

**ACME TOWNSHIP PLANNING COMMISSION MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**7:00 p.m. Monday, February 23, 2004**

Meeting called to Order at 7:05 p.m.

**Members present:** H. Smith (Chair), B. Carstens, D. Hoxsie, D. Krause, P. Salathiel, M. Vermetten  
**Members excused:** O. Sherberneau  
**Staff present:** S. Corpe, Recording Secretary  
J. Christopherson, Township Counsel  
R. Clark, Planning Consultant

**1. Consent Calendar**

**Motion by Hoxsie, support by Carstens to approve the Consent Calendar as printed, including:**

**Action:**

- a) **Approve minutes of January 26, 2004 meeting** (Attachment A included and incorporated by reference)
- b) **Review and approve agenda, inquiry as to conflicts of interest. Agenda amended to add New Business C re: DDA. No conflicts of interest noted.**

**Motion carried unanimously.**

**It was noted that three Board members are present this evening (Knopf and Walter in the audience and Hoxsie on the Planning Commission).**

**2. Preliminary Hearings:**

- a) **Preliminary Hearing on application made by Dave Fielstra for Special Use Permit/ Site Plan Review to allow for the development of an office/warehousing/storage building for Concrete Systems on property located at 6127 South Railway Commons** (Attachment B included and incorporated by reference): David Fielstra was present in support of his application. He described the proposed building, noting that the building will be moved approximately 18" from the location shown on the preliminary plan to bring the building overhangs within the lot setback lines.

Hoxsie asked if there would be outside storage in the future building area prior to phase 2 construction. Mr. Fielstra responded that no outdoor storage is necessary for his business. All of his concrete forms are stored indoors. Smith asked if the plan engineer, Art Krueger, has reviewed the landscaping ordinance to ensure compliance. Mr. Fielstra stated that this would be the case, noting that this is a resubmission of an application approved previously. Construction never began, so approval lapsed after 1 year.

Salathiel noted the contents of the letter from Brian Belcher at Metro Fire, which seem to indicate that a water storage tank for fire suppression would be a requirement. Mr. Fielstra stated that he has spoken with Mr. Belcher, who said that his letter represented more of a suggestion to start discussion rather than a firm requirement.

**Motion by Hoxsie, support by Vermetten to set a public hearing for March 29, 2004. There being no objection, the chair cast an unanimous ballot.**

**3. Public Hearings:**

- a) **Continuation of Public Hearing on Application #2003-11P made by Michael & Sheryl Hedden for approval of a 16-unit, single-family dwelling Open Space Development on property located at the intersection of Kay-Ray Road and US 31 North** (Attachment C included and incorporated by reference): Smith noted the staff memo stating that further action on this application is unlikely until the spring thaw when the Health Department can assess the impact of the revised layout.

**Public Hearing reopened and adjourned at 7:13 p.m., there being no public comment.**

Carstens stated that he visited the property on snowshoes recently to investigate the site indicated by some of the local residents as having a seep or small stream. He did not find running water, but he did find a snowless patch of ground where standing water was visible. He believes it bears further investigation. Smith expressed confidence that various public agencies will make the appropriate investigations, and **ordered the hearing continued to the March 29, 2004 meeting.**

- b) **Continuation of Public Hearing on Special Use Permit/Site Plan Approval Application #2003-16 to amend SUP #94-4 for Mercedes Benz of Traverse City (aka Acme Motors or Black Forest Motors), 6060 US 31 North, to permit expansion of an existing car dealership on property currently zoned B-2, General Business** (Attachment D included and incorporated by reference): Smith referenced the staff memo stating that the hearing should be continued due to lack of new information at this time. Mr. Chan, the applicant has asked for a continuance to the March 29, 2004 meeting.

**Public Hearing reopened and adjourned at 7:15 p.m., there being no public comment**

**Smith ordered that the hearing be continued to the March 29, 2004 meeting.**

**3. Old Business:**

- a) **Five Year Master Plan Review update** (Attachment E included and incorporated by reference): Corpe provided two memos regarding information she has to date on who has volunteered to perform detailed reviews of specific sections of the Master Plan. Smith would like to serve on each committee in an effort to coordinate the work. Krause and Salathiel would like to work on High Density, Sherberneau on Natural Resources and Carstens on Agriculture. Smith suggested that everyone submit their preferences to Corpe for final committee assignments next month. Corpe will upload the promised webpage soon so that members of the public can be appointed as well.
- b) **Planning Commission Subcommittee Review** (Attachment F included and incorporated by reference): The memo in the packet was deemed self-explanatory. Smith also noted that there are current issues related to active litigation against the township, and that we are being advised by Christopherson. Until he advises otherwise, Smith recommends that we continue to operate as we have done over the past 20 years. Christopherson reported that it is his opinion that the township has not violated the open meetings act for several reasons. A quorum has never been present at any subcommittee meeting, nor has any such group been delegated a governmental authority.

**4. New Business:**

- a) **Presentation by Carol Danly, "Making the Grand Traverse Area Bicycle-Friendly"** (Attachment G included and incorporated by reference): Ms. Danly introduced herself as a former board member of the League of Michigan Bicyclists and a former Acme resident. She had drawn and posted a large map of the township and began by placing symbols on the map for current and proposed future commercial centers, schools and concentrations of residences. She mentioned several participants in a summit meeting held approximately a year ago to help Matt Skeels write a 5-year transportation plan. Three-quarters of the roads in Grand Traverse County were surveyed.

Ms. Danly said that she is impressed with how Acme has developed to date by concentrating growth in the US 31 and M-72 corridors. Corpe has informed her that we are currently reviewing the M-72 Corridor and would like to include walkable/bike-able options, and that plans for the Town Center will include pedestrian options. She pointed out a new TART map on the wall, noting that copies have been provided for each Commissioner. She pointed to the existing and proposed TART alignment on her hand-drawn map. Ms. Danly noted that plans are under way for improvements to the trail on Bunker Hill Road. She mentioned that participants in last year's summit were glad that there are signs on some of our major thoroughfares that point the way to alternative transportation routes.

Ms. Danly has some suggestions on how to make our community more bicycle friendly. The first issue is the separated nature of most existing neighborhoods – many are culs-de-sacs. She feels it would not be

too difficult to link various neighborhoods with a small trail system. She would also suggest that these connections include access to the VASA trail system. Ms. Danly noted that the Elk Rapids Rotary Club is building a 2-mile trail that interfaces with the TART, and suggested that we keep in mind that we are a conduit to the Elk Rapids area.

Ms. Danly stated an awareness that David Amon, Township Supervisor, has investigated creation of a utility easement to the east of the businesses on the east side of US 31 just south of M-72, and encouraged co-location of a non-motorized trail. She also reminded the Commission that bikers need the occasional restroom facility and parking lot.

Areas of concern in our township right now in terms of non-motorized accessibility include the US 31/M-72 intersection, the dangers of trying to cross M-72 at Lautner, and degradation of the shoulder on Bunker Hill Road. While not noted in the report, there are also concerns about the condition and safety of Holiday Road. Finally, there is concern about the stretch of TART along Five Mile Road, which is sandwiched between the railroad tracks and a fairly speedy stretch of road.

Existing recreational sites that the survey deemed to be largely inaccessible by non-motorized traffic at present include the MDOT Park, Bayside Park and Saylor Park.

She recommended a publication (get info from her!) that may help us find answers to some of the situations she has recounted this evening. Improving non-motorized access for our residents can also enhance our attractiveness for those enjoying active sports, which can generate additional sales for our local businesses. There are one or more organized bike tours that currently pass through Acme on their way to the Mackinac area, but they never stop to enjoy Acme because it is too challenging right now. A few changes could help capture some of their business for our community. She mentioned Act 51 enhancement funds, which are paying for some upcoming improvements, and recommended working jointly with Grand Traverse County. She mentioned that Bob Otwell at TART stated that there used to be someone from Acme on the TART board but there is not a local representative currently. They would welcome a new participant from our township.

One member of the public asked Ms. Danly what she enjoys most about biking in the Acme area. Ms. Danly mentioned the hills and rural views, as well as general friendliness of community members. She would use her bicycle to visit stores if it were safe. Salathiel echoed Ms. Danly's statements about the dangers of the TART along Five Mile Road where she lives. It's a popular section, but many people are afraid because they are trapped between the road and the railway fence. Diana Morgan, Wellington Farms, mentioned that biking on Bunker Hill is frightening.

Smith stated that he believes the report presented this evening would interface well with Acme's recently updated Parks & Recreation Plan, and that perhaps some elements can factor in to our upcoming Master Plan review and our proposed new M-72 Corridor ordinance. He thanked Ms. Danly for her presentation and encouraged further communication.

- b) Presentation by Ron Reinhold, Acme Township Waterfront Recreation Facility Task Force** (Attachment H included and incorporated by reference): Mr. Reinhold stated that last year there was an attempt to address new ordinances for the use of road-ends that front on public waterways. Many people launch their boats at these sites and some sunbathe. They are currently very poor launch sites that will not allow boats over 16' to launch into the Bay. In May 2003, the township began exploring what might be required to create a decent waterfront facility in Acme. The committee working on the project also includes: Voss Guntzviller (who has championed handicap accessibility), John Hagen (Gourdie Fraser Associates – grantwriting assistance – has obtained \$18,000 from MDNR for an engineering study of four prospective sites), Paul Brink (CCAT, attorney, owns property next to the Yuba Park Road launch site), Owen Sherberneau (Planning Commissioner), Dave Amon (historical perspective) John Nelson (Watershed Center – Baykeeper), Anne Brasie (Executive Director, Watershed Center), and Brian Jabour (Fifth Third Bank – Holiday Hills Branch Manager). Mr. Reinhold has also drawn on advice from a friend who is a marine engineer for the Ohio DNR and who provided Ohio's design guidelines. Michigan's guidelines were also obtained, but Ohio's materials are much more thorough. Paul Peterson at MDEQ has

been instrumental in obtaining grant assistance and general support for the project, and the task force also has contacts at MDOT.

Packets for this evening included materials from the task force. They include a list of the various topics considered when drawing up some of the proposed plans. One lesson learned is that trying to combine a boat launch with a bathing beach is not practical. A boat launch seeks to attenuate waves or provide a refuge from them, particularly on a windward shore such as ours. However, wave action is needed to help keep bathing beaches clean. So, if there is to be a bathing beach associated with the project, it would have to be outside of any breakwalls. Accessibility to all elements of the site for people with any type of mobility issue is a paramount concern. A spot for pier fishing is desirable. To make the dream a reality, it may be necessary to undertake substantial construction within the bay itself, but the group has learned that there is no absolute prohibition on such a project – although it may be difficult to persuade the state and/or the Army Corps of Engineers. Adequate parking, a fish-cleaning station, boat wash down areas (to inhibit the spread of zebra mussels), changing/restroom facilities and ensuring an adequate number of launching ramps with an adequate minimum water depth are all desirable features.

Ideally, the task force would like to provide for six launching ramps. They are aware that the DNR is trying to put in a four-ramp launch on Crystal Lake, so looking at the comparative sizes of Crystal and the Bay six ramps does not seem excessive. A 30-fold increase in bay usage is anticipated over time, so perhaps six ramps would not be enough in a decade or two. Each ramp should handle 50 boat launch/retrieval cycles per day. There could also be provisions for foul-weather harboring, a separated area for non-motorized boat launching (and car parking). Dredging and channel navigation aids would be necessary. A fuel service has been ruled out, as many boats now use everyday gasoline, and the marina near Mountain Jack's offers fuel service.

Gourdie Fraser has come up with some preliminary cost estimates for the drawing on sheet 7 of the packets provided. Not including real estate acquisition, the cost for the facility depicted might be around \$8 million. It is possible that up to three-quarters of the needed construction funds could be obtained from a Parks & Waterways Grant Fund.

Four possible launch sites have been investigated, largely coinciding with existing road ends at Bunker Hill, Bayside Park, Dock Road and Yuba Park Road. The packets contain evaluations of each site based on a number of criteria. The site with the most plusses stretches from the bottom of Bunker Hill Road to the southern line of the MDOT roadside park on the bay. This area includes a number of privately-owned properties. The scenarios developed by Gourdie Fraser included options with and without private property acquisition costs, but a full comparison is not yet complete.

At this stage, the task force are introducing their work to the Board, Commission and public, and seeking input on whether to proceed. Smith indicated his personal approval of the efforts to date and a feeling that this work addresses public needs and concerns expressed in the Master Plan.

Mr. Guntzviller handed out some information related to a boating study requested by a caucus including Jason Allen.

Lewis Griffith, S. Lautner Road, expressed sincere concern that at this stage a fuel concessions facility is not included in the plans. Places to buy fuel on the water are few and far between, and boats don't get very far per gallon of gas. Mr. Reinhold stated that while the plans don't call for a fuel dock at this time, if public input indicates that one is needed to make the facility viable, one will be considered. Salathiel stated that the fuel dock at the East Bay Marina is rarely busy. Vermetten noted that providing fuel opens up a whole new realm of regulatory concerns.

Salathiel said that there was an idea for a boat launch 25 years ago involving Gilroy Park. At the time she didn't approve, but now she believes this would be a good location and a worthwhile venture. She would like the launch to include a bathing beach/public park element. Mr. Reinhold stated that they would like to connect the TART to an eventual facility. If Gilroy Park does not become included in the project, it might still be adjacent and might be enhanced as a park and picnic area.

- c) **Presentation by Chuck Walter, Trustee and Dawn Plude, Assessor, regarding Downtown Development Authorities (DDAs):** Walter began by commending Mr. Reinhold's work on the boat launch, noting the possible benefits for the stores that make up our business community. This thought lead into his presentation for the evening regarding formation of a possible DDA. He stated that he and Amon have been researching this potential avenue for recapturing tax money for a certain period of years to reinvest in community development. Along with Plude, they have made some initial inquiries of some of the taxing authorities involved and have received some positive feedback to date.

DDAs may be formed pursuant to a public act passed in 1975. Traverse City and Kingsley both currently have DDAs. Right now, the majority of tax dollars collected in Acme Township leave the township and pass along to the County, the school system, the College and other entities.

When a DDA is formed, a DDA board is formed through appointment by the Township Supervisor and confirmation by the Township Board. The board must be composed of a representative cross-section of those owning land within the DDA district. There can also be a citizens advisory committee. The DDA can impose its own taxes within the district, and can issue bonds. Along with recaptured tax dollars, funds can be spent on projects to improve transportation whether motorized or not, improve parks and beaches, and many other purposes.

Only properties within the DDA district would be impacted financially. Walter asked Plude to describe the economics of the situation. Plude indicated that her involvement has centered on creating GIS maps of a hypothetical DDA district and explaining how the tax recapture works. She agreed that nobody outside of the district would be financially impacted, and added that there would not necessarily be a new financial impact on those within the district either.

She provided an example of how DDA funding works:

A certain piece of property within a new DDA district has a taxable value of \$10,000 at the time the DDA is formed. This becomes known as the base value. Any taxes on the base value continue to go to the customary taxing authorities. Any taxes on increases in taxable value through inflation, taxable value uncapping and/or property improvements that would previously have gone to those taxing authorities (known as capture value) are used for improvements within the community for a specified period of time.

Plude stated that as part of the process of learning more about DDAs, a hypothetical district map has been created. This is a hypothetical scenario only. She did not come prepared to discuss how much funding could be returned to the community based on the scenario. Walter noted that the process of creating a DDA requires several public hearings and at least half a year to accomplish, so if the township were to move forward there will be plenty of opportunity for refinement and public input.

Mr. Griffith asked for clarification that the tax recapture still applies whether or not the owner of the property is a township resident, which Plude confirmed. The funds come from existing property taxes which are directed to different funds from those to which they are directed now.

Bill Kurtz made the point that the local school system taxes are exempt from recapture. Plude stated that this may be the case or not, but she is not prepared to address this issue at this time. She did note that each taxing authority that might be impacted has the ability to decline to participate, preventing us from recapturing those funds. Walter believes that the various taxing authorities will see some advantage to participating, because some of the improvements that could be made (such as to the US 31/M-72 intersection) would benefit general business in the entire region and not just within the township.

Erick Takayama asked if the DDA affects the assessed value of a new improvement. Plude stated that it would not – that she will still assess the value of each property or improvement the same way whether or not it is within the district. Mr. Takayama asked how money needed for improvements over and above funds available in the DDA fund is obtained – is it by new taxes on the citizens? Plude responded that the decisions on whether an improvement is made and when would be partially based on when the funds would become available and how the DDA board decided to spend the funds. Smith stated that we are

still in a learning phase and the township does not intend to convey the idea that any particular improvement is under significant consideration. Walter and Plude are trying to introduce the general concept, but we are far from discussion any specifics.

**5. Other Business:** None

**6. Any other business that may come before the Commission:**

**Meeting adjourned at 8:50 p.m.**