

**Peninsula Township
Master Plan Review Sub-Committee
Township Hall
February 2, 2017 - 10 am**

Present: Donna Hornberger, Monnie Peters, Laura Serocki, Marilyn Elliott, Susie Shipman

Also Present: Rachel Mavis (recording secretary), Gordon Hayward, Brian VanDenBrand, one township resident (Nancy Heller)

Absent: Alan Couture, Isaiah Wunsch

Motion by Shipman / Serocki to approve agenda. Motion passed.

Citizen Comments

none

Conflict of Interest

none

Consent Agenda

none

New Business

a. Master Plan Goals and Actions Round Table discussions

Peters: We've had 3 meetings and have gone through a lot of the goals and actions, discussing them and trying to look at implementing the master plan through broader goals and actions - what should be done, who should do it - then prioritizing them as low, medium, or high priority.

Today the focus will be: Commercial and Neighborhood Service Goals and Actions (two goals, five actions)

Goal #1: Plan commercial enterprises on existing commercial land that would provide the needed service and /or retail needs of Peninsula Township

Goal #2: Continue the support of both agricultural tourism and agribusiness through agricultural related events and commercial opportunities.

Hayward: It would be good for me to go through a little bit of history as to how this concept showed up. Back in the late 80s/early 90s as we were going through the PDR process, we hired a firm and developed a plan for transfer of development into a village. People who owned farmland could transfer development rights and essentially develop commercial housing. It didn't get much support besides as a concept. One thing to think about is if that's still a concept we want to follow. Ag land is now protected through the conservation easements, so maybe we need to readdress that whole concept. When it was originally planned, it was a fairly elaborate plan. Two areas that were looked at were Bowers Harbor and Old Mission. Do we want to leave that concept in the master plan?

Serocki: When we were working on the master plan, we had people representing different areas. Old Mission was interested in some sort of a village center, but Bowers Harbor / Mapleton were NOT. Maybe the driver could be if those areas want it. It's time and money that's unnecessary if we're not going to end up following through on it.

Action 1 - investigate mixed use village centers on commercial zoned land.

Hayward: There was a SUP in Mapleton (north of grocery store), where they looked at splitting that parcel off. The SUP allowed the zoning administrator to do some work there. That opportunity is still there without redoing the SUP. The idea was that in the area that's lotted out, if it was going to be a transfer concept, then it might be an area where rights would be moved into the village. The area between Prescott Lake and the village is not in the ag reserve area. There are options in the zoning ordinance to transfer development rights. The ag end could be deed restricted and the number of dwelling units they have could be transferred to the village. This would increase density outside and decrease density inside. There was a lot of incentive in the Old Mission area.

Hornberger: When was that?

Hayward: Somewhere between '05 and '07.

Peters: I was a part of the group in the Bowers Harbor area that had been looking at where the Boathouse/marina property is. That's where the greater community clearly said no, we don't want more development than is already possible. This continues to be a lower priority. Continuing to think about transfer development rights in its more limited form is a tool that we should continue to investigate.

Heller: We should wait until an application comes in and do it.

Hayward: I don't think people realize what that particular allowance in a SUP is. Not many people realized how you can use that.

Heller: Is it clear? Or left up to interpretation in the ordinance?

Serocki: The previous town board did not want to pursue transfer development rights. There were situations where people bought property next to ag land and it was an area where the density would be dumped. Maybe we should see where the new town board lands.

Peters: I think it's one of those items in the master plan that we don't totally throw out - it's a more complicated mechanism that could be used. Throwing the idea of transfer development rights totally out shouldn't happen.

Elliott: We should leave it in and give it a low priority. We could involve the town board in whether or not we want to take the moratorium off.

Hayward: What are your thoughts on showing it on the future land use map?

Peters: That gets into a slightly different issue - what is the future land use map and how is it portrayed in the master plan?

Hayward: It's not something we need to decide today.

Heller: I'd make a notation. It depends on the timing - if it's done immediately or in the next five years.

Hayward: The future land map is the guide for future zoners. Any zoning request has to be measured against the future land use map.

Serocki: Will it that it's only through transfer development rights?

Hayward: No, transfer development rights are not in rezoning. You're just moving it from one piece of property to another. Let's say there was an area on the map that we'd consider for transfer development rights. If someone wanted to come in and ask for a SUP, like we did with Hawthorne - we ended up with deed restricted farmland. That's all done by SUP's. Traditionally the transfer development rights would be broader. It doesn't affect the master plan other than that we have areas that are marked as PDR.

Peters: As Planning Commission members who were there last spring/summer, we said we didn't need a wholesale rewrite. We came up with the idea that we needed to look in detail at the future land use map. We need to look at specific areas and make sure they're correct and where we want to go. Part of it was also that we need to have better mapping done, which Claire was working on. The future land use map and how that looks is something that's already sort of on the agenda, but since we haven't had consistent staff all fall, it's been put on hold. Looking at the future land use map becomes a high priority. Once we've looked at it, I'm not sure where we go. We have an excellent map-skilled man in our new planner, Brian, though.

VanDenBrand: The map is pretty unclear right now. The township is too big to be on only one page. I'm digging into what Claire already produced, and gathering any maps that previous staff created as we update it.

Heller: If I bought property as a resident with the understanding that the density would be 5-acre parcels, then density was transferred there, that would be upsetting. People who purchase out here purchase with something in mind. My concern would be higher density next door.

Hayward: We may move density around, but we wouldn't increase or decrease anyone's property. The only way people can guarantee something will stay the way it is if they buy that piece of property.

Heller: I think we need to educate our residents on this.

Hayward: We need to do a better job communicating what we're doing or not doing. We won't rezone any land unless the applicant applies for it. There won't be any blanket rezoning based on a future land use map.

VanDenBrand: If we look at Old Mission, we could draw a line around what we would consider the outlying village, where it might benefit from density being transferred from some of the outlying agricultural parcels.

Hayward: Both land owners have to agree.

Serocki: I agree with that. You're in a village and you're going to expect that. We had someone come in - they wanted to move it from 1 house per 5 acres to 1 per 1. That was the part of transfer development rights that we had the complaints about - there were 2 or 3 times that was requested and never passed.

Hayward: The only way you can get that higher density is if you go through the process to amend the master plan and everyone in the area agrees that they desire to have a higher density. The master plan would have to recognize that, and specific land owners would have to ask for that. That's what the future land use map is for - if we're going to rezone and change the density, this is why and where.

VanDenBrand: As part of this particular discussion, we're talking about commercial areas.

Peters: I think we've seen the importance of the work that the planning commission needs to do - first, looking at the current future land use map and thinking about whether that needs amending. Curt Peterson (Old Mission Estates) has specifically given us a detailed request to do a change.

Serocki: When we put on the future land use map that there would be rural ag, it was a buffer between ag and residential. The planner felt like it should be R1B since it was close to the bay. We disagreed with any increase in density, but there are several areas in the future land use map with increased density.

Peters: This is definitely an area of work that we need to take up and do. Our first step is to get a decent map, rather than the small one that we have.

Serocki: There was concern about rezoning and density changing when the future land use map first came out. It was stated clearly in the public hearing that nothing would be done with the future land use map without discussion and deliberation.

Peters: The future land use map is a guide - a loose guide at this particular point - and is not a specific direction as to where on which properties things would go - is that correct?

Hayward: The future land use map is not a zoning map. It's the basis for the zoning ordinance and the zoning requests. It's what the town board looks at when determining if it's something that should be rezoned or not. It's a guide for future rezoning, but by itself it's not rezoning anything.

Serocki: I think it's a low priority - I'd take Mapleton out and leave Old Mission in.

Peters: I don't want to say yes or no on re-looking at the village concept, but I think it's a low priority. Moving on...

Elliott: I don't think we should take it out. If we think towards the future, we may need it.

Hayward: The current language in the master plan is that there isn't any need for additional commercial land.

Shipman: My comment is in regards to the words that are here now - it sounds more like taking action and being proactive, versus being responsive if possibilities come our way. The action #1 has already been done - the investigation - and the goal (plan) sounds more aggressive than what we're talking about. You fulfilled the investigation side of that.

Peters: The last incarnation of the planning commission said we're not going to get into language and changing it. The only amendment is on the future land use map. However, we came out and said a really big issue is that we have all these goals and action and haven't done any implementation. We're high on the future land use map and low on this one. The wording may be not right, but we can deal with that in the future. In another year, if we decide we want to go through the master plan and redo some language, we can.

Peters: In the next group of ones - we discussed a lot about ag festivals. We spent quite a while talking about farm markets. I sort of feel like that one has been addressed somewhat. If you want to address any of these particular actions, we can, then I'd like to move on.

Serocki: As far as action #2 - that's what we've been doing with the wineries and food production. We've been working on that one for 2-3 years. It's a high priority - it hasn't been completed, but has been worked on.

Peters: Any other comments in this particular area?

Hayward: Where would marihuana fit in here?

Serocki: Possibly the second one?

Peters: These are under commercial, not under ag - these are not ag goals. These were the commercial and neighborhood service goals and actions.

VanDenBrand: The dispensary would fit into the commercial side of things.

Hornberger: Nothing can happen for a year, though, right?

Peters: The year started about 6 weeks ago. If we decided that we would do an ordinance and allow it, it couldn't start until December of 2017. Our first step is that more than half of the PC and the town board members are going to a workshop in a few weeks to learn more about this. We haven't even thought about if we want to go down this path.

When we look at Industrial Land use goals and actions... how much industrial use is going on? I can only think of one or two.

Hayward: Our whole ag reserve area is our industrial area. As far as manufacturing goes, there isn't much. As far as home occupation industry, there is a lot. We want to be careful when we talk about industrial that we don't only talk about manufacturing. I emphasize this because under planning law, we have to provide for all residential, commercial, industrial, etc. Our ag is our industry. Our home-based businesses are our commercial.

Peters: I look at industrial and to me it is something that is larger and has a greater impact on its neighborhood than just commercial and particularly home-based business. In my mind, it's an issue of size. Am I wrong?

Hayward: If we're talking about manufacturing, I'd like to call it manufacturing. What I want to avoid is using the term "industry" as if it's manufacturing.

Peters: The two actions here are to: establish guidelines for environmental impact study to be conducted by applicant prior to application review, and then to expand the radius of neighborhood notification area. That would be an easy action item to accomplish. Do we need standards for coming in for an application? What is industrial vs. what is commercial? I thought we had standards on a home-based business.

Hayward: Home-based businesses are allowed in all residences in the township. You can hire two people.

Peters: No impact outside of your space. Do we have something on retail sales?

Hayward: You can sell retail things on the internet, but you can't have customers coming and going from your house. The actions that we're in the process of looking at now is that if someone is coming in for a PUD, they have to do due diligence for the requirements under the state law for dealing with lead, arsenic, etc. That's a way that we are implanting the master plan actions right now.

VanDenBrand: I would agree with Gordon - I think the industry that we have right now is what we want to see on the peninsula. We don't want to see a stamping company come in. If we can expand the actions to support that, "Yes, we do have industry and this is what it looks like." Maybe that's the way we can elaborate on this goal.

Hayward: The other thing related to that is that we have the ability to say that there are certain uses that aren't reasonable anywhere in the township. Certain things, like smokestacks, could be excluded. We'd have to say why it's not legitimate.

Shipman: Heavy manufacturing uses seems like the only area where we've done that. Is that legitimate standing?

Peters: Moving on to standards in the zoning code, it would not be an allowable use.

Hayward: You would not have it listed as an allowed use in the township. The master plan deals with *why* it's not in the zoning ordinance.

Peters: What we need to do is the next time we actually amend this, we need to have more language saying "why."

Hayward: Yes, what the reason is for it. Here's a use that's not allowed in the township and here's why - it has to be detrimental to the safety and welfare for the residents.

Peters: I think we've looked at that, so I'm going to push us on - Public and Semi-Public Land Use. In previous round-tables, these topics have been discussed. I want to go to the last goal and move from there. The last goal is "Provide convenient economical methods of disposing of solid waste."

Hayward: We didn't consider additional recycling drop-off areas. We did the third one - we franchised. One truck, multiple areas.

Peters: Our trash hauler picks up a fair amount of lawn waste and woody materials. Looking at the goal above it... adopt measures to ensure that the continued use of septic systems do not degrade water quality.

Hayward: The septic treatment plant was created.

Serocki: A lot of this came out of problems where a lot of it was going into the bay. We had talked about having it inspected prior to selling a house. I don't think we did any work on it, though. We got a lot of information from the water shed.

Hayward: We looked at Long Lake township's ordinance. We've never adopted anything, though.

Peters: If you want to renovate, or build an expansion, you come out and get a land use permit. Then when you go to the building code office, the county health department looks at your current system and determines if it can handle it or if it needs to be resized. We don't get at the systems that were done 30-50 years ago that no longer really work and actually are polluting. This is where the water shed center was interested because of the cleanliness of all the water in GT Bay.

Hayward: If there's evidence of contamination, you can be violated for that.

VanDenBrand: I think this one is still valid. It's something that all the neighborhoods in the community need to look at.

Peters: It seems to me that the third action is an education out to homeowners. Looking at the first two - we could look at other townships, or even call the watershed.

Shipman: Would that be a medium priority, then?

Hayward: I don't think it's a critical thing. If there's evidence of a lot of failing systems we may need to look at it.

Peters: In talking to Dan, all of the houses on Neah-ta-Wanta are close together. We are leaving land aside to possibly look at a cluster system. That's where it's not there yet, but I suspect it will be in 30 years.

Hayward: This action item would be to support the people in that area.

Peters: Above it - "Evaluate and identify the need for future water and sewer service districts." I've not followed all of it exactly, but I think we've sort of done most of these. If one were going to rewrite this, you may write that you want to "continue to encourage..." (Group agreed.)

Peters: Next one above it - "Enhance communications within Peninsula Township." Action #2 is the newsletter and we are back in business!

Hayward: Also, the mapping that Brian will be doing all be public info.

Serocki: We've put a lot more on the website since we started the master plan.

Peters: My only thought is to improve the website. I'm not sure what it would take to do that.

Shipman: If you look at our website right now, there are some blanks where it would be easy to fix. So that's an ongoing item, then.

Peters: "Assure the availability of adequate sources and supplies of electricity and natural gas for the future." The middle one - "install underground utilities"... are we doing that?

Hayward: With Vineyard Ridge, nothing is being buried.

Peters: Do we need stronger language in the master plan to encourage more lines underground?

Hayward: If we want to encourage burying, yes. It changes it to "how do we get the money to bury it" from whether or not we bury it. The language maybe should change in the future.

Peters: I don't think we have anything in particular that talks about roads and trees. We don't talk about trees anywhere - I think that's different than sources and supplies for natural gas.

Hayward: One thing the planning commission is doing now is looking at what we can do to prevent erosion on the steep slopes leading to the water. We're working on those kinds of possible regulations, but it's more of an environmental approach. The road commission is looking at safety. We're looking at that plus environmental controls.

Peters: They're looking at safety as long as you're in a vehicle. They're not looking at pedestrian safety.

Hayward: They're looking at it because their insurance is encouraging it. If we had a master plan that showed why it's not a good idea, their insurance couldn't push it.

Peters: We don't say anything in here about use of our roads by anything other than vehicles - bikes, pedestrians, etc. Do we need to add that at some point?

VanDenBrand: There is something called complete streets, where you make allowances for all manners of traffic. It would be pretty simple to add it in here to consider complete streets.

Peters: So, top of page 38 - "Provide for pedestrian movement in areas of higher density between subdivisions..." The first action item - that's where we'd want to say that we want to look at the complete streets concept. It's not

only bicycles, it's also pedestrian usage. It's not Center Road that's so bad, but the next level streets (E Bayshore, Peninsula Drive, etc.). There's no paved shoulder on Peninsula Drive. A pedestrian can move off the road, but bicycles can't. I think putting the "complete streets" in there is perfect.

Hayward: When Center Rd. was repaved further north, MDOT came and asked us to increase the shoulder width. That wasn't an initiative on our part, but on MDOT's part because they wanted to do it.

Peters: Is there a difference working with MDOT vs. County Road Commission?

Hayward: Yes.

Shipman: Does the County Road Commission have to look at our master plan? Because when they redid Peninsula Drive, it doesn't seem like they looked at this.

Hayward: Yes, they do.

Hornberger: I think part of that was a lack of communication.

VanDenBrand: Another way you can make a road safer is to narrow the lane by a foot - it automatically slows you down.

Peters: Is this a medium-level or high-level to look at the complete streets and to put more in about roads in the master plan?

Elliott: I think it's a high-level of priority.

Hayward: We have policies on our road systems - Center Rd. will be the main carrier of the traffic. It's in the policies, but I'm not sure if it's clear enough in the main master plan. It also keeps ag trucks flowing. You have to keep it free of stop lights and stop signs. If you put in any of those, the ag trucks would have to move to a different road.

Serocki: On the page before this, we did talk about roads. We have some goals and actions there. (Maintain the integrity of the existing road to encourage traffic to move safely and smoothly.)

Peters: We all have copies of the current one, but don't have copies of the previous one. Maybe there are things in there that we want to look at bringing back in.

Peters: I think at this point, we've sort of addressed all of these in a rough fashion. Susie, Marilyn, and I will get together and look at how we can massage this loose stuff into something we can work with. I want to do a roundtable with the winery people, either very late this month or the beginning of March, after Susie is back. I'll work on dates. I want to let each of the wineries know. There's a lot of stuff from last summer to pull together. In some ways we've now gone through all of the goals and actions and gotten a sense of where we are. In this master plan, there are almost no goals and actions that specifically talk to some of the winery issues that have developed in the last 5-6 years.

Hayward: We're in the process of rewriting our zoning ordinance and we need to make sure the rewrite is consistent with the current master plan. Legally if someone wants to challenge the zoning ordinance, they'll look at if it's consistent with the current master plan.

Peters: This master plan doesn't address what I think the concerns are from both the wineries themselves and the citizens about the wineries, that have arisen since it was written.

Hayward: So you've already covered ag?

Peters: Yes. It wasn't as well-attended as we'd hoped, from the non-winery ag crowd.

Hayward: Maybe we need to go to the people instead of asking them to come in.

Elliott: Remember the agricultural round-table that we had last summer? There was a lot of discussion at those meetings. I think we need to look at all of that.

Citizen Comments

Suzanne Bouchey: As things were brought to her and she was reviewing this, she had some concerns. She has the adjacent property to the village. Her family's plans might not be in sync with what the township's might be. She and her husband are working hard to develop the ag land. They weren't aware of the ag round-table discussions. In the rural ag, it's on the master plan as potentially being rezoned - her purpose is to preserve her property as agricultural. 10-15 years ago the township looked at it being a park. The property has been split since the death of her father, so she's not sure what her siblings want to do.

Hayward: As we look at the future land use map, we should look at that and see what we can protect.

Bouchey: My husband and I plan to preserve the ag part of this. We're at a position now where we can work on it - we don't know where it stands. It's marked residential, but it's never been set up as a residence. I want to work closely with the township and what we want to do is preserve those agriculturals. When our piece is paid off, the 1-acre parcel will reunite with the 4-acre parcel.

Hayward: The township authorized a smaller parcel to be mortgaged. Even though they had 5 acres, only 1 acre could be mortgaged. Once the mortgage is paid off, the pieces will be reunited.

Bouchey: My concern is the rural agricultural. Gordon is saying that no zoning changes can happen without you wanting them, but then I hear talk about people wanting density changes. I want my children and grandchildren to be able to come back to the farm. I understand the buffer. If you've seen the goat farm, that's my farm. The new deed to the grange also has legal terms to it - we had the old probate judge write it up.

Hayward: That's an eligible historic building, I think.

Bouchey: We went through the process and there were so many restrictions, we decided to just do the restorations ourselves. We want to keep it as historic as possible, but we also want to keep it so there's a purpose for the building.

Peters: Thank you for coming. It fits in with what we discussed before. In one of our prior meetings, the consensus of that group was this idea of rural ag and ag needing to be looked at a lot more before we even considered splitting it up into two different ag districts. It's good to hear where there are any issues with this possible future land use map. Definitely keep coming and stay involved.

Board Comments

none

Motion by Shipman / Serocki to adjourn. Motion passed. Meeting adjourned at 12:13 pm.