

**Meeting of
February 20, 2012**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, February 20, 2012 at 5:00 P.M.

Call to Order

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

Roll Call

Present: Gretchen Crum, George Ellwanger, Jim Kozlowski, Jane MacKenzie (arrival at 5:01 pm), John McCahan, Tom Neidhamer and Joe St. Dennis
Absent: Chris Frasz and Lori Meeder

Excused Absence(s)

****MOTION**

2012-2-20-2

Ellwanger moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to excuse the absences of Frasz and Meeder.

Meeting Attendance

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

Consent Agenda

****MOTION**

2012-2-20-3

Crum moved, Ellwanger seconded, PASSED UNANIMOUSLY a motion to approve the consent agenda. Approval of the January 16, 2012 Planning Commission minutes as presented.

Comments on Non-Agenda Items

None

Reports of Officers, Boards and Standing Committees

None

Unfinished Business

None

New Business

Review proposed ordinance changes to allow chickens in TRD and RED districts

Planning Director McPherson reviewed his staff report that was included in the agenda packet. He presented the board with the requested/recommended changes to the chicken ordinance language. The amendments will be placed in the Zoning Ordinance under the RED (Rural Estate District) and TRD (Traditional Residential District) and read in its entirety:

The keeping of four (4) hens per parcel provided that:

- 1. No person shall keep any rooster*
- 2. No person shall slaughter or dress chickens outdoors*
- 3. Chickens shall be provided with a covered enclosure and/or a fenced enclosure in the rear yard.*
- 4. All covered enclosures shall be kept a minimum of ten (10) feet from the rear and side lot line.*
- 5. Covered enclosures shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.*
- 6. All feed and other items associated with the keeping of chickens*

are to be stored as to not attract rodents.

7. Hens and their enclosures must be kept in a neat, clean and sanitary condition from offensive odors, excessive noise, or other condition that would constitute a nuisance.

Sandy Hill – resident of Cherry Street. Would like to have the ability for the chickens to free range in the entire yard under supervision. She has a large back yard and it would be expensive to fence it in. She has no problems with the other recommended portions of the amendments.

Once the review has been completed with this board, it will be sent to the City Attorney for review, a public hearing will be set for the Planning Commission and if there are no further changes; a recommendation will be made to the City Commission for adoption. A section in the Code Of Ordinance will need to be amended to reflect these additions.

After board discussion, **moved by Ellwanger, seconded by MacKenzie** to schedule a public hearing for the proposed chicken ordinance with the recommended changes for March.

****MOTION**

2012-2-20-7A

Roll Call:

Ayes: Crum, Ellwanger, Kozlowski, MacKenzie, McCahan, Neidhamer and St. Dennis

Nays: None

Absent: Frasz and Meeder

Motion Carried

Staff Report

- **Kirtland Products** - are continuing to work towards rectifying their noise issues, and at the last City Commission meeting the Commissioners indicated their willingness to work with Kirtland. The EDC/LDFA boards are investigating the option of hiring an outside consultant who is familiar with the problems of noise and sound, odors, stack emissions and dust along with particulates leaving the property. The city has options which can include reviewing the conditional use permit for violations. If they are not rectified then the permit can be revoked. Under law, the plant has 180 days to have the stack emissions tested for content. The jurisdiction for this would fall under EPA standards. A Citizens committee is being formed to assist in addressing the problems and coming up with possible solutions. During the site plan reviews, the Planning Commission did a great job with their due diligence by questioning possible factory noise, smoke stack plume and traffic flow patterns. Kirtland is not living up to the standards that they presented to the board during those reviews.
- **Devlon** – Judge Pajtas affirmed the expiration of their permits. The next step for the city is to have the enforcement order heard in front of Judge May. After that motion comes back, Devlon could be given a determined time frame to clean up the site. Once the hazards of the rubble pile and unsecure building are removed the fence will be taken down. Hopefully this will all be done by this summer.



Good of the Order

- Planning seminars and training are available in Petoskey and Traverse City. If anyone is interested in going, fill out the applications, and let Scott know.
- Countywide Storm Water Ordinance is still being looked into, as the "one size fits all" is not the best fit for every jurisdiction.
- Comprehensive Plan is coming up for the 5 year review, commission to work proactively on that and continue with ordinance language cleanup and review. Waiting on the goal setting session input to get the results first to gather some of the information like demographics, mapping and quantitative analysis to work on the comprehensive plan, then can get into the abstract thinking of the results for some of the remainder of the plan.
- Are housekeeping pads for dumpsters to assist in containing the run off/spill required? During review of plans when parking lots are looked at, can that be looked at also?
- McCahan will not be present for the March and possibly April meeting.
- Neidhamer and McCahan are making good progress with others on the bike trail from Boyne City to Boyne Falls.
- Phase I of the Boyne City to Charlevoix trail has been funded. Engineering and construction begins soon.

The next regular meeting of the Boyne City Planning Commission is scheduled for March 19, 2012.

Adjournment

2012-2-20-10

****MOTION**

Neidhamer moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:06 p.m.

Pat Haver, Recording Secretary

Tom Neidhamer, Chair