



ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
Special Meeting
6042 Acme Road, Williamsburg MI 49690
Aug. 18, 2014 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE AT 7:01PM

Members Present: DeMarsh, Binkley, Timmins, Finch, Feringa, Wentzloff, White, Forgette,
Members Excused: Rosa - excused
Staff Present: N. Lennox, Township Zoning Administrator

A. LIMITED PUBLIC COMMENT:

Charlene Abernathy, 4312 Westridge Drive – Immediate concern is in regards to gravel trucks using Bunker Hill Road west of Lautner. Thought, along with others this was something they weren't supposed to be doing but they are. As part of GTTC SUP, the development doesn't have any responsibility to Bunker Hill Road yet these heavy loads are likely to cause damage with no financial responsibility. In the end, does the repair of the Bunker Hill Road fall on taxpayer-funded entities? How much more construction traffic can we expect on Bunker Hill Road? Secondly, long term concerns include the development will greatly increase the burden on services such as Fire, Police, and other services. Who will pay the bill for increased costs? Has not seen anything written regarding how to fund the expected increases.

B. APPROVAL OF AGENDA: Motion by Timmons, seconded by White to approve the agenda. Motion carried by unanimous roll call vote.

C. INQUIRY AS TO CONFLICT OF INTEREST: None

D. CORRESPONDENCE: None

E. NEW BUSINESS: Minor Amendment to VGT Site Plan 2009-01P

Wentzloff – Addressing public comment, second concern does not pertain to planning commission but can be addressed to the Township Board. As for the first concern, the Township has been receiving feedback.

Lennox – Believes the development is allowed to use Bunker Hill Road.

Wentzloff – Knows that it was talked about but does not recall it being stipulated.

Lennox - We will follow up with this to clarify.

Feringa – The use of Bunker Hill Road will be changing soon. Tribe is working with MDOT to coordinate all work on S. Lautner Road and M-72 to occur in same fiscal year (2015) to minimize impact to region businesses and residents. So once that is done, they will be using M-72. MDOT, Tribe, County, and developer are meeting very soon to work all of these issues out. Plan as of now is to do all of S. Lautner, including round-about in spring of 2015. Then continue on with M-72 construction westward and be done by end of 2015. All of this work will coordinate with MDOT and the US31 construction. This way it is done in one year and does not carry over into two years so as to minimize regional impact. Engineering plans are now complete. Change in construction schedule to have a phased approach. In spring 2015, north Lautner will be done to coincide with US31 round-about that MDOT is doing. Once that is done, the next year all of Lautner will be done. Issue with stream crossing that must be addressed and fixed along with a right-away issue. When Bunker Hill is reached, the Tribe will be working with the County to re-do Bunker Hill from Lautner to US-31. This is scheduled for 2016. This will address any damages caused by construction activities.

Forgette - Can we get a community announcement of the plan?

Feringa - Waiting for final documents to be signed. Engineering is done for Lautner and will do the part that

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affects the GTTC first. In the engineering of the pedestrian tunnel and round-about as part of Phase I, MDOT wants to raise grades of main round-about it to be safer that may shift it to the north but it will make it safer for the public. Tribe is working to fund and will pay for extra costs as the permittee. Tribe has been working hard to schedule this is to be one year.

Wentzloff provided a summary and purpose of this special meeting.

In May of 2014, the pc amended the SUP to separate the land use permit for the entire development (GTTC) and the Meijer store so that they could get started preparing the development site work for the entire project before they acquired the Grand Traverse County Road Commission (GTCRC) permit. Once GTTC received the GTCRC permit, then they could obtain a permit for construction of the Meijer store. However now, in the evolution of the project, the Tribe is now taking a larger role in the project and will be the entity securing the road improvement permits for the project. Since GTTC is no longer in control of the road improvement permits, Meijer is looking to secure a land use permit to begin construction of the store. Township Counsel and Planner looked at the allowance of road permits being issued to other entities than the developer and allowing Meijer to be issued a land use permit to commence construction. Road improvements would be conducted concurrent with site construction.

Lennox – What still stands is that occupancy for Meijer or any other site within the overall development will still be subject to Lautner Road and M-72 improvements being completed. It doesn't matter who is doing the road improvement work.

Feringa – This is the reason the Tribe is working with the schedule so that the road work can be worked on currently with the Meijer store so the roads can be open and useable for Meijer to open in Fall of 2015.

Wentzloff – So the big stipulation that needs to be emphasized here is that Meijer or any other site within the development that is approved for the GTTC, would not be allowed to occupy or open until the road improvements are completed. The reason for this is because the road study that was conducted for the overall project clearly indicated that failure to provide these road improvements would cause an infrastructure failure of the current intersections. The developer, in their letter to the township, recognized, that stipulation.

Feringa- In addition to a construction sequencing, there is also a financial sequencing with respect to release of funds to the Tribe.

Forgette- What protection does the Township have if roads are not completed in time and Meijer or any other business within the GTTC are requesting occupancy? Traffic study indicates a failure will occur if roads are not complete, so what can the Township do to protect itself or reduce liability if they are allowed to be open?

Lennox- If something falls through with the road work, developer has posted a bond for completion of the road.

Wentzloff – Even if store is finished, waiting to open and those road improvements are not done, it is clear to all parties that they will not be allowed to open. Legally, that is a question for counsel, however, they are supporting this amendment. The letter from the agent for VGT, LLC (GTTC) to the township states “All other requirements remain effective, including that the M-72 and Lautner Rd. improvements required by the Findings of Fact and Site Plan approvals must be completed prior to the occupancy and/or opening of the Meijer store or any other development on the VGT.”

Feringa- Tribe has already had several meetings with all parties including MDOT, VGT and Meijer to work through all the scheduling, sequencing, and funding.

A motion was made by Timmins, second by White , to revise #7 of Permit No. 2009-1P as outlined in the

letter of request submitted by Mr. Steve Schooler, agent for the Village at Grand Traverse, LLC.

Motion carried by unanimous vote

F. COMMENT & OTHER PC BUSINESS

- 1. Zoning Administrator update on projects:** none
- 2. Planning Consultant:** Not present
- 3. P C Business:** none
- 4. Public Comment –** None

ADJOURN: White Motion to adjourn; Timmins seconded. Motion passed unanimously at 7:32pm.