



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, March 26, 2012

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

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), S. Feringa, R. Hardin, K. Wentzloff, D. White

Members excused: V. Tegel, P. Yamaguchi

Staff Present: S. Vreeland, Township Manager/Recording Secretary
K. Redman, Township Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. Continuing Education/Special Presentations:

- a) **Joint Discussion about the Shoreline District Placemaking project with representatives of the Placemaking Selection & Steering Committee, Shoreline Preservation Advisory, and Parks & Recreation Advisory:** Present were Shoreline Advisory Co-Chairs Kathleen Guy and Fran Gingras, Shoreline Advisory members Pat Salathiel, Jeff Watts and Jean Aukerman. Also present were Parks & Recreation Advisory members Mark Guy and Marcie Timmins, and Owen Sherberneau who is a member of both advisories. Andy Knott from The Watershed Center was also present as a member of the placemaking project selection and steering committee.

Guy spoke on behalf of the Shoreline Advisory, one of the two bodies requesting the joint discussion. She stated that their end goal is for shoreline parklands, residents and businesses to each prosper and to provide an admirable gateway to the Grand Traverse region. She read the mission statement for the advisory and listed the members of the advisory not present this evening. The Shoreline Advisory has questions, including how they can be most helpful in the placemaking process and specific tasks or contributions they can do or make. They asked if the Planning Commission will appoint a Chair of the Steering Committee, and who else should perhaps be included in the steering committee. They feel that there are regional experts who should be on the steering committee beyond just being stakeholders that are part of the conversation such as the Michigan Land Use Institute and the GT Regional Land Conservancy. Should the harbor operations advisory be represented, and/or the Acme Business Association? What is the scope of the project, and will it include planning down to the “granular” level of park amenities? If not, what would be the timeline and process for planning them. Guy stated that Aukerman would be the Shoreline Advisory’s representative to the Committee.

Zollinger asked Vreeland for some initial thoughts. She replied that her expectation for the committee is that it will facilitate the execution of the process, especially getting many community members and regional stakeholders actively involved. She does not recommend that helping the process function smoothly requires the inclusion of regional stakeholder representatives on the steering committee. While our alliances with many of these groups are strong and beneficial, it is important to

remember that they have their own goals and agendas that do not fully align with the township's. She feels it is important that Acme be fully in charge of the process while welcoming all of their participation and assistance. She also recommended that the committee should not be superimposing its members' desired outcomes over or in place of the public's desires.

Carstens felt that while he shares many of these questions, it is premature to expect answers before the process occurs. Zollinger asked if people had noticed the article in the paper today about the formation of a corridor enhancement district for US 31 in East Bay Township and if this is seen as separate from what is happening in Acme. Vreeland expressed certainty that MDOT is not looking at them as entirely separate things based on recent conversations.

Wentzloff asked what happened with the outcome materials for the marina feasibility study. This information is on file with the township and fully available to the public and the process as needed.

Aukerman thought that one interesting question for the firms interviewing would be what the most appropriate and effective role for each type of community stakeholder would be. Their answers could be very revealing about their overall approach to the project, and how visionary they can help us be.

Wentzloff suggested it would be interesting to learn how this process will inform future zoning decisions the Planning Commission should and could make to achieve the vision appropriately. She feels that using form based codes for this district could be advantageous, and having this skill set would be beneficial to the consultant we select.

Hardin recommended including Elk Rapids and TC-TALUS in the process. There is discussion about extending the TART along the US 31 N corridor between Acme and Elk Rapids. Everyone we bring to the table will be basing some of their future plans on what we decide to do as a result of this process. Working with East Bay Township regarding the US 31 corridor will be necessary, but we should stay in the driver's seat and do what we need to do rather than hanging our future intentions on what other municipalities and agencies plan to do.

Carstens has worked with many of the Grand Vision network groups. He favors the idea of interconnected village or development centers, and Acme is viewed as a regional development center on the same level as Interlochen by the Grand Vision. Elmwood is participating and will be part of a group being convened by John Sych at County Planning and including the City of Traverse City, East Bay and Acme Townships to collaborate cohesively as bayfront properties. The better partnerships we build, the more funding we can attract, and the better we can accomplish our vision.

Feringa recommended ensuring that Rob Kalbfleisch, who is responsible for the Tribal Road Inventory, be kept in the loop. Any change the township makes to the road network need to be reflected in the inventory, which can also be tied to possible sources of funding.

Salathiel stated that a lot of people are likely to show up for the placemaking visioning process if they are given sufficient notice and opportunity, just as they did for the marina feasibility study.

Vreeland offered to create a document that takes the concepts expressed through this

discussion and puts them in a clear written format so people can better understand and share the details about the process that is to come.

Carstens stressed the importance of The Watershed Center's role in this process and in creating low impact development (LID) standards for managing the quality of the water reaching the bay. It is also important that MDOT respect and work with those features that are developed, and that transportation and the pedestrian experience in the shoreline district be safe, effective, create linkages and be multimodal. He also finds the future visual character of this district to be a critical outcome of the project.

Zollinger encouraged the steering committee to meet and decide how it wants to operate going forward and then communicate this to the Planning Commission and the Board.

Guy expressed the thought that the key question to the whole process is: how do we as a community want to use the corridor? Given this information, our consultants can help with how to design the corridor to achieve these outcomes.

Carstens recalls that during the marina feasibility study and the suggestion that perhaps US 31 could be re-routed, there was an associated idea that there might be more room for village-style development near the waterfront including space for a new township hall. He wondered if others came away with the same impression or idea. Hardin believes we have heard that if US 31 were to be rerouted it would be many years in the future. Feringa echoed the sentiment. Vreeland noted that Acme Village was the originally intended village center for the community, and it is immediately adjacent to the shoreline district and we should be looking at how to effectively link them. And someday Acme Village will link to the Village at Grand Traverse as well. Wentzloff doesn't believe the highway could or would be relocated within the next decade, but perhaps it might be a long-term goal. In the short-term it sounds advantageous to talk about what can be done with the highway where it currently is to calm traffic in a village setting. This has been successfully done in Suttons Bay, where M-22 is the main street through town. We should be talking about how to link the shoreline district to other areas of the township.

Chuck Walter, 6584 Bates Road, has been listening to the discussion about the idea to reroute US 31 North, and hasn't heard anyone mention that several ideas for doing this were discussed back in 2003 as ways to effectively manage expected traffic increases related to the Village at Grand Traverse. Vreeland recalled one of the three options discussed.

Ken Engle, 8433 Bates Road, appreciated mention Zollinger made of needing to consider the impact of what we do on farmers who need to get their product to processing and to market. He said most of the cherries from this area are processed downstate, and fresh cherries ideally need to reach a cooler within two hours.

2. **Consent Calendar:**
Motion by Wentzloff, support by White to approve the Consent Calendar as presented, including:
 - a) **Receive and File:**
 1. **Draft Unapproved Minutes of:**
 - a. Board [2/22/12](#) and [03/06/12](#)
 - b. Farmland Advisory [02/20/12](#)
 2. Planning & Zoning News February 2012

- b) **Approval:**
1. **Minutes of the [02/20/12 Planning Commission Meeting](#)**

Motion carried unanimously.

3. **Limited Public Comment:** None

4. **Correspondence:**

- a) **[03/02/12 Milton Township Notice of Intent to Plan](#)**: received and filed.

5. **Reports:** None

6. **Public Hearings:**

- a) **[Agri-Tourism in the Agricultural District](#)**: Vreeland summarized the contents of the staff memo and how they were developed largely through discussion at the last Planning Commission meeting. Zollinger asked about the proposed 6.11.3.x.1, which would allow “restaurant operations related to the agricultural use on the site.” So how would one interpret this? Would a certain amount of the food served at the restaurant have to come from that particular farm operation? Would a destination sit-down restaurant be ruled out, or would the ability to have a farm-to-fork destination restaurant be a desirable thing?

White offered the idea of opening a restaurant that is based around offering up as the specialty the thing(s) that the farmer grows. He has a greater problem with allowing the items under 6.11.3.x.2, which are not agriculturally-related. He has trouble seeing those as agritourism uses.

Wentzloff suggested the idea of requiring a certain amount of the food at an agritourist restaurant being regionally sourced. Carstens suggested the idea that on most farms there are portions of the land that aren’t used for a crop but that have value as undeveloped land to support the ecosystem or wildlife habitat. He feels there should be a “credit” for preserving natural open spaces. Even if a property isn’t growing what the property owner is selling, he feels it adds value if it helps the landowner preserve the land in natural open space as part of the township’s green infrastructure. In particular, even though Mr. Garvey may not be producing significant crops on his land, he is providing open space that is valuable in lieu of development, he does not believe that Mr. Garvey should have to produce a crop to give the community something that adds value to it.

Hardin is trying to understand how the ordinance should reasonably be written to ensure that restaurants don’t start popping up everywhere or anywhere in the agricultural district. Perhaps saying that there has to be agricultural use on the site is sufficient. White expressed similar concerns about opening the door too wide.

Public Hearing opened at 8:30 p.m.

Bob Garvey, 6377 Deepwater Point Road, recognized the concerns and suggested that ordinance language be created to require “significant” amounts of the food served be produced on the farm where the restaurant is located.

Mr. Walter stated that if he wants to open an Angus steakhouse on his property he doesn’t want the township telling him whether or not he can and how.

Mr. Engle noted the Moomers operation on N. Long Lake Road. There are cows on the site, but there are laws that prevent their milk from being used in the ice cream

made and consumed there.

Dave Hoxsie asked whether Denny Hoxsie would be able to serve hamburgers made from Mr. Walters' beef at the farm market after hayrides. This is probably OK at the current time. Zollinger and Wentzloff noted that the discussion is about how this and future Planning Commissions will read and interpret this language when they are considering an SUP application for a restaurant land use in the agricultural district.

Carstens suggested establishing a minimum acreage ownership requirement associated with agritourism uses, whether in agricultural use or kept as part of green infrastructure. This might facilitate these uses occurring as part of existing farming operations, rather than having new restaurants spring up here and there on five acre parcels. He also believes that SUPs of this nature granted should have to be renewed annually so that the township can determine whether operations are interfering with agricultural production and preservation. Hardin cited the intent and purpose statement of the agricultural district as sufficient defense. Feringa expressed that these issues should be worked out during the special use permit process, the purpose of which is the protection of surrounding properties from undue negative impacts.

White called attention to item 6.11.2.q.4.j, which would allow "kitchen facilities, processing/cooking items for sale." Would this allow Mr. Walter to have a hamburger stand serving patrons at his farm? The Commission generally felt that this term is intended to mean space used for small-scale value-added processing of agricultural products rather than for restaurants.

Public Hearing closed at 8:44 p.m.

Mr. Engle noted that even though a winery is not currently in operation in the township, the winery ordinance has been amended and is likely to be amended again. Hardin noted that the new farm brewery being developed in Garfield Township required an ordinance that provided for its type of use. More research can be done on this issue and if suitable language is developed it can be added back in.

White expressed ongoing concern about allowing 6.11.3.x.2 because they are not agriculturally related uses. Redman read the definition of "non-agriculturally-related allowable uses" from the state model agricultural ordinance. She thought it might be worthwhile adding the definition to the definition section of the zoning ordinance as part of the ordinance amendment. She also stated that the language of this section under item 6.11.3.x.2 should say shall require a special use permit rather than may require a special use permit.

White is concerned that by allowing meeting space for weddings and other such events the township will end up with one or more operations in the agricultural district like Frog Pond Village in Interlochen. Redman stated that by adding the definition as she suggests, or by inserting it right into this section, would be helpful to clarifying the intent. She and Vreeland also noted that the use of "non-agriculturally related uses" in this section in terms of weddings and organized meetings specifically conflicts with the definition of the term. The definition states that a use would not be tied to a farm building, and the concept of "barn weddings" would directly conflict with this definition by being tied to a barn.

Extended debate followed about the way various of the suggested terms could or should be interpreted and whether or not restaurant and/or special event uses should be broadly allowed in the agricultural district, and if so how to word the ordinance amendment most effectively to permit the proposed uses under proposed section

6.11.3.x.2 in a way that is consistent with agricultural activity and preservation.

Motion by Feringa, support by Carstens to recommend approval of the agritourism zoning ordinance amendment to Board as amended

- to reword proposed paragraph 6.11.2.4 to substitute the words “Agricultural or agriculturally-related uses permitted by right in the A-1 zoning district ...” for “Uses listed above in the A-1 zoning district...”;
- to add the definition of the term “agricultural tourism” found in the state model agricultural ordinance to the definitions section of the zoning ordinance;
- to reword proposed paragraph 6.11.3.x to read in entirety “The following agricultural tourism uses are permitted by special use permit:”
- To remove proposed use 6.11.3.x.1 (restaurant operations related to the agricultural use on the site);
- Make proposed item 6.11.3.x.1 “Small-scale entertainment (e.g., fun houses, haunted houses, or similar) and small mechanical rides.”
- Make proposed item 6.11.3.x.2 “Organized meeting space for use by weddings, birthday parties, corporate picnics, and other similar events.”

Motion carried unanimously.

7. **New Business:** None

8. **Old Business:**

- a) **Project list update:** The project list was reviewed. Zollinger suggested color-coding completed items in green, consolidating several items and a few minor adjustments to priority rankings.

Vreeland informed the Commission that over the past two weeks she has had many meetings with people interested in occupying existing empty commercial spaces, expanding existing commercial spaces, or replacing existing commercial spaces. The Planning Commission can currently expect to have two public hearings on their next agenda; one for a rezoning and one for a potential new charitable retail store.

9. **Items Removed from Consent Calendar:** None

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

Feringa went to the recent Partnering for Parks meeting. There is a guidebook that can be downloaded for free. Carstens added that the county and the school system are considering forming a joint park authority.

Meeting adjourned at 10:09 p.m.