

**Meeting of
November 18, 2019**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday November 18, 2019 at 5:00 pm.

Call to Order

Chair Place called the meeting to order at 5:00 p.m.

Roll Call

Present: Larry Chute, Monica Kroondyk, Skylar MacNaughton, Tom Neidhamer, Rose Newton and Aaron Place
Absent: Jeff Ross
Vacancy: Two

2019-11-18-02

Neidhamer moved, Chute seconded, PASSED UNANIMOUSLY, to excuse the absence of Ross

Meeting Attendance

City Officials/Staff: Planning and Zoning Director Scott McPherson and Recording Secretary Pat Haver
Public Present: Seven

**Consent Agenda
Motion**

Kroondyk moved, Newton seconded, a motion to approve the consent agenda, the Planning Commission minutes from October 21, 2019 as presented.

2019-11-18-3

Roll Call:

Ayes: Chute, Kroondyk, MacNaughton, Neidhamer, Newton and Place
Nays: None
Absent: Ross
Vacancy: Two
Motion Carries

**Citizen comments on
Non-Agenda Items**

None

**Reports of Officers,
Boards and Standing
Committees**

Planning Director McPherson indicated that there were a couple of items that he would like added to the agenda. Recently received board application set at 7A moving the existing items down and then add adoption of the 2020 meeting calendar as item 7D

The Marijuana Work Group has been chosen, and the first meeting will be held shortly. Skylar MacNaughton has volunteered, and will be appointed from the Planning Commission.

Unfinished Business

None

New Business

**Recommendation for
Planning Commission
Appointment**

Planning Director Scott McPherson reviewed the board application from Nichole Moblo who has applied for one of the vacant positions on the Planning Commission. She has not served in the capacity on a Planning Commission, however, does bring a diversity in her background with her employment and other volunteering positions that she has held. She gave the commission a brief introduction of herself and her experiences. Scott McPherson recommends her appointment.

Board Discussion – all members were in agreement of the recommendation and think that her diversity will complement the make-up of the current board and will be an asset.

Motion

Motion by Kroondyk, seconded by Newton to recommend to the City Commission the appointment of Nichole Moblo to the Planning Commission.

2019-11-18-7A

Roll Call:

Ayes: Chute, Kroondyk, MacNaughton, Neidhamer, Newton and Place

Nays: None

Absent: Ross

Vacancy: Two

Motion Carries

**Development Plan
review 681 N. Park St.
Northern Michigan
Holiness Camp Meeting
Association**

Planning Director Scott McPherson reviewed his staff report that was included in the agenda packet. Northern Michigan Holiness Camp is proposing to build a 26' x 36' classroom on the south side of the existing tabernacle which was approved in 2014, so this will be an amendment to those plans. According to the applicant, they purchased the small bit of land to the south adjacent to this property. As of today, the ownership has not changed, so staff is not able to issue a zoning permit for this project due to encroachment concerns with the lot lines. Otherwise, the proposed use is in compliance with the zoning ordinance standards for setback, lot coverage and building height. No additional parking spaces are needed for the proposed use. The original camp building is still standing and accessible from N. Park St. The camp board wishes to have the original building removed, but is finding it difficult to find someone who could use the materials, or remove at very little to no cost. They will continue to do everything they can to make sure that the building is secure. With no additional public comments, the board proceeded to review the Findings of Fact, under section 19.40. The project meets all of the ordinance requirements, however, the board would like to put a condition on A. – They need to provide proof of purchase of the property immediately to the south, so that there will not be any encroachment concerns on the lot lines. Under section O; no exterior lighting has been proposed, however the elements shown on the submitted plans are for emergency egress lights only.

Motion

After board discussion, **motion by Chute, seconded by MacNaughton**, to approve the development plan as presented with the condition that the applicant must provide to staff proof of ownership of the lot adjacent immediately to the south, to alleviate encroachment concerns prior to the issuance of a zoning permit.

2019-11-18-7B

Roll Call:

Ayes: Chute, Kroondyk, MacNaughton, Neidhamer, Newton and Place

Nays: None

Absent: Ross

Vacancy: Two

Motion Carries

**International Property
Maintenance Code
Review and
Recommendation**

Planning Director McPherson reviewed his staff report included in the agenda packet. The city currently does not have any type of property maintenance code. The only tool staff has to take action against any dilapidated properties within the city is the City's Dangerous Building Ordinance. By adopting a property maintenance code, it would give staff the tools needed to enforce deficiencies prior to any building becoming significantly damaged to the point it would not be feasible to restore and enforcement tools for maintenance of vacant lots. By utilizing this code, it would offer a more efficient

and less time consuming enforcement tool for staff to use. The code would detail the methods for administration and enforcement to include the duties and powers of the code official, methods of notification and the appeal processes. Staff would be able to enforce some aspect of the code such as deficiencies to the exterior of the structure and grounds, however, other areas of such as plumbing, mechanical, electrical and fire safety would take a level of expertise that is beyond current staff's capabilities. The penalty provisions of the code would be a misdemeanor or civil infraction. The copy of the code provided to you comes from a neighboring city; pretty much intact from the original International version, however, they did change a few items around logistically. It is being brought before you tonight for review, discussion and recommendation.

Board Discussion

Chute – Great you will be using recognized code language, instead of re-inventing.
Newton – Under 13.29(c); I can see if the repair to a structure were large, and if a civil infraction were issued, it might be advantageous to pay the civil fine instead of the expense to remedy the initial problem.

McPherson – When a citation is issued and we believe that the property owner will not comply we can request a hearing. In addition to a fine, we can request an order from the judge with a time frame to remedy the situation, with the fines compounding daily if not taken care of within that specified time. A lot of times, enforcement orders are not needed as the fine is sufficient to get the work completed, but other cases it will be needed.

Public Comments

Ted Maksey – 44 N. Lake St.: My biggest concern is the garbage, rubbish or crap that is sitting in various yards affecting real estate values. I understand that “one man’s junk is another man’s treasures” but there needs to be a better definition for junk and it needs to be policed fairly as there are several areas within the city that needs to be addressed.

Chute - Will it specifically address exterior of properties, abandoned appliances, lawn implements, etc. Will we adopt a strict ICC version and then amend as we see fit?

McPherson – Yes, adopt for reference as written and then we can amend specifically after it has been adopted as we need to.

Chute - How do we adopt by reference and then tweak to fit us?

McPherson – We will need to get with the attorney for that answer.

Neidhamer – There is a lot of community support for something like this, it will help in protecting neighborhoods and houses.

After board discussion, **motion by Kroondyk, seconded by Newton** to support moving forward in adopting the International Property Maintenance Code allowing us to modify it as we need, and not use strictly as referenced.

Motion

2019-11-18-7C

Roll Call:

Ayes: Chute, Kroondyk, MacNaughton, Neidhamer, Newton and Place

Nays: None

Absent: Ross

Vacancy: Two

Motion Carries

Adoption of the 2020 Meeting Calendar

Added to the agenda packet is the 2020 meeting calendar for your review and consideration. The board had questions about the possibility of changing the start time of the meeting. It is the Commissions discretion to move the start time of a meeting if they feel that it would be warranted based on the agenda. **Motion by Newton, seconded by Chute PASSED UNANIMOUSLY** to adopt the 2020 calendar as presented, meetings to be held on the third Monday of each month at 5:00 pm.

Staff Report

- Tomorrow, 11-19-19 will be a Joint meeting with the City Commission, Parks and Recreation Board and the Planning Commission to begin the discussion of the trail leading into town from where it ends at W. Michigan Avenue, the discussion will be facilitated by Larry Fox with c2ae. The other item on the agenda is the International Property Maintenance Code; however, that item may be removed as staff will not be available to attend the meeting.
- The City will be holding a Public Information Meeting/Input session on December 4, 2019 at 5:30 pm here in the Commission Chambers. This meeting is to gather thoughts and suggestions for the update of the City’s Recreation Plan, and input for the new Avalanche Base plan and Open Space plan.
- Our City Commissioners adopted the Storm Water Ordinance Plan that we have been working on with the City(s) of Charlevoix and East Jordan. The City of Charlevoix Council will adopt the plan tonight, and the City of East Jordan has already published their adoption.

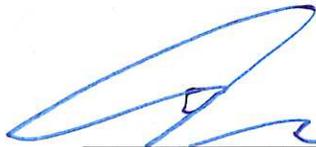
Good of the Order

- Rose Newton will not be available for the February meeting

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, December 16, 2019 at 5:00 p.m.

Adjournment
****Motion**

2019-11-18-10
Chute moved, Newton seconded, PASSED UNANIMOUSLY a motion to adjourn the November 18, 2019 meeting at 5:49 pm



Chair Aaron Place



Recording Secretary Pat Haver