

**Meeting of
November 19, 2018**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday November 19, 2018 at 5:00 pm.

Call to Order

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

Roll Call

Present: Ken Allen, Jason Biskner, George Ellwanger, Jim Kozlowski, Tom Neidhamer, Aaron Place and Jeff Ross

Absent: Joe St. Dennis

Vacancy: One

Excused Absences

****Motion**

2018-11-19-02

Ross moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of St. Dennis.

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver

Public Present: Three

Consent Agenda

****Motion**

2018-11-19-03

Neidhamer moved, Biskner seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda, the Planning Commission minutes from October 15, 2018 as presented.

**Citizen comments on
Non-Agenda Items**

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

None

Unfinished Business

New Business

Planning Director McPherson advised with the resignation of Chris Frasz, the Commission will need to elect a Chair. With board discussion, and accepting the nomination, **motion by Ross, seconded by Ellwanger** to nominate Aaron Place as the Chair of the Planning Commission.

Election of Officers

****Motion**

2018-11-19-7A

Roll Call:

Ayes: Allen, Biskner, Ellwanger, Kozlowski, Neidhamer, Place and Ross

Nays: None

Absent: St. Dennis

Vacancy: One

Motion Carries

****Motion**

With Aaron Place, formerly the Vice Chair, accepting the Chair position, that left the Vice Chair position open. With board discussion and accepting the nomination, **motion by Ross, seconded by Ellwanger** to nominate Ken Allen as the Vice Chair of the Planning Commission.

2018-11-19-7A.1

Roll Call:

Ayes: Allen, Biskner, Ellwanger, Kozlowski, Neidhamer, Place and Ross

Nays: None

Absent: St. Dennis

Vacancy: One

Motion Carries

**Pre-application Review
216 N. Lake St.**

Planning Director McPherson advised that Case Construction, the contractor for the project, is before the board tonight for a pre-application meeting. With no conceptual site plans or building plans previously submitted, the developer indicated that they intend to demolish the existing structure and construct a new commercial space.

Cliff Harvey, Case Construction - showed the board some preliminary sketches of the concept of the 2,100 square foot one story structure that will be built. It will have the same design as the city facilities utilizing cultured stone and materials, the colors will be different and they will have awning type window treatments. They will be using the same footprint with the length running along Lake St. McPherson advised that they would need to adhere to the current zoning requirements and be 10' off of the lot lines on both streets. Due to the current lack of housing options, it was discussed possibly putting a second floor on the structure and using it for housing. Nate Vohwinkle, the developer, will speak with the client and present that option. The design will utilize energy efficiencies with the electrical and lighting and investigating the possibility of using geothermal heating. There was discussion on parking, which could not be finalized until the final designs are submitted. The board was excited for the project and to see the development plans, which should come before the board for the next meeting.

**Michigan Regulation
and Taxation of
Marijuana Act update**

Planning Director McPherson detailed the information included in the agenda packets, and gave a brief overview of the law. The exact date that this will become a law is not specifically known, but appears that sometime in early December. The Act establishes regulations for the legal possession, use, transport, transfer, growing and processing of specified amounts of marijuana and marijuana accessories for persons over the age of 21. The city will have to make some decisions in regards to implementation of the law within the city limits, such as which zoning district to allow it in if we move forward. The law established and clarified different types of establishments which include a grower, processor, transporter, safety compliance facility, retailer and microbusiness. If the city chooses not to permit marijuana establishments within the municipality, it would have to "opt out" of the MRTRA and it is recommended to be done by ordinance and not resolution. If the city chooses to "opt in" they may adopt ordinance regulations for commercial recreational marijuana establishments. Whatever decision the city makes, the state has one year from the effective date in order to assemble the regulatory framework for licensing commercial recreational marijuana establishments. Discussion for tonight was just a heads up that more meetings are likely to be held; possibly a public forum or Countywide forum.

Biskner left at 5:52 pm

**Development of 2019
Planning Commission
Work Plan**

Previously this item was before the Commission to develop a list of items to focus on. With the area wide shortage of housing, it seems the best place to continue discussions; such as possible adjustments of lot sizes and housing sizes to allow for smaller footprint houses. Staff has been looking at building height regulations. It is mentioned not only in feet but building stories; what is the difference in height or story; nothing. It hinders the ability to put in a 4 or 5 story building, yet remain under the requirement of height in feet. Looking at article 18; Open Space Community Option the "Cluster Development

Housing Option” which uses a formula of base density for residential districts only; can be quite detrimental to developers as they would need to remove land which could be used for housing and put towards collective open space parks or non-useable space, and it is not beneficial for them to go through the process. If we are sincere about looking at better ways of helping to develop housing, we may want to look at those items. We could look through the Master Plan to identify areas that would help with ways to increase density or regulations in order to garner additional housing, maybe look at the Professional Office District and housing regulations. What is the impact of short term rentals on available inventory, neighborhood noise or nuisances, impact on economy or additional services on the city? There is a possibility that this may become state wide as a Use by Right, and we would not be able to do anything about short term rentals. Currently there is no way to regulate them, perhaps we should have a Police Power License Ordinance with a local point of contact person. Staff was directed to develop ordinance amendment language on height for a public hearing next month.

**Staff Report
Good of the Order**

Happy Thanksgiving

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, December 17, 2018 at 5:00 p.m.

**Adjournment
Motion

2018-11-19-10

Kozlowski moved, Neidhamer seconded, PASSED UNANIMOUSLY a motion to adjourn the November 19, 2018 meeting at 6:18 p.m.

Chair Aaron Place

Recording Secretary Pat Haver