

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

**BENZIE COUNTY PLANNING COMMISSION  
NOVEMBER 12, 2009  
MINUTES**

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

**MEMBERS PRESENT:** Ralston, Moorman, Scherwin, Schluter, Ross, Roberts, Brian, Granlund, Minster  
**MEMBERS EXCUSED:** Pitcher, Tanner  
**STAFF PRESENT:** David Neiger, Planning Director/Zoning Administrator and Chris Flynn, Assistant to the Zoning Administrator/Recording Secretary  
**OTHERS PRESENT:** Bob Bigelow, Nancy Call, Shauna Fite, Marcia Curran, John Meusling and several others.

34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59

**I. Open Meeting and Pledge of Allegiance** Chairman Ralston opened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

A. Roll Call with Call for Conflict None stated

**II. Approval of the Agenda** Ralston adds Goals and Objectives to Unfinished Business. **Motion** by Ross supported by Minster to approve the Agenda as amended. Ayes: All Present Excused: Tanner, Pitcher Nays: None **Motion Carried**

**III. Public Hearing – Benzie County Parks and Recreation Commission (P & R) Master Plan, Adoption as a County Master Plan White Paper**

A. Open the public hearing Chairman Ralston opens the Public Hearing at 7:03 and welcomes the guests present.

B. Submission of Plan

• **Neiger** explains the process the Parks & Recreation Commission (P & R) used to write the Plan. He states the intent was for the Planning Commission (PC) to adopt the paper as part of the Comprehensive Plan update.

• **Neiger** explains that the process included inventories, random surveys, speaking with township officials and holding a public meeting. He states the local units of government had several opportunities for input.

C. Zoning Administrator presents Staff Analysis See above.

D. Open Public Input Chairman Ralston opened Public Input at 7:09 and briefly reviewed public input procedure.

1. Proponents Statements (Those in favor of the project) None

2. Opponents Statements (Those objecting to the project) None

3. General Statements and Questions None

4. Rebuttal None

5. Correspondence • **Neiger** reports letters of support from Benzonia, Crystal Lake, Colfax and Weldon Townships. He reviewed the concerns and corrections received from Lake and Almira Townships, the Village of Lake Ann and the Friends of the Point Betsie Lighthouse.

• **Neiger** will write a letter to Lake Township explaining the process used to rate facilities.

• **Neiger** states:

▪ An errata sheet can be attached to the Plan correcting the Almira Township and Lake Ann Village errors that would not slow down the approval process at the MDNR level.

▪ Cemeteries are a valuable cultural resource due to their park like atmosphere and for their genealogy histories.

▪ In general the report includes private facilities open to the public if the P & R was made aware of them. Private facilities not open to the public were not included.

• **Neiger** read the letter from the Friends of the Point Betsie Lighthouse and comments that the P & R used a State Historical Preservation Office summary in determining the significant dates for the Lighthouse. He suggests that the Friends group contact the P & R.

• **Granlund** asks if the Friends of the Point Betsie Lighthouse were included in the development of the Plan.

• **Neiger** states he does not know who had or had not been contacted.

• Several Commissioners did not get the map of Benzonia Township.

• **Roberts** asks about a proposed development with a dockminium in the Village of Elberta and asks where the fishing platform is. There was some discussion on what marinas and dockminiums exist around Betsie Bay. The fishing platform is part of the Betsie Valley Trail just outside the Village of Elberta limit.

• **Nancy Call** states she is on the board of the Friends of Point Betsie Lighthouse and is unaware of any communication from the P & R during the plan development. She wonders where the funding to maintain the trail

1 and lighthouse will come from when the grant money runs out. She is directed to Charlie Kehr, Chairman of the P  
2 & R for more information.

3 • **Robert Bigelow** states that the City of Frankfort owns a park at the end of Bellows Road. He asks if all the  
4 road ends are included in the Plan. **Neiger** states he believes all the public ones are.

5 E. Close Public Input Chairman Ralston closed public input at 7:42 p.m.

6 F. Commission Deliberation

7 • **Neiger** suggests a motion to accept the plan and have the P & R accumulate an errata sheet of things that  
8 need to be changed or corrected and then in the future the Plan could be amended. **Neiger** is directed to create  
9 the errata sheet.

10 G. Decision Motion by Moorman seconded by Brian to accept this plan as a white paper to replace all previous  
11 Parks and Recreation Plans, with the condition that the errata sheet is presented for approval to the Planning  
12 Commission at the Dec. 10, 2009 meeting. **Roll Call Vote:** Scherwin: Aye Schluter: Aye Ross: Aye  
13 Roberts: Aye Brian: Aye Granlund: Aye Ralston: Aye Moorman: Aye Pitcher: Excused Tanner:  
14 Excused **Motion Carried**

15 H. Close Public Hearing Chairperson Ralston closed the public hearing at 8:08 p.m.

16

17 **IV. Approval of the Minutes of the October 8, 2009 Meeting** The following corrections are made:

18 Page 1, line 19 delete the second "the agenda",  
19 Page 2, line 11 delete the word "it",  
20 Page 2, line 16 correct spelling of "manufacturers",  
21 Page 2, line 21 change spelling from "guaranty" to "guarantee",  
22 Page 3, line 14 change "opened" to "open",  
23 Page 4, line 16 change "sounds" to "sound",  
24 Page 4, line 38 change "breaking" to "braking",  
25 Page 6, lines 40 and 41, delete.

26 **Motion** by Moorman, seconded by Ross to approve the minutes as corrected. Ayes: All Excused: Pitcher,  
27 Moorman Nays: None **Motion Carried**

28

29 **V. Public Input – Items on the Agenda**

30 • **Shauna Fite** (MLLUI) announces an event to bring the issue of the elimination of Planning and Zoning to the  
31 attention of the public during the 1<sup>st</sup> week in December. She states the following groups will be participating in  
32 putting on the event: *Benzie County Chamber of Commerce, Frankfort-Elberta Chamber of Commerce, League of*  
33 *Women Voters, MSU Extension, Benzie County Conservation District, Benzie Human Services Collaborative,*  
34 *Michigan Land Use Institute, Crystal Lake and Watershed Association.* She asks what will happen if the Planning  
35 Department is closed on Dec.31 but the ordinance is not repealed until January 19, 2010. **Neiger** replies that they  
36 would have to extend the budget because if the ordinance is in effect it has to be administered.

37

38 **VI. Reports** None

39

40 **VII. Unfinished Business**

41 A. Lake Township Master Plan **Neiger** explains the procedure for a unit of government to amend or adopt a  
42 new master plan. He states his Staff Memo comments were oriented around the lack of discussion on the Crystal  
43 Lake or Platte Lakes Watersheds and they have not shown any legal review. He adds there is a lack of reference  
44 to documents used historically to justify or enhance the legal basis for the corresponding Overlay Districts. Those  
45 documents could be: *The Conservation District's "Platte Lake Watershed Study", PLIA's numerous studies of*  
46 *water quality and other appropriate data of the watershed, The new Benzie County Parks and Recreation*  
47 *Commission's Recreation and Cultural Plan, The County Planning Commission's "Sensitive Lands and Water*  
48 *Resources report, The Crystal Lake Association's Watershed Study from late 1980's or early 1990's*

49 • There is some discussion on how Lake Township incorporated commercial and industrial uses into their  
50 zoning.

51 • **Ralston** reads Mary Pitcher's comments.

52 • **Neiger** recommends that the Planning Commission use his staff memo in letter format adding Pitcher's  
53 recommendations as a response. **Motion** by Moorman seconded by Roberts, to send a letter to Lake Township  
54 paralleling the staff report and including Pitcher's comments

55 • **Marcia Curren**, Lake Township suggests that the documentation be included in the motion. **Neiger** replies  
56 they are included in his staff analysis and will be in the letter. Ayes: All Excused: Pitcher, Tanner Nays:  
57 None **Motion Carried**

58  
59  
60

- 1 B. Goals and Objectives  
2 • **Ralston** presented some goals and objectives to be thinking about in the event that Planning continues. She  
3 states we need to emphasize the economic development needs of the county. There is discussion on the previous  
4 Economic Development white papers. **Neiger** will provide copies of both to Karen Roberts.  
5 • There was discussion on each Planning Commissioner attending one or more township/village meetings to  
6 encourage more communication.  
7 • **Neiger** comments that even though the schools are not subject to zoning it is important to keep up to date on  
8 what the schools are planning.  
9 • There is discussion on the Capital Improvements Plan (CIP).  
10 • **Neiger** explains that the Wind Ordinance has been sent to the attorney to be put into legal ordinance language.  
11 It will then be published and it could be adopted by other units of government.

12  
13 **VIII. New Business**

- 14 A. Renewal of Wayne Webber Major Special Land Use Permit (MASLUP 07-03) for a 595-Acre (more or less)  
15 cervidae (deer) ranch.  
16 • **John Meusling**, for Wayne Webber, is asking to renew their permit for another year. They are communicating  
17 with the DEQ to resolve the stop work order.  
18 • **Neiger** reports that the DNR will not issue its permit until the DEQ issues are resolved but that he has no  
19 problem with extending the permit for another year.  
20 • **Ross** asks about the "allegations of other violations". **Neiger** explains which Agency has jurisdiction over  
21 different parts of the project. **Motion** by Moorman seconded by Ross to renew the permit for one year. **Moorman**  
22 states that while he had a conflict during the original permit hearing that conflict no longer exists. **John Muesling**  
23 explains that they had a fence that was within 200' of the Betsie River, their variance was denied, and the fence  
24 has been removed. Ayes: All Excused: Pitcher, Tanner Nays: None **Motion Carried**

- 25  
26 B. Set Public Hearing Date for repeal of the Benzie County Zoning Ordinance on the Dec. 10, 2009 Agenda.  
27 • **Neiger** explains that the rescinding process is the reverse of amending or adopting the zoning ordinance. The  
28 Planning Commission is required to hold a public hearing and make a recommendation to the Board of  
29 Commissioners. **Neiger** reviewed the several proposed budgets sent out to the townships by the County Board.  
30 • There is discussion that all seven townships will have to pick the same financial option.  
31 • It was decided to have the public hearing in the Annex of the Government Center.  
32 • There was discussion on Homestead/Inland costs. They seem to be doing well with less money.

33  
34 **IX. Director's Report** **Neiger** reports mostly dealing with the repeal of the zoning ordinance. He adds that  
35 he worked with Don Tanner on the proposed budgets and wrote some violation letters. **Neiger** is also working on  
36 the CIP and getting many phone calls from appraisers.

37 **X. Correspondence** None

38 **XI. Presentations and Announcements**

- 39 • **John Schluter** comments on a discussion he had with Al Brown about getting a grant for a waste water system  
40 for Village of Benzonia. He asks if there is anyone working on that. **Neiger** replies that Mr. Brown has been talking  
41 about that for a long time and the Village of Benzonia has told him that they will not move on anything until he  
42 presents a PUD proposal on property that he actually has control over.  
43 • The classroom Citizen Planner course is done, but a couple Commissioners are working online and will finish  
44 soon.

45 **XII. Public Input – Items On or Off the Agenda, within the Planning Commission's Jurisdiction**

46  
47 **XIII. Adjourn** **Chairman** Ralston adjourned the meeting at 10:11 p.m. The next regular meeting will be  
48 December 10, 2009 in the Annex of the Benzie County Government Center.

49  
50  
51 Respectfully Submitted:

52  
53  
54 \_\_\_\_\_  
55 Katherine Ross, Secretary

56  
57 \_\_\_\_\_  
58 Christi Flynn, Recording Secretary  
59