

Meeting of
September 21, 2015

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, September 21, 2015 at 5:00 pm.

Call to Order

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

Roll Call

Present: George Ellwanger, Chris Frasz, Jim Kozlowski, Jane MacKenzie, Tom Neidhamer and Joe St. Dennis
Absent: Jason Biskner and Andy Place (arrived at 5:07 pm)
Vacancy: One

Excused Absence(s)
****MOTION**

2015-9-21-02
Ellwanger moved, Frasz seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Jason Biskner

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson, Assistant Planning and Zoning Administrator Patrick Kilkenny, City Manager Michael Cain and Recording Secretary Pat Haver
Public Present: 6 including Consultant Mary Campbell from M.C. Planning & Design

Consent Agenda
****MOTION**

2015-9-21-03
St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from August 17, 2015 as corrected.

Citizen comments on
Non-Agenda Items

None

Reports of Officers, Boards
and Standing Committees

Boyne On The Water is still taking citizen comments with a deadline of October 6, 2015; the program information is available to look at in city hall, and is also available on the city's website.

Unfinished Business

None

New Business

Master Plan Public
Hearing
Recommendation for
Adoption

Planning Director McPherson reviewed his staff report that was included in the agenda packet. The master plan mandatory review period has come and gone, and we did receive feedback and comments which some have been incorporated into the plan. Designation of Open Space to Community Recreational has been changed. In the goals section, under each portion responsible party and time line has been inserted in reaction to input from MEDC and RRC for their certification process; incorporating into our master plan meets the requirements for these certifications. The 2010 family median income from ACS's information is suspect and because of this the city lost it's low to moderate income status. These figures are gathered every 5 years or so, however still feel are incorrect.
Mary Campbell from M.C. Planning & Design - These minor changes can be made even with the plan having been out for public review. I would open the public hearing and ask for comment from the audience.

Public Hearing opened at 5:08 pm

Laura Sansom – I feel it is good, all in all. Minor details still bother me; how has the age group shifted to an older bracket, the education bracket and poverty level have gone up? How is this true, the information just doesn't seem to add up.

McPherson – Master plans typically rely on census data; and the data that has replaced this is from ACS, which is used by the state and other organizations.

John McCahan - In looking over the new plan versus the old one, in Chapter 2 of the old plan, it mentions noise with the next two pages mentioning quality of life. No where in the new plan is noise mentioned and how that can impact your quality of life; and I feel that it should be mentioned in Chapter 2 of this new plan also.

Campbell – Quality of life is woven throughout Chapter 2, however, not specifically spelled out. **MacKenzie** – it is also stated several times throughout the plan.

With no further comments, the public hearing was closed at 5:14 pm

Board discussion

The board felt the plan was well written; however, did have concerns about the perceived negativity of calling out industry as the only “up and down” heavy user of the sewer system, when there are several other user groups and times that would account for the highs and lows of the system. So will be changing this phrase to large volume user. The board also struggled with the census data as discussed earlier, however, was informed that the city is moving forward with an in-house poverty level study for possible certification. This plan is the foundation for the zoning ordinance and is a resource document used by developers and other agencies and to support future grant opportunities. It is a document that should be reviewed annually, and adjustments can be made as it becomes necessary. Chair MacKenzie read a resolution recommending approval as proposed. After board discussion, **motion by Ellwanger, seconded by Place** to adopt the resolution and recommend approval of the Master Plan 2015 update as presented to the City Commission.

****MOTION**

Public comment requested again. Audience members again brought up the current noise ordinance. It addresses 90% of the police department complaints; there is not an ordinance that will address 100% of the complaints. As a stand alone, police power ordinance, it takes into consideration the residential noises; however, the Industrial/Commercial District noises it is not as effective.

McCahan – It is because of me that the old ordinance was considered vague and unenforceable and the city was without anything for 5 years. The city chose to enforce and model their new ordinance after the City of Mason, and I feel it is also vague because it does not contain decibel levels, and if challenged would not hold up in court either. For the industrial and commercial noises, I feel it is worse than anything we had before, and without decibel levels as the deciding factor, we have nothing effective to work with.

The next step in the process is to submit the resolution and recommendation of adoption to the City Commission for their meeting on October 13th at 7:00 pm

2015-9-21-7A

Roll Call:

Aye: Ellwanger, Frasz, Kozlowski, MacKenzie, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner

Vacancy: One

Motion Carries

**Review and
Recommendation Chris
Frasz alley vacation
request**

Planning Commissioner Frasz stepped down into the audience at this point in the meeting due to the next item on the agenda is his request.

Planning Director McPherson reviewed his staff report that was included in the agenda packet. He did submit a request for the department heads to review the alley vacation and the only concern was from the DPW Superintendent because the requested section to be closed is where they push and pile snow that is removed from the front portion of the alley. He suggested an easement to continue the ability to plow and pile snow onto this section in perpetuity. The process is that a recommendation for vacation will be submitted to the City Commission, and it has to be advertised for (3) consecutive weeks then goes to the City Commission for their review and determination.

Public Hearing opened at 5:47 pm

City Manager Cain - I would concur with the DPW Superintendent's assessment, not a fan of partial block vacations, would like to see the whole thing go away.

This area that is being requested is between Lincoln St. and undeveloped Spruce St. is not maintained by the city, and has very steep slopes going down to Spruce St. The board had questions about the number of partial vacations within the city, there are several, however, the number is unknown at this time. The only way to get back to the residence is to use the alley, and if it were fully closed off, the applicant would not have access to their property. This area being requested to vacate splits the two parcels that are owned by the applicant and their intention is to combine the properties into one parcel if this gets approved.

Public hearing closed at 5:59 pm

After no further discussion, **motion by Place, seconded by Ellwanger**, to recommend to the City Commission partial vacation of the alleyway between Lincoln and Spruce St.; only 1/2 of the alley; the portion running between lots 95 and 101.

****MOTION**

2015-9-21-7B

Roll Call:

Aye: Ellwanger, Kozlowski, MacKenzie, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner

Abstain: Frasz

Vacancy: One

Motion Carries

Staff Report

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- Redevelopment Ready Certification will be completed with the last item of adopting the Master Plan. It has been a long process, however, very educational and hopefully with the certification, it will be very beneficial for us down the road

Good of the Order

-
- What is the status of the fishing dock that was to be put in by Catt Development when a certain number of cottages were built? Staff will follow-up, as the city has had discussions with them within the last year about the dock and walkway. Discussions about the route for Boyne On The Water and the planning effort is something to consider.

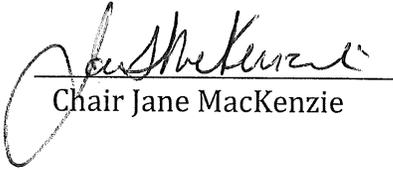
Adjournment

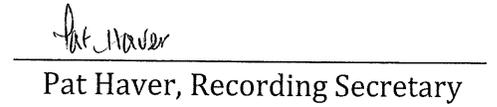
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, October 19, 2015 at 5:00 pm in the Auditorium.

2015-9-21-10

St. Dennis moved, Neidhamer seconded, PASSED UNANIMOUSLY a motion to adjourn the September 21, 2015 meeting at 6:03 p.m.

****MOTION**


Chair Jane MacKenzie


Pat Haver, Recording Secretary