

**Meeting of
July 30, 2012**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, July 30, 2012 at 5:00 P.M.

Call to Order

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

Roll Call

Present: Chris Frasz, Jim Kozlowski, Jane MacKenzie, Lori Meeder, Tom Neidhamer and Joe St, Dennis
Absent: Gretchen Crum, George Ellwanger, and John McCahan

2012-07-30-2

**Excused Absence(s)
MOTION**

Meeder moved, Kozlowski seconded, PASSED UNANIMOUSLY a motion to excuse the absence of Ellwanger and McCahan.

Meeting Attendance

City Officials/Staff: Planning Director Scott McPherson, Main Street Manager Hugh Conklin and Recording Secretary Pat Haver
Public Present: Six

2012-07-30-3

**Consent Agenda
MOTION**

Neidhamer moved, Kozlowski seconded, PASSED UNANIMOUSLY a motion to approve the consent agenda. Approval of the June 18, 2012 Planning Commission minutes as presented.

**Comments on
Non-Agenda Items**

Main Street Manager Hugh Conklin extended an invitation to attend a meeting with William Rutter who will be presenting an application of the downtown to be placed on the National Register of Historic Places. The meeting will be held tonight in the library at 7:00 pm.

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

None

Unfinished Business

None

New Business

**One Water Street
submitted review of Final
Development Plan**

Planning Director Scott McPherson stated this is the final site plan approval for the One Water Street development. The second reading for the conditional rezoning was before the City Commission on July 24th, it was approved, however, needs to be published and will be effective 15 days after. As a part of the approval by the City Commission, the final plan was recommended to come back before this board for final approval. Staff has been looking at the previous development agreement, and because of some changes, need to clarify the timing of some of the items. One is the installation/construction of the fishing pier during Phase II in the previous plan. How does it translate into this development's three phases?

Glen Catt - Developer - Would like to see it done all at one time, putting in the sidewalks and fishing pier. Phase I is the extension down Water Street and the wrap around on the lake side of the first building, Phase II will be the last 4 buildings, and pool on the lake side, Phase III is the interior buildings. However, we can see that Phase I & II could run together with a construction completion time frame of 2 to 3 years. Hope to start foundation work this fall.

McPherson – What about the interior road? Done during phases or all at once?

Catt – If done during phases, you have additional construction traffic using and abusing them. We see that there is more interest in Phase II of the project at the onset, so Phase I & II could be built at the same time, so the road would then be done all at once.

McPherson – Tonight is final development plan approval, the check list was distributed for review. You should go through it and make sure everything has been met. During my review, it was. If during construction there is possible lack of activity for an extended period of time with the site being secured by fencing, can you speak to that and what activity you would do to make the site presentable?

Catt – It is a Brownfield, so must be secured. Fencing will move around as building starts. As parts are completed and surface areas are encapsulated, the fence will come down, and as construction areas begin, fencing will be extended.

McPherson – With the area being torn up, if there are long periods of time that there is inactivity, we would like to see it stabilized.

Catt – The area is looking tired from the past couple years. It is important to us to plant grass and stabilize if we don't begin construction right away. Our commercial tenants do not need to have dust blowing around, and the neighbors to the south, we would like to continue the good relationship we have with them.

St. Dennis – What is your definition of long open space exposure for phases; what do you consider long term?

McPherson – Construction season without anything going on is long term to me.

St. Dennis – Domestic season?

McPherson – Yes, if no activity or plans for the following season, stabilization is to be done.

Meeder – Fishing pier is due to be built when?

McPherson – We need to clarify that, but what I'm hearing is at the completion of Phase I, which is the four buildings on Water St, and the wrap around building.

Catt – Yes.

McPherson – The sidewalk and improvements on city property will be installed at that time also.

Doug Mansfield – Soil Erosion permits/ordinance must be followed. Once construction starts, we will be bound by DEQ & Soil Erosion, so after 60 days, if we don't do anything, we must stabilize.

Frasz – Is there a construction bond? How is that established?

McPherson – There was a previous bond for this site for lighting, landscaping, and paving improvements. Some of it has changed a bit. Previous development agreement will be reviewed tonight and updated, so that will be included.

Neidhamer – If you do Phase I & II, will you drive all the pilings at once?

Ed Hunt – We would do them in groups of four or five, depending on sales. We won't come in and do just one building.

Board reviewed and went through the Findings of Fact, Section 19.40 Development Plan Approval Criteria, attached as Appendix A.

****MOTION**

After review and board discussion, **motion by St. Dennis, seconded by Meeder** to approve the final development plan submitted by Catt Land Development, LLC for One Water Street based on the submitted Construction Plan sheets 1 through 9 dated 6-8-2012, in addition to the site lighting plan, site lighting fixtures plan, construction phasing plan, Resort Cottage pattern book, and Findings of Fact as determined on 7-30-12.

2012-07-30-7A

Roll Call:

Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer and St. Dennis

Nay: None

Absent: Crum, Ellwanger, and McCahan

Motion Carries

Development Agreement will be updated to reflect the findings of this meeting and motion made.

Planning Commission reappointments

This item was completed at the April 16, 2012 meeting.

Planners Moments review

DVD presentation of Planners Moments – Shoreline Setback & Buffer requirements. A meeting has been scheduled on this topic for Tuesday, July 31st from 7:00 to 9:00 pm at the library. All are welcome to attend.

Staff Report

- Kirtland – Review of the noise assessment was done last week by the citizen committee. The City Manger and Kirtland will be identifying the targeted equipment areas of concern and mitigation suggestions. Areas identified were: 1) back pressure on the equipment, which is making the low pitch humming sounds, 2) enclosing a number of pieces of equipment, and 3) identifying “best practices” or low cost immediate solutions, which some have already being implemented by Kirtland.
- Staff attended a Downtown City conference held in Muskegon. A session on alcohol served in public venues was well attended. The liquor commission was at this seminar to answer questions. On July 1, 2012 the municipalities no longer have to approve the transfer of licenses at the same location from one business to another. For outdoor service the areas must be clearly defined and marked. This item may come back to the city commission for consideration, as we have had interest expressed from restaurants in Boyne City to allow alcohol service outside.

Good of the Order

Meeder – Leadership Charlevoix applications are being accepted for the second 9 month program which will begin in September. If you know of any young professionals who you think could be the future leaders of the county let her or Jim Baumann at the chamber know.

The next meeting of the Boyne City Planning Commission is scheduled for August 20, 2012 at 5:00 pm in the Commission chambers.

Adjournment

2012-07-30-10

St. Dennis moved, Kozlowski seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:28 p.m.

****MOTION**

Pat Haver

Pat Haver, Recording Secretary

Jane MacKenzie

Jane MacKenzie, Chair