

**Meeting of
May 16, 2016**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday, May 16, 2016 at 5:00 pm.

Call to Order

Vice Chair Frasz called the meeting to order at 5:01 p.m.

Roll Call

Present: Ken Allen, George Ellwanger, Chris Frasz, Jim Kozlowski, Tom Neidhamer, and Joe St. Dennis

Absent: Jason Biskner, Jane MacKenzie and Aaron Place (Arrived at 5:20 pm)

**Excused Absence(s)
MOTION

2016-05-16-02

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to excuse the absence(s) of Jason Biskner and Jane MacKenzie

Meeting Attendance

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

Public Present: Five

**Consent Agenda
MOTION

2016-05-16-03

Neidhamer moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from April 18, 2016 as presented.

**Citizen comments on
Non-Agenda Items**

None

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

None

Unfinished Business

None

Addition to the Agenda

Planning Director McPherson asked to have an item added to the agenda. The terms of Planning Commission members Ken Allen, Aaron Place, and Joe St. Dennis expire at the end of this month. A recommendation from this board will need to be taken to the City Commission.

New Business

**Stephanie Moody Road
Vacation Request**

Planning Director McPherson reviewed the staff report that was included in the agenda packet. The applicant is requesting to have the south portion of Willow Street located in the Caldwell's Addition between lots 11 and 12 and lot 3 be vacated. This portion of the street is 66 feet wide and 132 feet in length and is the only remaining portion of the street that has not been vacated. While the street is undeveloped and does not have any utilities located in it, the house at 100 W. Court Street does encroach significantly into the right of way, which occurred during renovations in 1991. They are attempting to sell this house, and it would make it difficult to obtain a mortgage. The matter was discussed with the Police and Fire Chiefs, Water Wastewater and DPW Superintendents all of whom do not see or have any concerns with this request, however, discussed obtaining an easement to maintain an existing water and sewer main line that runs on the south east corner and eastern portion of lot 3. The city and staff agree that there is no use for this section of the road, as a portion had been vacated previously and not sure why this section was not done at the same time.

Public Comment opened at 5:06 pm

Marty Moody, real estate agent and brother of the applicant – We honestly did not know that this portion of the road had not been vacated. There is a line of trees between the two properties, which we thought was the property line. We were not aware of the encroachment until recently, when Court Street was surveyed and paved.

Public Comments closed at 5:12 pm

Board Discussion

Kozlowski – Discussed property lines and easements and whether the land above would be land locked if the street stub were closed.

McPherson – No the property would not be landlocked, the property above is Hawkridge and there is another way to enter. Easements for utilities are pretty common and this is an opportunity to request an easement for the existing utilities. Board members are in favor of granting the vacation based on the facts discussed, and with the homeowner's willingness to grant a 10 ft. easement to maintain the existing water and sewer lines that service the Hawkridge Development.

With no further board discussion, **motion by Ellwanger, seconded by St. Dennis** to recommend the south portion of Willow Street be vacated with the contingency that a 10 ft. utility easement be obtained to maintain the existing water and sewer lines that run along the eastern side of the property

****MOTION**

2016-5-16-7A

Roll Call:

Aye: Allen, Ellwanger, Frasz, Kozlowski, Neidhamer and St. Dennis

Nay: None

Absent: Biskner and MacKenzie

Abstain: Place (arrived just prior to the vote, was not involved in discussion)

Motion Carries

Ted Macksey pre-application meeting – residential development options

The applicant gave a brief overview of his experience and the state of single family dwelling challenges. He is in the final stages of purchasing 30 acres in town off of Jefferson St, which also has a 66 ft easement from Vogel Street just west of the current location of the Brook. He is before the board to discuss options of changing the zoning to allow for multi-family/higher density dwellings. There is a severe lack of "working man housing" and this development could fill that need. The developer is looking at the cost of building units and what he anticipates from rents somewhere in the area of \$750.00 to \$1,000.00 per month/per unit. It will have curb and gutter, sidewalks, street lights, be 1, 2, and 3 bedroom units all with private entries. As he sees the progress now, they will be 8 plex units with 2 stories up and down. There would be garages for some of the units and car ports for others. With board discussion, they agree that there is a need for this type of housing, wondered about subsidized or non – subsidized housing had concerns about surrounding property values falling, and the applicant talked about buffering surrounding properties. Questions about who would maintain the streets and what standards must be met. It is the Planning Commissioners job to focus on the rezoning of the property if the developer decided to move forward and bring back his development site plans to this board to review.

Presentation from Claire Karner of LIAA on

Claire Karner, Community Planner with LIAA presented findings to the board from

**Shoreline Protection
Recommendations**

a steering committee that was set up a couple of years ago from the 10 surrounding communities around the area of Lake Charlevoix. The intent was to look at all of the Zoning Ordinances from the various communities to see if there were any amendments that could be recommended to assist in further protecting the water quality and shoreline. There were a few areas of the City's ordinance they were looking at that were already being implemented such as the recognition of the ordinary high water mark of 582.4 ft., engineered storm water control systems, shoreline protection seawalls vs. revetments and engineered or natural shoreline, and not allowing keyhole funneling. The city does not require board site plan review for single family dwellings, because it is done by staff. Scott talked about the Charlevoix County Storm Water Ordinance that is no longer in effect as it was rescinded. An Ordinance was created that the surrounding townships follow that is administered by the County; the 3 cities within Charlevoix County did not adopt this ordinance. From the meeting discussion Claire will work on some proposed recommendations and present them to staff for discussion and/or consideration.

**Agenda addition
Recommendation for
Planning Commission re-
appointments of Ken Allen,
Aaron Place, and Joe St.
Dennis**

Planning Director McPherson asked that this item be added to the agenda. The terms of Ken Allen, Aaron Place and Joe St. Dennis are due to expire at the end of this month. With confirmation that all members are willing to remain **motion by Kozlowksi, seconded by Neidhamer, PASSED UNANIMOUSLY** to recommend the reappointment of Ken Allen, Aaron Place and Joe St. Dennis to the Planning Commission for an additional 3 year term expiring May 31, 2019.

****MOTION**

Staff Report

MEDC, Main Street and RRC met with the city on the 11th & 12th of this month for a Michigan Refresh presentation which gave the city some ideas on how to continue to market all the city has to offer.

Good of the Order

None

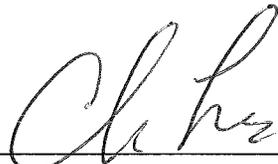
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, June 20, 2016 at 5:00 pm in the Honeywell Meeting Room.

Adjournment

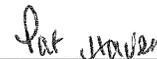
****MOTION**

2016-05-16-10

Place moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to adjourn the May 16, 2016 meeting at 6:23 p.m.



Vice Chair Chris Frasz



Pat Haver, Recording Secretary