject to the terms of the 2004 Zoning Ordinance and not the current ordinance provisions. Secondly the application is subject to the terms of the SUP issued for the Conceptual Plan in 2004. Finally, the application is subject to market, traffic and environmental reviews pursuant to the Master Plan as described by court order. Together these items create what Jocks has been thinking of as a box. As the Commission deliberates, he will be attentive and if he heard discussion about something that is “outside of the box” he will interrupt and redirect the conversation back into the “box” of allowable considerations. There will be many questions that arise through the deliberative process, and perhaps he will need to pause and review the documents. As a group we will work through the process on an issue by issue basis.

Tegel found the review matrix very helpful. There is also a checklist for review included in the “road map.” As she considers materials, she will be looking for the appropriate relationship between the review matrix and the checklist for review. She requested that another column be added to the matrix that establishes this relationship. Jocks said he and Iacoangeli would work on this.

Carstens stated that he has been a proponent of providing sidewalks directly along M-72. These types of amenities are mentioned in the Master Plan. However, when he advocated for their inclusion in this project he was told that there are already conditions in place between the applicant and the township that make it so that the township cannot require a sidewalk along M-72 for this project. He would appreciate some clarification on what seem to him to be a conflict between the two. He is concerned that people who live north of M-72 might have to go too far out of their way to use non-motorized options to access the development if the only non-motorized trail is on the south side of the VGT project. Jocks will review the

provisions of the SUP and report back on whether this issue is inside or outside the box.

Wentzloff asked if the consultants will be available to answer questions for the Commission throughout the deliberation process; they will.

The applicant has provided a letter asking the township to make a decision regarding the design of future road improvements related to their proposed project. The two key options under consideration are traditional signalized intersections with “Michigan left turns” or roundabouts.

Motion by Carstens, support by Yamaguchi to recommend to the Township Board the following: that the roundabout design concept be the approved road design concept for the VGT project. This recommendation for approval is not a recommendation for approval of the VGT Phase I application and will not have any impact on the remaining issues for review or the final decision on the VGT Phase I application.

Tegel asked about making sure that the roundabout design elements include provisions for non-motorized/multi-modal use.

White asked township traffic consultant Stephen Dearing how roundabout design encompasses pedestrian crossings. Dearing replied that roundabout rules are such that those within the roundabout have the right of way and those waiting to enter it have to yield. They would stop at a traditional stop bar to wait their turn to enter. Pedestrian crosswalks would be placed where the cars would stop for them as well. The crosswalks are generally separated from the roundabout intersection by a distance so that drivers only have to think about one thing at a time. First they deal with the pedestrians; then they move on and deal with the intersection. The roads accessing a roundabout also generally have “splitter islands.” One effect of those islands is that pedestrians only have to cross one direction of traffic at a time. Then they reach the splitter island – a safe haven – before crossing the remaining road lanes. There may also be special pedestrian signals to assist sight impaired users to comply with ADA requirements. White indicated that he has difficulty conceptualizing roundabouts. He asked if traffic could be slowed by someone in a wheelchair crossing the road because people entering the roundabout would have to pause for them, and so would the people exiting the roundabout. Dearing replied that there would be separate signals for each directional lane of the road. Only the traffic using one half of one roadway to the roundabout would be waiting for the pedestrians. The wheelchair user would reach the splitter island and then press the button for the next pedestrian signal. Dearing reported that roundabouts are often used near colleges where there are higher numbers of pedestrians. Sometimes the pedestrian crossings are grade-separated from motorized traffic. White asked how many roundabouts are high volume, high-speed roads. Dearing reported there are quite a few, but this would be the first on a 55 mph road in Michigan. He has studied roundabouts extensively across many states. Kansas has worked extensively with roundabouts on rural roads with 55 mph speed limits. White is very concerned that the roundabout will not have a traffic calming effect as advertised, and that people who learn how to use it will be frustrated by seasonal visitors to the area who don’t know how. Dearing observed that some of the people visiting will be from areas where they already use roundabouts.

Vreeland observed that MDOT has reviewed the two proposed road improvement alternatives in great detail, not only at the local level but also in Lansing at both the staff level and the highest levels of management. They are supporting the roundabout

option for their road. White expressed concern that this might be because they could obtain more federal road funding to construct a roundabout than they could for a traditional intersection. Vreeland noted that MDOT will not be paying for any dollars towards the road improvements beyond their time to review and approve the engineering plans. The road improvement costs are anticipated to be fully funded by the applicant.

Carstens stated that there is a significant body of data indicating that roundabouts are safer for pedestrians than traditional intersections.

Yamaguchi asked if the roundabout to be used could be required to be designed to be used at a slower speed. Dearing stated that while the approach speeds along M-72 are posted at 55 mph, the design speed for the roundabout will be slower. If this were a more urban setting it would be designed for a speed of 12-18 mph. In this context it is likely that the design speed for the roundabout will be in the neighborhood of 25 mph.

Iaconangeli noted that Dearing speaks of roundabouts in terms of traffic. But this is also about community character. With a traditional signalized design M-72 would need 5-7 lanes of traffic plus “Michigan lefts.” That’s a lot more impervious surface and water runoff than a 2-lane roundabout. The medians between the sides of the road can be smaller, and there can be more green space in the roundabout.

Tegel mentioned that near Indianapolis there is a 55 mph road that has multiple roundabouts on it.

Motion carried by a a vote of 8 in favor (Carstens, David, Feringa, Hardin, Tegel, Wentzloff, Yamaguchi, Zollinger) and 1 opposed (White.)

8. New Business:

- a) **Annual election of Officers:** The floor was opened to nominations for Chair. David nominated Zollinger, and Yamaguchi supported. Zollinger accepted the nomination. No other nominations were put forth. The nomination was ratified unanimously.

Yamaguchi nominated Carstens for Vice Chair, David supported, Carstens accepted and the nomination was ratified unanimously.

Carstens nominated Tegel for Secretary, Wentzloff supported and Tegel accepted the nomination which was ratified unanimously.

- b) **Planning, Zoning & Administrative Update – S. Vreeland:** Tegel drew attention to page 3 of the report. Under the heading of November project plans she was pleased to see that the staff plans to propose a master plan update and shoreline placemaking process to the Commission in November. Yamaguchi stated she would get tables for correlation of the master plan and zoning ordinance to Kilkenny soon.

- c) **Planning & Zoning News September 2011:** Tegel drew attention to the article about County Planning Commissions and the characteristics that can make them beneficial. One of the noted factors was the promotion of a truly inclusive planning process for writing the county master plan. She observed that Grand Traverse County is currently updating its master plan, and that the County Planning Department has designed a very inclusive planning process. ~~She and Zollinger are involved in the farmland preservation committee and Vreeland will be participating in the town center committee~~ **Tegel is involved in the Natural Resources Preservation Committee, Zollinger is involved on the Farmland Preservation Committee, and Carstens is**

involved on the Collaboration Committee. She encouraged all commissioners to take an active role in the county process.

- d) **Approve minutes of the 09/26/11 Planning Commission Meeting: Yamaguchi noted a typographic error on page 5, in the second line of the last paragraph, where the word “discussion” should read “discussing.”**

Motion by Tegel, support by David to approve the minutes of the 09/26/11 Planning Commission meeting as amended. Motion carried unanimously.

9. Public Comment/Any other business that may come before the Commission:

Mrs. Hanna noted that much discussion this evening has been about not contaminating the waters of the bay. Many years ago a drainage pipe was installed to drain the Dock Road area into the bay. Water levels are lower now, and she challenged the Commission to try to get this drainage pipe eliminated. Grants are available for this purpose.

Mr. Engle referred back to the zoning ordinance for allowing public uses in an expanded range of zoning districts. He is concerned that some public land uses would not be compatible with the agricultural district.

Meeting adjourned at 10:10 p.m.