

**ACME TOWNSHIP
Zoning Board of Appeals
December 23, 2010**

Thursday, 7:00 p.m.
Acme Township Hall
Acme, Michigan

Meeting called to Order at 7:02 p.m.

Members present: J. Kuncaitis (Chair), L. Belcher, B. Hopkins, D. Krause

Members excused: L. LaSusa, D. Smith

Staff present: S. Vreeland, Acting Zoning Administrator & Recording Secretary

1. **Review and approval of the agenda, inquiry as to conflicts of interest:** Approved with no conflicts noted.

2. **Correspondence:** None

3. **Reports:** None

4. **Hearings:**

- a) **2010-01Z Hearing for Jeffrey E. and Marie M. Schwartz, 9233 Shaw Road, Williamsburg, MI 49690 to permit an extension of the grandfathered nonconforming use of a structure on the property located at 9233 Shaw Road, Williamsburg:** Mr. and Mrs. Schwartz were present in support of their application. Belcher read the published public hearing notice into the record. Mr. Schwartz stated that the home built in the 1960's sits closer to the water than currently permitted. The proposed additions will not extend towards the water, and will not violate the setback requirements on any other side of the property.

Mr. Schwartz asked if he would need to approach the ZBA for permission for further additions to the home, or for separate accessory structures on the same property. As the ordinance stands similar hearings would be required for further expansions of the home, but not for construction of completely separate structures that conform to requirements on the site.

Public Hearing opened and closed at 7:10 p.m., there being no public comment.

Motion by Hopkins, support by Krause to approve Application 2010-01Z as requested pursuant to Section 12.5 and based on the findings of fact in the staff report. Motion carried unanimously.

- b) **2010-02Z Hearing for Cherry Country Fruitworks LLC, 10106 US 31 North, Williamsburg, MI 49690, to permit an extension of the grandfathered nonconforming use of a fruit processing plant at 10106 US 31 North, Williamsburg:** Nels Veliquette, 311 S. Maple Street in Traverse City, and Duncan Morrison were present on behalf of Cherry Country Fruitworks to support the application. Belcher read the published public hearing notice into the record.

Kuncaitis asked if the two small block buildings near US 31 North are still scheduled for removal, and they are. One is within the required setback area and one is not. The proposed new addition will be set back from Angell Road by at least 200'. Belcher asked about the capacity of the production wastewater treatment system relative to the proposed expansion. Vreeland stated that when the system was installed a little over a year ago it was oversized for future expansion. Shoreline Fruit management made a point of providing the township with an explanation of and documentation for the system, and we receive updates regarding its performance. Mr. Morrison stated that existing permits and design provide for double the capacity currently in use. Kuncaitis observed that related parties own all of the land surrounding the plant, so any potential off-site impacts will most likely be limited to related parties.

Public Hearing opened and closed at 7:18 p.m., there being no public comment.

Motion by Krause, support by to approve application #2010-02Z as presented, pursuant to Section 12.5 and based on the findings of fact in the staff report. Motion carried unanimously.

5. Approval of minutes from the [August 13, 2009](#) meeting:

Motion by Belcher, support by Hopkins to approve the minutes of the August 13, 2009 meeting as presented. Motion carried unanimously.

6. [Approval of 2011 Zoning Board of Appeals Meeting Schedule](#):

Motion by Krause, support by Hopkins to adopt the 2011 ZBA meeting schedule as presented. Motion carried unanimously.

7. Election of Officers:

Motion by Krause, support by Hopkins to nominate Kuncaitis as Chair and Belcher as Secretary for the coming year. Motion carried unanimously.

Meeting adjourned at 7:27 p.m.