



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
6:00 p.m. Monday, November 19, 2012

Meeting called to Order with the Pledge of Allegiance at 6:00 p.m.

Members present: B. Carstens (Vice Chair), S. Feringa, T. Forgette, R. Hardin (p.m.), M. Timmins, K. Wentzloff, D. White, J. Zollinger

Members excused: V. Tegel

Staff Present: S. Vreeland, Township Manager/Recording Secretary
N. Lennox, Zoning Administrator
J. Jocks, Township Legal Counsel
J. Iacoangeli, Planning Consultant

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

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

1. Continuing Education/Special Presentations: None
2. Consent Calendar: Motion by White, support by Wentzloff to approve the Consent Calendar as presented, including:
 - a) Receive and File:
 1. Draft Unapproved Minutes of:
 - a. Board [11/13/12](#)
 - b. [Planning, Zoning & Administrative Activity Report](#)
 - c. Planning and Zoning News August and October
 - b) Approval:
 - a. Planning Commission [10/29/12](#)

Motion carried unanimously.

3. Limited Public Comment: None
4. Correspondence:
 - a) [Record Eagle November 2012](#): Tegel felt this was an interesting article and asked that it be included in the agenda. Received and filed.
5. Public Hearings: None
6. New Business:
 - a) [Waters Edge SUP](#): Doug Mansfield from Mansfield Land Use Consultants was present in support of the application. The application is for SUP approval as required by the zoning ordinance to convert the former Gold Coast Inn 3-story motel to an assisted living facility with 27 total residential units. 9 units would be on each of the first two floors, with 8 units on the third floor and a unit for a resident manager. 13 There will be common sitting rooms on each floor. 13 parking spaces are required and currently 32 are provided, although this figure may be somewhat reduced to provide space for emergency vehicle staging if needed. Iacoangeli reported that Mr. Mansfield has been cooperative in making changes in the plan in response to his review comments.

Mr. Mansfield stated that the Gold Coast in was viable as a motel for approximately 8 of its 20 years. The landowner feels that the transition to use as an assisted living facility would be beneficial. One of the biggest challenges to site redevelopment has been that the property is not currently served by public water for fire suppression. Plans call for installation of a water storage tank to feed the fire suppression system. Mr. Mansfield has been working extensively with Fire Marshal Brian Belcher at MESA to satisfy requirements for a sprinkler system in not only rooms but on balconies, in the attic, and in common areas. Mr. Mansfield expects that Mr. Belcher will shortly issue a revised statement that the building if fully sprinkled with a storage tank will meet fire suppression requirements. Mr. Mansfield noted that the landowner looked into obtaining an extension of East Bay Township water system service to the site, with both Acme and East Bay Townships modifying an existing water service franchise to make this possible. One consideration in not bringing water to the site was an estimated \$400,000 cost to extend the water line from its existing terminus at the Burger King restaurant. An additional concern was providing an area of sufficient size to stage fire protection apparatus, which will be accomplished by removing some surplus parking spaces over and above those required by ordinance.

A new sidewalk in the US 31 right-of-way is planned, with new signage to comply with the zoning ordinance.

Mr. Mansfield is working with residential-scale lighting and stated that there are few firms that provide photometric studies for non-commercial lighting. He will provide a photometric study as soon as possible. There will be no post lights in the parking lot; all fixtures will be dark-sky compliant and building mounted. Originally there were 32 parking spaces which were reduced on the plan to 26 spaces. The final number will probably be 22 to provide fire truck room. The ordinance requires a minimum 13 spaces for this land use. Mr. Mansfield does not want to reduce the number of spaces further because they will need room for a large influx of families for special events such as holiday parties and there is no opportunity for on-street overflow parking.

Living units will be 250 – 260 sq. ft. each and are designed for single occupancy. The TART is adjacent to the site, and a boardwalk is proposed from an existing sidewalk to connect to the TART. However, to do so they will need permission from TART, the County Road Commission and from the DEQ because the boardwalk would cross regulated wetlands. State DEQ permits are not processed between October 1 and February 13, so it may take an extended period of time to obtain needed permits for this connection to the trail. Mr. Mansfield expressed moderate concern over safety hazards posed by the necessarily raised portion of the boardwalk. There is an outdoor area on the north side of the property where residents and/or their families can congregate.

Building elevations were displayed. The exterior will be redone in different shades of green with white trim. There will be 5-8 employees during the day and 3-4 at night with a resident manager. There will be one common ingress/egress door and an internal elevator leading to internal hallways.

To ensure optimal fire protection in the future, Zollinger suggested a requirement that if public water become available to the site that the property be required to connect to it within some definite period of time, such as a year, of availability. It was discussed that while there are statutory requirements for buildings within 250' of sanitary lines to connect to them, similar requirements for public water connections would be found in local ordinances.

Feringa asked about the fire suppression requirements for this site and whether they must meet commercial or residential codes. The use of the property is, to him, residential in nature. Mr. Mansfield replied that they must follow commercial codes, and the fire suppression will be comparable to a hotel. Even an apartment complex is required to meet commercial fire suppression codes. Even if the property is repurposed as apartments later, the sprinkler system is viewed as a good investment.

Carstens noted that there has been discussion about moving to a low-impact development stormwater management systems such as infiltration basins. He asked if Mr. Mansfield would consider such an approach on this site. He said he would look at it, but there is a high groundwater table on this site. They are required to provide 4' separation between the bottom of a stormwater control basin and the groundwater table, and on this particular site close to the bay this may not be possible. Mr. Mansfield is concerned that if the basins were not properly maintained they would turn into wetlands area, and about potential road flooding. He noted that he is working with Garfield Township on LID stormwater management ordinance amendments, and along with fellow township supervisors is very conscious of this issue.

Public Hearing opened and closed at 6:39 p.m., there being no public comment.

Forgette expressed concern about conditioning a recommendation of approval for the application on things like the issuance of a DEQ permit to cross the wetlands when the outcome is unknown. Jocks replied that it is reasonably common for a recommendation of approval to be made conditioned on approval from all applicable agencies. In fact, such approvals are specifically required for valid SUP approval by the language of the zoning ordinance. It is a valid question as to whether DEQ approval of the TART connection is absolutely necessary to the approvability of the project. It may be prudent to word the condition as requiring the TART connection across the wetlands if the DEQ grants the necessary permit.

Iacoangeli stated that the Planning Commission can recommend approval of the plan to the Board of Trustees with conditions. However, requiring the connection to the TART trail would have to be subject to DEQ approval. Mr. Mansfield suggested that the requirements could be written such that evidence of application to the DEQ for the permit be made prior to obtaining building occupancy. Connections to the TART by adjacent commercial businesses have become very common as the businesses understand the value the connections can bring. Mr. Mansfield also expressed concern about the requirement to build a sidewalk adjacent to US 31 and the high-speed traffic it carries. He does not expect it will be kept shoveled in the winter, but understands the importance the township's shoreline placemaking plan places on walkability and hopes that the addition of more sidewalks will help MDOT understand the need for better walkability in this area.

Iacoangeli summarized outstanding issues: MESA approval; review of cross-access easement by attorney, review of exterior lighting by township consultant; provision of design for freestanding sign to Zoning Administrator for required approval; and the issue with the DEQ permit for the boardwalk

Motion by Feringa, support by Timmins to recommend approval by the Township Board of Trustees of Water's Edge SUP application conditioned upon satisfying all agency requirements including signed submittal, legal access easement, lighting photometrics, obtaining all applicable permits, and connection to the TART subject to MDEQ permit approval. Motion carried unanimously.

- b) [Site Plan Review for 6703 E M 72, Warehousing/Landscape Plan](#): Andrea Brunackey was present in support of her application for phased addition of two 60 x 100' storage buildings on her industrial-zoned property on the north side of M-72 East. One building would be constructed immediately, and one at a future point in time. The buildings would be for unheated storage only with no public access. Six existing parking spaces would be shared between the storage buildings and the existing office structure. The applicant has provided a landscaping plan that she hopes to install this fall. The application was reviewed by Lennox. The proposed land use is consistent with the zoning designation.

Carstens asked about required stormwater control measures. French drains will be installed along the building eaves. He asked if stormwater detention basins would be required if the current gravel driveway were to be paved. The township's Stormwater Control Ordinance is currently administered by the County Drain Commissioner, and in-house staff is not familiar enough with the requirements and calculations in the ordinance to respond. Ms. Brunackey stated that she intends to leave the driveway as compacted aggregate rather than paving with asphalt, and that there is 65' long by 2' deep stormwater detention basin on the site already.

Zollinger asked how the proposed loading dock relates to the existing driveway. The builder helped Zollinger interpret the plans. Ms. Brunackey stated that she probably wouldn't have a dock for the eventual construction of the second building. Normally the site is served by full-sized semis that require significant turning radius.

Carstens wondered about the concept of approving a second building as a future phase at some unknown point in time. Vreeland stated that it's not uncommon, and cited the building immediately north of the Bayview Inn as an example. This building was approved in two phases 15-20 years ago and the first phase was constructed by a prior property owner. This year the current owner came to the township wanting an expansion of the building. She was able to find the original phased approval in the file, determined that the desired expansion was the same size as that approved but rotated 90° from the original plan and still meeting setback requirements. Rather than the applicant having to come to the Commission for a significant SUP amendment, Vreeland was able to administratively approve an insignificant change to the existing approval and immediately issue a land use permit. The construction is complete and the addition is occupied. Zollinger asked if it will be easy to find a phased approval made now in our files several years from now. Vreeland noted that the approval she found in the physical SUP file for the example situation was approximately 20 years old, and Hardin added that we now have more and more of our documents stored digitally for easy search and access as well.

Wentzloff asked if this application needs to be sent to public hearing. It does not; the requested land use is a use by right in the zoning ordinance which requires site plan review by the Commission only. The Commission makes the final decision on this application rather than sending it to the Board for final approval.

Feringa asked if the property falls within the M-72 corridor overlay district and must comply with its landscaping requirements. Vreeland replied that the overlay district was never actually adopted. The contents of the proposed overlay district have been used as a template for requested landscaping for other projects, most notably the Village at Grand Traverse. She would have to check, but this property might or might not lie outside of the proposed overlay district area.

Hardin asked if there are any power lines along the property frontage that might

become a concern in 20 years when the proposed maple trees have grown. Ms. Brunackey does not believe this is an issue.

**Motion by Forgette, support by Timmins to approve the site plan as presented.
Motion carried unanimously.**

7. Old Business:

- a) **Deep Injection Wells**: Iacoangeli is still working with the DEQ to obtain water table depths, but has obtained and provided a groundwater discharge map (inches per year) from the DEQ. He noted that the areas of the township that have the highest annual recharge rates are also the most built up and paved over, which represents a little bit of a conflict. He hopes to have the water table depth map by the next Planning Commission meeting. While the well depth map in the Master Plan, provided by the NW MI Council of Governments in the mid 1990's is somewhat of an indicator, an geological map vs. a well permit-based map, would be more accurate.

Carstens asked if the township can include a provision in the ordinance that a deep injection well permit can be denied if another feasible and prudent alternative to wastewater disposal exists. Jocks has included such a provision in the draft ordinance. In making this analysis, questions to be considered are whether the feasible and prudent alternative exists within or outside of the township. Deciding about the range of appropriate potential locations in the township is something best done at the ordinance-development level than at the individual application phase. Carstens was expecting that the septage treatment plant would provide a feasible and prudent alternative. However, Vreeland has indicated to him that the precise content of the wastewater flow would determine whether the plant can accept it or not. The plant employs a biological process that has to remain carefully balanced. Some wastes can't be handles, and some wastes have to be admixed to create a balanced solution to run through the plant.

Zollinger asked how the annual groundwater recharge map is determined. He is concerned to see that most of our agricultural areas are considered low recharge areas, and wondered if this is because the farm crops drink up the water before it reaches the aquifer or because of soil types. It is primarily based on soil types. White noted that the farm areas are mostly sandy loam. Iacoangeli also noted that the recharge on this map is evaluated by section as the smallest land area unit. Wentzloff has some GIS experience and does feel the map is likely to be very accurate due to the large land unit level – it is very generalized.

- b) **Master Plan- Draft Survey**: Iacoangeli prepared the draft pursuant to discussion at the last Commission meeting. He noted that the consultants at NMC will professionally review the questions and will amend them further to remove ambiguities and language that might skew the results. Timmins expressed that the draft was well-constructed and simple. Forgette also felt it was well done. He asked about question 12, which references a visual display. Several pictures will be inserted into the document with the question for respondents to choose between. They will represent several zoning requirement options. Zollinger referred to question 19 and asked if the number of options provided might be overwhelming. Iacoangeli noted that DEQ looks for communities to provide a broad range of options when surveying about community recreation preferences. The options were presented in alphabetic form. There was some discussion about how many of the options presented each respondent would be allowed to select. Zollinger also noted that not many people might know that the MDOT Roadside Park is named "Gilroy" or where the different named golf courses are. It might help to include the township Parks map in the survey for reference.

Carstens noted that there is currently no convenient and safe pathway from properties in the Bunker Hill area to Maple Bay Park. He wondered if there should be a question in the survey about the desirability of connectivity between these distant areas in the township. Iacoangeli pointed out that question 18 asks about the desirability of additional trails and connectivity.

Zollinger wondered if the reference in question 7 should be to a town center vs. large-scale retail. Iacoangeli responded that he crafted the question to elicit opinions about the desirability of national, regional and local retailers in the community. This question is about the type of economic development the township should seek. The answer we receive to this question might help determine where the desired types of development might fit in the overall physical community plan. Wentzloff believes that the addition of “mixed use” rather than “town center” to the list of uses would help determine the desire for mixed uses without creating an expectation that those uses would be located on any particular property that has been referred to as a potential “town center” in the past.

Iacoangeli will send revised copy to NMC for their review and editing and bring the edited copy back to the Planning Commission.

Carstens mentioned the growing local discussion about the local food movement, including food innovation districts and food hubs. Zollinger wondered if this would make a good box to add to question 14. Iacoangeli was concerned that most people won’t know what a “food innovation district” or “food hub” is. He noted that these issues will be discussed as part of the overall master planning process and with focus groups. Removing “planner-speak” from the survey as much as possible is important.

- c) **Waterfront Mixed Use Development Standards:** Lennox will provide additional materials for the December meeting. She noted that at the last meeting a question was raised about standards for rear facades, and she has added language for coordinating the appearances of the front and rear facades. She will coordinate with Iacoangeli, Tegel and Jocks.
 - d) **Stakeholder Analysis Form:** Commissioners are reminded to turn their completed forms in to Iacoangeli at their earliest convenience.
8. **Items Removed from Consent Calendar:** None
9. **Reports:**
- a) **Food Innovation District, Map Conference- Bob Carstens:** received and filed.
 - b) **Blank Education Report form:** The incorrect form was attached to his agenda. Tegel had asked for the training attendance report to be attached to each agenda to ensure that commissioners always have one at hand if needed.
 - c) **MAP Conference report- Steve Feringa:** received and filed.
 - d) **MAP Conference report- Trae Forgette:** received and filed.
10. **Planning Commission Items for Discussion:** Zollinger stated that he has appreciated working with the Commission, and that replacement commissioners will be appointed before the next meeting. This is also Hardin’s last meeting, and perhaps White’s as well.
11. **Public Comment/Any other business that may come before the Commission:**

Meeting adjourned at 7:45 p.m.