



**ACME TOWNSHIP PLANNING COMMISSION MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
7:00 p.m. Wednesday, July 28, 2004**

**Meeting called to Order at 7:00 p.m.**

**Members present:** H. Smith (Chair), B. Carstens, D. Hoxsie, D. Krause, P. Salathiel, O. Sherberneau, M. Vermetten

**Members excused:** None

**Staff present:** S. Corpe, Recording Secretary  
M. Daray, Township Counsel  
R. Williams, Planning Consultant

1. **Review and approve agenda, inquiry as to conflicts of interest:** Smith noted that the public hearing on Application #2004-13P will not be held as scheduled because the application has been withdrawn and that the public hearings regarding the two proposed zoning ordinance amendments will not be held because there was an error in the date published in the newspaper. No conflicts of interest were noted.

**Motion by Carstens, support by Sherberneau to approve the agenda as amended. The Chair cast an unanimous ballot, there being no objection.**

2. **Public Hearings:**

- a) **Public Hearing regarding Application #2004-12P by Hilltop Condominiums for Approval of an amendment to their existing Special Use Permit/Site Plan to permit reconstruction of their driveway and parking area (part of the G.T. Resort PUD along M-72 East, to the east of TraVino)** (Attachment A included and incorporated by reference): Bob Rinck appeared on behalf of the applicant, giving a brief summary of the revisions made to the plan pursuant to staff recommendations since the June meeting. All new parking areas will be kept at least 50' away from the M-72 right-of-way. Engineered solutions to pedestrian safety are also included, as people leaving the condominiums must walk between the carports and are difficult to see from passing cars. Smith asked about the Metro Fire requirement for a 20' wide drive with a 35' inside radius as opposed to a 16'-wide paved surface and 34' inside radius as depicted and was assured that the requirements will be met. Salathiel commended the inclusion of speed bumps to assist with pedestrian safety. Krause asked about landscaping requirements; Corpe stated that her report recommends that final approval of landscaping be left to the Commission's Landscaping Committee. This site already has a number of mature trees in clusters along the M-72 right-of-way, although the clusters are farther apart than the 35' normally required as a maximum. Also, most of the parking areas sit well below the road grade and are shielded from view by a steep slope, so some creativity seemed warranted. Vermetten noted that the Drain Commissioner's letter indicated a need for additional water retention areas on the east side of the proposed turnaround that are not shown on the current plan; Mr. Rinck stated that a final plan depicting the required and approved basins will be provided. When asked if Corpe wished to highlight any other areas of her report, she replied that she has recommended that the sidewalk requirement be deferred until such time as improvements to this stretch of M-72 are made and/or in conjunction with possible relocation of the main Resort entrance to just east of this property, and/or at the Board's discretion. Precedent for a deferral has been set, notably with Tom's/Beaversmith Tools/The Formal Affair. Since it seems that this

section of roadway may be improved within a few years and there is little pedestrian traffic in this area now, it seemed to her to be counterproductive to ask that a sidewalk be installed at great expense to the property owner due to the topography that might be displaced within a fairly short period of time.

**Public hearing opened and closed at 7:15 p.m., there being no public comment.**

Salathiel agreed with the staff report that an impact assessment report did not seem warranted in this matter.

**Motion by Hoxsie, support by Sherberneau to recommend approval of Application #2004-12P to the Township Board with the following conditions:**

- **Receipt of final site plan from applicant including approved water retention/detention features and turnaround drawn to minimum Metro Fire specifications**
- **Receipt of final site plan approval from County Soil Erosion Office**
- **Approval of landscaping plan by Planning Commission Landscaping Committee.**
- **A requirement that a sidewalk/non-motorized pathway be constructed across the width of the condominium property at the township's discretion and to be performed concurrently with any or all of the following circumstances: widening of or improvements to M-72 along this section; or construction of a new intersection or driveway to the east of the condominiums and west of Lautner Road.**

**Motion carried by unanimous roll call vote.**

- b) **Public Hearing regarding Application #2004-13P by Organic Plant-It for SUP/Site Plan Approval to operate a greenhouse establishment at 9440 US 31 North (former Yuba Trading Post), currently zoned A-1, Agricultural: APPLICATION WITHDRAWN**
- c) **Public Hearing regarding Application #2004-5P by LochenHeath LLC for amendment to existing PUD Special Use Permit to relocate existing main entrance drive along US 31 and construct clubhouse** (Attachment C included and incorporated by reference): Dr. Marc Krakow, a partner in the LochenHeath project introduced other project partners and made general introductory comments. Joe Elliot, Gourdie Fraser Associates and representing the applicants, indicated that the group would begin with a general introduction of the Pinnacle Group. John Lang, Managing Member of LochenHeath/Pinnacle Group provided this portion of the PowerPoint presentation, which is on file with the township offices.

Mr. Elliot stated that there are 85 residential lots in the existing LochenHeath PUD. Changes to this area would include relocation of the main entrance from LochenHeath Drive, currently a county road. The road would be gated and provide access for maintenance, emergencies and one non-Lochenheath resident (Pulcipher family). A new main access drive would be created farther south along US 31 where there is an existing secondary drive. This drive would serve both the existing and proposed new portions of the community. A practice area and maintenance building would be relocated. Additionally, an existing cul-de-sac would be turned into an internal road connection to the new portion of the community. Final engineering of the new access from US 31 with gatehouse will require final MDOT approval. The new main access drive would be tree-lined, and the entrance would utilize significant

landscaping. The applicant would work with John Pulcifer, the neighboring farmer, to ensure appropriate continued air drainage to the cherry orchards.

Roger Williams, the township's planning consultant for this project, indicated that there have been no significant changes to this portion of the site plan since the last meeting.

Carstens asked about possible springs in this area. Mr. Elliot indicated that there are some underground drainage tiles in place in certain areas of the east side of the property. The applicant is confident that they can work with and improve the existing water drainage systems.

**Public Hearing opened at 7:37 p.m.**

Linda Wikle, 7174 Deepwater Point Road, asked to have the location of the Pulcifer Orchards relative to the project pointed out. She also asked how Mr. Pulcifer currently accesses his property; his house is on Lochenheath Road. Ms. Wikle asked if the proposed new main driveway location might pose sight distance concerns, as it may be near the crest of a hill. Mr. Elliot stated that MDOT has approved the proposed entrance location.

Richard Westerman, 3854 Haven Hill Lane, is just purchasing the property. His understanding was that Maitland Road as platted connects through to Peaceful Valley Road. Mr. Smith said that this question may more appropriately apply to the second hearing. Mr. Westerman believes that the existing development blocks the platted county road now.

John Pulcifer, 4521 Lochenheath Drive said that his only concern is with air drainage, and he is hopeful that his needs and the applicant's can both be accommodated.

Mr. Norbert Lerch, 4061 Bay Valley Road, asked about the Bay Valley cul-de-sac. He said there is supposed to be a breakaway gate there to allow emergency access through to Maitland Road. Smith again indicated that this would be discussed as part of the second hearing.

Janet Westerman, 3854 Haven Hill Lane asked about the proposed new entrance on US 31. She asked if additional lanes would be added to the highway to accommodate increased traffic and turning movements. Smith stated that he believes a turning/passing lane is part of the MDOT access approval recommendation.

**Public Hearing closed at 7:43 p.m.**

Carstens noted the discussion about the proposed entrance road and possible decreased elevation for the access road to provide for air drainage, he understands that the applicant may be requesting a decrease from our existing right-of-way landscaping requirements. Would this be a concern? Krause observed that the internal road would be a private road, and the customary street tree requirements would not apply. Carstens asked if there are normally enhanced landscaping requirements between adjacent land uses; Corpe responded that this applies in the case of side-by-side intensive general business and residential uses. Carstens further asked if a specific condition regarding air drainage should be included in any decision; Hoxsie observed that the area has been planted in cherry trees for over 40

years without substantial air drainage issues to the Pulcifer property.

**Motion by Krause, support by Vermetten to recommend approval of Application #2004-5P to the Township Board. Motion carried unanimously.**

- d) **Public Hearing regarding Application #2004-6P by LochenHeath LLC for Special Use Permit/Site Plan approval for an Open Space Development expansion of LochenHeath community housing throughout approximately 370 acres of land on the west side of US 31 North, immediately to the north of Dock Road and south of the existing LochenHeath development (the “Veliquette Orchard”), currently zoned A-1, Agricultural and R-2, Residential** (Attachment D included and incorporated by reference): Mr. Elliot and Mr. Dean Connors, R. Clark Associates, continued the overall PowerPoint presentation.

Mr. Williams indicated that he met with the applicants after they submitted new materials on July 12. His materials include e-mail correspondence between himself and the applicant, and his updated his project checklist for the Commission’s benefit.. He wished to highlight the traffic study submitted July 12. It recommends a passing lane and a turning lane for southbound traffic. Mr. Williams believes that both features should be considered as requirements. He also noted that the report only contemplates the single-family units and the cottages, but not the multiple-family units. When the northeast corner plans are firmed up, he would recommend an updated traffic study. The study assumes project opening in 2009 with 3% annual increases in traffic prior to that time, which his research confirms as an appropriate assumption. The phasing plan is largely unchanged except that the lakes may be constructed in phase 1 instead of phase 3. He finds this favorable as a method to control soil erosion and drainage needs for phase 1. Follow-up with Metro Fire regarding the fire suppression and road systems is also important. Mr. Williams recommends that fencing and berm design details near the US 31 corridor should be brought to the Commission’s attention when available.

Regarding the OSD portion of the application, Mr. Williams noted the street tree requirements in relation to air drainage issues. Careful tree spacing should alleviate any conflicts. The application does not yet contain the required documents regarding how ownership of the common spaces will be treated and will also need to be addressed in the future.

Krause asked about the woodlot buffers on the west side of the property. Particularly in the northwest corner, the applicant has made a commitment to maintain these woodlots. Krause noted that these woodlots are important as a buffer between the development and Peaceful Valley Road. When Mr. Veliquette timbered this area it was left in disarray. Mr. Connors indicated that a minimum 100’ buffer is to remain between proposed housing sites and existing development, but Krause is concerned with areas where the woodlot may be wider than this. Sherberneau doesn’t believe this will be a concern, nor does Mr. Connors.

Krause also asked about the assertion that the applicant would meet all landscaping requirements. He asked if we require a certain number of street trees along private roads; Corpe read from Section 8.3.5 which indicates “rights-of-way” but not whether they are public or private. Smith noted that to maintain air drainage the applicant is discussing flexibility in tree spacing as long as overall required tree count is maintained.

Carstens recalls that some homes along Deepwater Point to the west of the site were flooded at one time. He is particularly concerned with maintenance of any and all potential wetlands and drainage opportunities, especially as a secondary water treatment system before any runoff might eventually reach other properties or the bay. He is concerned with maintenance of wildlife habitat and corridors, and with how open space has been calculated. His understanding of the ordinance is that quality and use of open space dictates whether it can be considered as part of the 50% required minimum. There is also a future development area indicated in the northeast corner of the property, and he asked if this is included in the open space calculation. Mr. Elliot stated that the northeastern future development pod has not been included in the open space calculation, and that they have been careful in their reading of the ordinance. They have not taken advantage of their entire opportunity to count area as open space; theoretically they could include all areas 30' away from building envelopes with appropriate use restrictions.

Salathiel asked about the proposed length of construction; the applicant proposes a seven-year buildout period. She is also concerned with a traffic level of service "D" to "F" along US 31, and safety of people making turning movements near the resort coming from Deepwater Point Road. Mr. Elliot agreed that MDOT has oversight over the US 31 corridor and they want to minimize turning movement locations to minimize conflict points. Therefore, they prefer one entrance to multiple entrances. The level of service ratings are relative to individuals leaving the development and indicate that there may be significant delays during peak traffic flow times for those individuals only. Mr. Elliot asserted that the general public should not experience the same difficulties.

#### **Public Hearing opened at 8:43 p.m.**

Mr. Westerman posed his question again regarding a road existing in Peaceful Valley labeled Maitland Road that appears to have been discontinued by a cul-de-sac on the existing LochenHeath property. Smith called on Jim Maitland to address this question. His family originally owned all of the property to the edge of the subdivision, until they sold off some lots in the 1960's. Originally Peaceful Valley was a dude ranch. Easements through the farm were given to the accesses the Maitland Family split off. Originally the easement wasn't named, but eventually it was named Maitland Road from US 31 to a cul-de-sac at the end of Bay Valley Road. When Peaceful Valley resort was sold for development, the people in Bay Valley created their road and connected it to Peaceful Valley in preference to using Maitland Road. The Bay Valley residents signed away their previous easements over Maitland Road at that time. When LochenHeath was created, they agreed to create an emergency access in this area. It was to have a breakaway gate, but Metro Fire has asked that the gate be padlocked instead. For access they would use a key in a lockbox or a bolt cutter to get through rather than an expensive fire truck to break through. Two years ago there was a windstorm that brought down trees that blocked Peaceful Valley Road and once people could get to the gate it was unlocked. Mr. Maitland feels that opening the road up permanently might create a scenic touring opportunity that could create traffic difficulties for LochenHeath and Peaceful Valley residents alike. Mr. Westerman is concerned with older residents in his neighborhood that might need speedy emergency services. He also has noted the untidy trees in the woodlot.

Another gentleman who lives on US 31 North asked if the lakes would be supplied by groundwater from the Maitland farms, and if the community will be fenced. Mr.

Elliot responded that the lakes would be initially started with groundwater. Some water would evaporate but would be replaced by storm water runoff. If water needed to be supplemented, it would need groundwater. A gatehouse will exist at the entrance, and some fencing/berming/landscaping would be used to buffer the southeast corner of the property but there not currently an intention to fence the entire development.

Mr. Pulcipher asked how far the passing lane would continue up US 31. He has trouble taking tractors across the road now to farm on both sides of the road and this would be a big issue for him.. Mr. Elliot says this will be determined by MDOT, but 300-400' to either side of the entrance would be customary.

Ms. Wikle asked if the road coming out on Dock Road where the ski path for the resort used to be would still be an access road? Mr. Elliot said that there would be an emergency access. She is concerned because she has trouble getting out on the highway, so she often uses this road to get to Deepwater Point Road. She already feels traffic is too heavy and fast on Dock Road. She is concerned that a new group of people would be using it as a speedway. Mr. Elliot indicated that residents would not be able to get through the gate. Linda also asked about access to the water at the end of Dock Road, which is currently poor at best. If new LochenHeath residents want to use this bay access, things could get worse. Mr. Elliot indicated that since this will be an extension of LochenHeath, it would use the 2,400 feet of beach frontage existing in the current section of the development. Corpe mentioned that a waterfront access task force formed by the Board has been examining options for either improving one of the existing road end access points or creating a new launch. The task force is preparing a presentation for a public information and feedback session to be held soon. Smith noted that township staff and officials are in regular contact with MDOT as well. Ms. Wikle stated that when Mr. Veliquette developed his orchard, the deer that wintered on the west side of the property became a nuisance. He hired people to shoot the deer. Fawns were orphaned, and dead or dying deer were left in the woods and occasionally found by neighborhood children. She found this terrible and believes that the community can't bear another such occurrence. There are gray foxes, raccoons and opossums along with the remaining deer in the remaining woods. There has to be some control.

Paul and Georgetta Felix, 8661 Woodridge Drive, represent a number of the 19 Woodridge Shores lot owners. They had four concerns, three of which have been addressed. The remaining one is that when LochenHeath was first approved, they wanted assurance any wells drilled would not negatively impact their wells. They want the same assurance now that their aquifer will not be drained. Smith asked the applicant about underground water studies. Mr. Elliot stated that when the original development occurred it underwent a DEQ permit process for creation of a community water supply. An extensive hydrogeographical study was performed. If more capacity is needed from new wells, similar new studies will be required by the DEQ.

Mrs. Westerman asked about the row of trees in the northwest corner of the property. The trees along the north line are only one row deep. She is hearing that there will be a 50' buffer from this line and the houses. Will something be planted in the buffer, or will it be an open field? Mr. Connors stated that the applicant's intention is to leave the present trees. The 50' buffer is planned to include new plantings to fill existing visual spaces.

Mr. Pulcifer asked if an extended sewer district would include his property. Smith stated that the sewer district has not been expanded at this time.

Don Pishney, 7855 Pinedale Drive, is concerned about additional ways out of Peaceful Valley. His father-in-law says that back in the County Club of Michigan days the township committed that before there was any additional development in that area, a back entrance or other way out would be provided. From Dock Road to the back of the subdivision is 2 miles of narrow, tree-lined road. In his eleven years as a resident, trees and/or high-voltage wires have fallen and blocked the road for periods three times. Once he and his neighbors cleared the downed tree themselves. The LochenHeath development appears attractive, but this seems to be the last opportunity to get a back entrance from Peaceful Valley. He echoes sentiments that the Commission should consider this opportunity and the prior commitment. This is a long dead-end road right now, ending perhaps 50' from joining two cul-de-sacs. Smith stated that he doesn't know the full history of the mentioned time period. He does not believe the township can require that a road be created through the private property, but he would certainly encourage neighboring landowners to talk. Mr. Maitland said that there was discussion to this end, but the road would have dead-ended at Mr. Pulcifer (the elder's) house but Mr. Pulcifer didn't agree to a connection.

Mr. Mark Nadolski speaking for himself and his mother Isabelle Nadolski, 3836 Haven Hill Lane, asked if the commission will be ruling tonight or if a continuation of the discussion is expected. Smith stated that this is the public hearing and public is present. After the hearing is closed, a recommendation could be made this evening. His mother's property is at the northwest corner of the subject property. He believes that a 50' buffer is insufficient from his mother's property to a 7,000 sq. ft. home. 200-300' would be more appropriate in his mind. He feels the proposed ponds would turn into mosquito havens. He was on the advisory committee for the PDR program; Sherrin Hood (Acme Township's former Planner) was one of the driving forces towards the bi-county initiative that took a year and a half. The entire purpose of the program is to save farmland. Two projects this week, this and the proposed Village at Grand Traverse would, in his opinion, "destroy any sense of farming in this area of the township." He also believes that it will severely impact the entire bi-county initiative. When prime farmlands in these types of areas begin to fall, he is concerned. Smith stated that he has been working with the PDR initiative for the past six months. Acme is one of 5 townships that has chosen to participate in the bi-county program. For a property to apply for purchase consideration, the farmland must be "prime" but also the property owner must be willing to sell the property for preservation; he cannot be compelled. The township is trying to preserve lands that will be designated as prime by the joint county committee. Mr. Nadolski stated that this property was described this evening as prime farmland, and he believes the township is encouraging the proposed development. He is not opposed to projects that fit communities and their goals. He does not believe that farmland and a development like this can co-exist. Mr. Nadolski lives in Peninsula Township, where Underwood Farms was built with three wells that were approved. Now he is in a water district he didn't want to participate in because only a few years later, the 102 houses depleted the aquifer that they asserted would serve them and the area for 30 years. He believes a more detailed impact study is required prior to plan approval, and that the proposed lakes will require constant refilling. Otherwise, the Deepwater Point residents will be dragged into a water district in which they don't wish to participate. He urged the commission to continue their deliberations.

Roger Loeffelbein, 8220 Turnberry Circle believes the public should be very well pleased by the development plans. He will be impacted by the plan more than most, as he is already a LochenHeath owner. He has never found anyone more concerned with the neighbors than the Krakows and Maitlands. He was concerned at first by the introduction of the Pinnacle Group, fearing that they would be the typical “developer.” After asking hundreds of questions his fears have been set aside. He is pleased to have Pinnacle become involved and believes the community will be pleased with the end result.

Ms. Wikle said she had heard that when Mr. Veliquette purchased the property there were deed restrictions in place saying that he couldn't re-sell the land for any non-agricultural purpose. Smith asked Corpe if this is the case; she has not looked at the deeds but can check them to see.

Tom Albrecht and Karen Jennings, 3546 Woodland Trail, were shocked about the idea of a gated community at first. They thought the land would remain a cherry orchard for a while, even if the woodlands they had used for recreation were lost. Only a year later it's being turned into a “Millionaire's Club.” Is this our vision of Acme Township?

#### **Public Hearing closed at 9:15 p.m.**

Smith stated that Pinnacle's website provides a wealth of information about their organization.

Salathiel raised several issues. Regarding the water wells, she asked if there is a way to assure the public nearby that their water will continue to be plentiful? Mr. Maitland stated that when the first two wells were installed, the DEQ made them continually pump water for 72 hours at 300 g.p.m. per well. This would have been many millions of gallons. Then DEQ assesses how far the water dropped and how fast it came back up, and granted the permit. Additional wells will be required, as will be the same testing process. Mr. Elliot stated that a 10-year time of travel study was required regarding the aquifer and how it reacts to pumping. The state has vast amounts of information on which to model a study. Mr. Pulcifer stated that his five wells have been unaffected so far. Mr. Nadolski said that everyone seems to be talking about current conditions, but not taking into account 400 new homes, or build-out of about 75 more homes in the existing development. In Underwood farms, after being assured by the County and Gourdie Fraser that there would be no problem, 7 years later there is a problem. Mr. Elliot said that the DEQ permits LochenHeath to draw a certain amount of water per day. They can build another 177 units on the current withdrawal amount; then they must seek additional permits. They can serve a total of about 250 units while currently pumping at 150 g.p.m., but were tested pumping at 300 g.p.m. The only reason the wells are not running at full bore all the time is to avoid drawing fluid from the nearby community drainfield. This system could possibly be abandoned if LochenHeath eventually ties in to the regional sanitary sewer system, as their community system is designed to do.

Salathiel asked what the entrance signage might look like; Mr. Elliot said elevations would be presented when the time comes to construct them.

Hoxsie asked Mr. Williams to clarify his recommendations for action. Mr. Williams replied that a passing lane and turn flare should be required, further review of fencing/berming along US 31 will be needed; that all agency letters should be



received (particularly Metro Fire); and LochenHeath should work with Mr. Pulcipher regarding air drainage. Carstens asked about requiring the proposed lakes to be installed in phase 1, as they appear to be an integral part of the overall stormwater management system. Salathiel would suggest adding a search for any deed restrictions that might be in place. Mr. Lang indicated that the restrictions state only that no golf course or hotel may be developed on the property.

Krause asked for clarification about the proposed buffer distance from existing Deepwater Point/Peaceful Valley properties. Mr. Connors indicated that the buffer distance figures stated are from building envelope areas within lots and not from the lot lines themselves. The applicants are committing to 100' spacing from houses outside the project to houses inside the project. Smith noted that the development will be composed of site condominiums; the residents will own their building footprints but the remainder of their lots will be limited common elements.

**Motion by Hoxsie, support by Vermetten. to recommend approval of Application #2004-6P to the Board of Trustees subject to the following conditions: adherence to the traffic study indicating a need for both a deceleration and right turn lane on US 31; additional clarification regarding the proposed fencing/berming along US 31 North prior to construction; maintenance of appropriate air drainage to nearby fruit orchards and receipt of all required agency approval letters. Motion carried by unanimous roll call vote.**

**A brief recess was called 9:35 p.m. – 9:38 p.m.**

**e) Public Hearing regarding proposed Zoning Ordinance Amendment #127: M-72 Corridor Overlay District.**

**and**

**f) Public Hearing regarding proposed Zoning Ordinance Amendment #126**

**Due to an error in the hearing date specified in the legal announcement in the newspaper, public hearings on proposed amendments #126 and #127 cannot be held this evening as proposed. The hearings were rescheduled for the August 30, 2004 meeting.**

**3. Preliminary Hearings:**

**a) Preliminary Hearing regarding proposed General Ordinance #2004-1, Acme Township Schedule of Fees (Attachment E included and incorporated by reference)**  
Corpe explained that earlier this year she performed a thorough assessment of the costs incurred by the township to process a special use permit application. She examined all applications that were made during 2002-03. The results provided indicate that costs exceed the fees currently charged, which are based on a fee schedule last adopted/modified in 1988. Based on her findings, and after examining fee schedules from surrounding communities, she has developed a proposed new fee schedule for consideration and possible adoption. Corpe also provided a memo detailing the thoughts which lead to the specific figures she is suggesting.

The township's current fee schedule has been adopted as a general ordinance of the township, rather than as a portion of the Zoning Ordinance. As such, it would generally be subject to an adoption hearing at the Board level only. However, Christopherson noted to her that many communities handle their fee schedules as part of the zoning ordinance, and that he would feel more comfortable if the Planning Commission first holds hearings as they would for any zoning ordinance amendment

before passing a recommendation to the Township Board. Hoxsie asked that information regarding how much of a percentage increase is proposed in each fee would be helpful, so Corpe will add this information to the packets for the public hearing.

**Motion by Vermetten, support by Sherberneau to set a Public Hearing on Proposed Acme Township Ordinance #2004-1 for the August 30 meeting. The Chair cast an unanimous ballot, there being no objection.**

**4. New Business:**

**5. Old Business:**

On July 26, the Commission agreed to continue the public hearing regarding Application #2004-11P, The Village at Grand Traverse, on Thursday, August 5 at 7:00 p.m. Corpe has made phone calls to try to arrange meeting space capable of holding a crowd size similar to that on the 26<sup>th</sup>. New Hope Church, the Resort and Mountain Jack's were already booked, The Williamsburg was running their dinner show, Feast of Victory Church and Christ the King Church facilities were too small, and parking at Bertha Vos would have been problematical. New Hope Church is available and an adequate facility on Wednesday August 4, so the Commission decided to move the meeting up a day. Corpe will place display ads in the paper, a notice on the website and will otherwise get the word out as broadly as possible about the change in date.

**6. Any other business that may come before the Commission:**

Smith thinks that now would be a good time for the Commission to ask the Board to begin the process of hiring an individual to assist the Commission in producing a future land use map for the Master Plan and to begin a complete revision of the zoning ordinance. Corpe noted that the board has allocated \$25,000 for planning consultant services during the current fiscal year ending June 30, 2005. This number seemed low to some commissioners, but Corpe pointed out that if the new fee schedule is adopted, applicants will become responsible for the cost of hiring specialized help to review their applications which will ease the demands on budgeted funds. She asked Hoxsie to comment on the extent to which he expects the Board will wish to be involved in the selection process; Hoxsie believes that they will want some hands-on involvement.

**Motion by Vermetten, support by Sherberneau to ask the Board of Trustees to begin the process of hiring a consultant to assist the Commission in preparing a future land use map for the Master Plan and a complete revision of the Zoning Ordinance. The Chair cast an unanimous ballot, there being no objection.**

Ron Reinhold suggested that since there is a widely perceived current mismatch between the tenets of the Master Plan and the laws set forth in the Zoning Ordinance, perhaps the township should consider instituting a moratorium on new commercial developments, excepting any applications currently under consideration, until the new Ordinance is ready. General debate ensued regarding how such a moratorium could be legally and practically enacted, if at all. Daray indicated that something similar is currently in place in Leelanau County, but he is uncertain of the details. In theory a moratorium should be possible, but further research should be conducted first. There is Supreme Court precedent saying that moratoria for specific periods of time are not takings. Vermetten expressed disagreement.

**Meeting adjourned at 10:00 p.m.**