

County of Antrim - Planning Commission

Jill Barnard

Jim Gurr, Chairman

Board of Commissioner member

Mike Hayes

Rick Teague, Vice-Chair

Board of Commissioner member

Bill Bailey

Barbara Bradford, Secretary

Ron Tschudy

Minutes - January 5, 2016 Board of Commissioners Room, 2nd Floor Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Mike Hayes, Chuck Johnson, Laura Stanek, Rick Teague, Ron Tschudy

Members Absent: None

Staff and Others: Pete Garwood, Janet Koch, Stan Moore

1. Meeting called to order at 5:35 p.m. by Peter Garwood, County Administrator.

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

Referring to the agenda item regarding the Helena Township Master Plan, Rick Teague said he's a member of the Helena Township Board and Jim Gurr said he's a member of the Helena Township Planning Commission. Mr. Garwood said it was his recollection that Michigan's Attorney General had determined that neither one of those would be a conflict of interest.

4. Public Comment

None.

5. Organizational Meeting

Mr. Garwood chaired the organizational meeting.

Nominations:

Jim Gurr was nominated for Chairman by Mike Hayes.

Motion by Rick Teague, seconded by Mike Hayes, to close nominations for Chairman and cast a unanimous ballot for Jim Gurr. Motion carried – unanimous.

The remainder of the meeting was chaired by Jim Gurr.

Rick Teague was nominated for Vice-Chairman by Bill Bailey.

Motion by Mike Hayes, seconded by Barb Bradford, to close nominations for Vice-Chairman and cast a unanimous ballot for Rick Teague. Motion carried – unanimous.

Barb Bradford was nominated for Secretary by Jim Gurr.

Motion by Jim Gurr, seconded by Jill Barnard, to close nominations for Secretary and cast a unanimous ballot for Barb Bradford. Motion carried – unanimous.

Motion by Mike Hayes, seconded by Bill Bailey, to set the regular meetings for the first Tuesday of the month at 5:30 p.m. Motion carried – unanimous.

6. Approval of minutes

Motion by Barb Bradford, seconded by Rick Teague, to approve the December 1, 2015 minutes as presented. Motion carried – unanimous.

7. Helena Township Master Plan

The Planning Commission discussed the proposed Helena Township Master Plan. The last sentence of the Background section was noted as awkward. Mr. Gurr made note of Jill Barnard's identification of typographical errors. Mr. Bailey commended the statement in the Visions Statement's introduction regarding individual property rights.

Motion by Jill Barnard, seconded by Mike Hayes, that the Planning Commission found no inconsistencies between the Antrim County Master Plan and the proposed Helena Township Master plan. Motion carried – unanimous.

8. Antrim County Master Plan Chapter 2: Land Use Change From 1978 to 1998

Mr. Garwood said a new land use study would require both aerial photography of Antrim County and a land use study. Ms. Bradford noted the aerial photography services of Greg MacMaster and his company Eagle-Eye Drone Service. The Planning Commission agreed it would be nice to have a new analysis of data for the next master plan.

The Planning Commission's consensus was that if an updated land use plan couldn't be obtained, that it might be wiser to delete the existing Chapter 2 from the master plan.

For the next meeting, Mr. Gurr asked the Planning Commission to read Chapter 3: Natural Resources and Environment.

9. Various Matters

The Planning Commission discussed regional issues. Ms. Barnard distributed information she'd received at a meeting she'd attended in Traverse City. She also mentioned issues regarding a special use property in the Village of Bellaire.

10. Public/Member Comment

None.

Motion by Barb Bradford, seconded by Rick Teague, to adjourn the meeting.

Meeting adjourned at 7:25 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - March 1, 2015

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Barb Bradford, Mike Hayes, Laura Stanek, Rick Teague, Ron Tschudy
Members Absent: Jill Barnard, Christian Marcus
Staff and Others: Janet Koch

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr.

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Barb Bradford, seconded by Rick Teague, to approve the minutes of the January 5, 2016 meeting as written. Motion carried – unanimous.

6. Central Lake Rising Tide

Mr. Gurr and Mr. Bailey described the Rising Tide initiative from the State of Michigan. Central Lake was one of the ten communities selected by the State to participate in Rising Tide. No monetary assistance is being included as part of the program, but the creation of a promotional video had been mentioned.

Some of the action items were the establishment of a local steering committee, a review of the Village's economic development strategy, summarizing economic challenges, and coordination with local partners to begin public outreach. A Technology and Economic Development (TED) team has been provided by the State to assist the community with the Rising Tide efforts.

7. Master Plan Chapter 3: Natural Resources & Environment

The Planning Commission discussed possible revisions to Chapter 3. A number of corrections were noted.

Mr. Gurr said at the next meeting the Planning Commission would discuss Chapter 3 implementation steps to specifically address water protection.

8. Various Matters

Board of Commissioner Resolution – Line 5

Mr. Hayes provided materials to the Planning Commission regarding Line 5, which is a pair of pipelines that transport light crude oil, light synthetic crude, and natural gas liquids under the Straits of Mackinac (**attached pgs. 3-12**).

Motion by Mike Hayes, seconded by Barb Bradford, to recommend that the Board of Commissioners consider approving a resolution regarding Enbridge, Inc.'s Line 5 that would be similar to resolutions approved by other counties in northern lower Michigan.

Motion carried – unanimous.

Capital Improvements Plan (CIP) Workshop

The Planning Commission discussed their role regarding the CIP. Ms. Stanek said a CIP was new to Antrim County; the Planning Commission could and perhaps should be involved with the CIP in the future.

Barb Bradford suggested a working exercise for the Planning Commission regarding a CIP. It was suggested that CIP projects be approved by the Planning Commission prior to approval by the Board of Commissioners.

9. Public/Member Comment

The dissolution of the Parks & Recreation Advisory Board was discussed. Ms. Stanek said the responsibility for the creation of the next 5-year Recreation Plan would be assigned elsewhere.

Motion by Bill Bailey, seconded by Ron Tschudy, to adjourn the meeting.

Motion carried – unanimous.

Meeting adjourned at 8:25 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

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Minutes - March 1, 2015

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Staff and Others: Janet Koch

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr.

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Barb Bradford, seconded by Rick Teague, to approve the minutes of the January 5, 2016 meeting as written. Motion carried – unanimous.

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Motion carried – unanimous.

Meeting adjourned at 8:25 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

About our Organization

The Straits Area Concerned Citizens for Peace, Justice, and the Environment (SACCPJE) was founded in Cheboygan in 2006. Our name summarizes our mission. We are a volunteer, grassroots group and do not identify with any political party.

We proudly admit an emotional attachment to Pure Michigan, our unspoiled woods and waters, and of course the Straits of Mackinac. The Straits defines our group - making it much more than just a place on a map.

We support transitioning to clean energy sources, but are realistic about the current need for fossil fuel. Pipelines are the safest way to transport oil and gas. Enbridge Line 5 runs 645 miles from Superior, Wisconsin delivering petroleum products from western Canada and the U.S. primarily to refineries in Sarnia, Ontario.

Our concern is the safety of a 62 year-old pipeline using a Michigan shortcut and crossing countless wetlands, streams, over 20 rivers, and our beautiful Straits. We fear a major spill in the Straits, or in waters which flow into the Great Lakes.

This packet contains documents which provide background for community resolutions calling on the Governor of Michigan to exercise his statutory authority to restrict the flow of oil through the Straits segment of the pipeline until it can be certified by independent experts that the pipeline can be operated safely.

Please contact Joanne Cromley at heronsway850@gmail.com with any questions.

For more information, please visit our web site: <http://straitspeace.org/>



Straits Area Concerned Citizens for Peace, Justice and the Environment

2/1/2016

Significant Letter to the Editor

Milliken: Seek Alternatives to Straits Pipeline Quickly

Detroit Free Press - January 3, 2016

Michigan is called the Great Lakes State for a reason. The Great Lakes surround us, they nourish us, and they define us as Michiganders. We therefore have special responsibilities as stewards of these lakes.

Today, I am profoundly concerned about a threat that could blacken vast portions of the Straits of Mackinac, the heart of our Great Lakes.

These concerns stem from the flow of 23 million gallons per day of crude oil through two underwater steel pipelines installed in 1953, traversing the Straits west of the Mackinac Bridge. For more than six decades, Canadian Pipeline Company Enbridge has relied on a state granted easement to use our public waters and bottomlands as a high stakes shortcut for moving oil from western Canada to refineries primarily in Sarnia, Ontario, Canada across the St. Clair River from Marysville, Michigan.

In my view, these lines under the Straits might not be approved today because of the risk of serious harm. Therefore, there is a strong argument that they should no longer be used to transport oil. As a matter of principle and public trust law, the state must never risk the Great Lakes for the benefit of a private interest, especially if alternative existing pipelines or alternative routes could be used. There is too much at stake: the Great Lakes support about 800,000 Michigan jobs, providing \$54 billion a year in income.

We must do more than simply hope that Enbridge can avoid, at the Straits of Mackinac, what it allowed to happen in 2010, when an Enbridge pipeline burst near Marshall and poured a million gallons of heavy oil into the Kalamazoo River watershed.

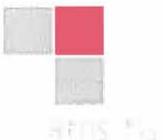
Scientific experts working with citizen groups have raised serious concerns about the Straits pipelines, including possible corrosion, dents, missing supports and the impact of invasive mussels covering the pipes.

In response to the public's growing concern, Gov. Rick Snyder formed a task force that acknowledged the state's legal duty to protect the Great Lakes from an oil spill and called, in its July report, for further study of the Straits pipelines and greater transparency from Enbridge. Snyder followed up with an executive order that established the Michigan Pipeline Advisory Board. It needs to look at the alternatives of the Enbridge pipeline including the risks that would be in increased use of freighters and trucks.

I urge that board to act with all due haste to protect the Straits, which University of Michigan researchers have called the "worst possible place" for a Great Lakes oil spill.

I call on our leaders at all levels to act swiftly to prevent a permanent stain on our Pure Michigan brand and an economic and environmental disaster at the Straits of Mackinac. We can do no less if we are to be responsible stewards of the Great Lakes — a treasure that we have a paramount duty to protect.

William G. Milliken served as Governor of Michigan from 1969 to 1983



Straits Area Concerned Citizens for Peace, Justice and the Environment



2/1/2016

Line 5 Talking Points

Background:

- Line 5 is a pair of 62-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac.
- An enormous amount of water flows through the Straits of Mackinac. At their peak volume, the Straits can move more than 10 times as much water as flows over the Niagara Falls. The currents in the Straits switch direction from east to west every few days.
- According to a 2014 study by the University of Michigan, the [Straits are the “worst possible place” for an oil spill](#) in the Great Lakes because its shifting currents would move the oil back and forth between Lakes Michigan and Huron, spreading it far and wide.
- The Great Lakes contain 20 percent of the world’s fresh, available surface water, and with this incredible resource comes a tremendous amount of responsibility to protect it.
- The Great Lakes literally define Michigan, and as Michiganders, our lakes define our lives. We’re never more than 80 miles from one of the Great Lakes, or more than eight miles from a body of water.
- The Great Lakes region is home to 10 percent of the U.S. population and 30 percent of Canada’s population.
- Eighty-five percent of the natural gas liquids in Line 5 stay in the Upper Peninsula to use as propane for heating homes. Therefore, this energy source would not be impacted if Line 5 were shut down under the Straits.
- In 2014, Governor Snyder set up the Michigan Petroleum Pipeline Task Force (MPPTF) to evaluate pipeline infrastructure and safety in Michigan and to make recommendations about what to do to protect Michigan communities and natural resources from Line 5’s aging infrastructure. The MPPTF made recommendations in July 2015, but failed to shut down Line 5 or provide a plan of action or timeline to implement the recommendations.
- In September 2015 Governor Snyder set up the Michigan Pipeline Advisory Board to develop a timeline and plan for implementing the MPPTF’s recommendations, but we cannot wait for the recommendations of another advisory group – the risk of Line 5 failing is too great.
- The Oil & Water Don’t Mix campaign is working with over 20 supporting organizations, community groups and businesses from around the state to shut down Line 5 and stop the flow of oil under the Great Lakes.

What’s at Risk:

- The Great Lakes are a drinking water source for over 35 million people.
- One in every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes. In 2009, the Great Lakes were linked to over 1.5 million jobs, with 35 percent of those jobs in Michigan.

- Tourism is one of Michigan's largest revenue sources and brings in billions of travelers' dollars each year. Our agriculture, fisheries, shipping and industry depend on a healthy Great Lakes ecosystem.
- Billions of dollars are spent each year in our state by tourists who come to explore *Pure Michigan*.
- Many species of plants and animals, several of which are threatened or endangered, make the Great Lakes their home.
- Oil flowing under the Great Lakes poses an imminent risk to our drinking water, our communities, our economy and our environment.

Enbridge Track Record:

- Enbridge has a shaky track record that includes 1,174 reportable spills, leaks and releases of liquid hydrocarbon products like crude oil and natural gas liquids since 1999.
- Since 1999, Enbridge spills and other failures have released 181,311 barrels or 7,615,062 gallons of liquid hydrocarbons into the environment.
- The number of spills per year from Enbridge pipelines has increased steadily from an average of 50 spills per year from 1999 to 2004 to an average of over 90 spills per year from 2010 to 2014.
- In 2014, Enbridge was found to be in violation of its 1953 easement for Line 5, which requires bracing every 75 feet along Line 5. Several braces along Line 5 were missing along the lake bottom and the pipeline was unsupported in the water.
- In December 2014, Enbridge was responsible for a pinhole leak in Line 5 in a section north of the Straits of Mackinac.
- Enbridge's negligence caused one of the worst and most expensive oil spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010. Almost one million gallons of tar sands oil leaked for 17 hours before Enbridge shut down the line. Thirty-eight miles of river were contaminated. Clean-up costs for the spill were roughly \$1 billion.
- When Line 6b ruptured near Kalamazoo it was due to a defect that Enbridge was aware of, but did nothing about.
- Dr. Earl Weener of the National Transportation Safety Board identified the following as causes of the catastrophic Line 6b spill: pervasive organizational failures at Enbridge, inadequate integrity management oversight and inadequate emergency response resources and procedures.
- Based on Enbridge's track record, we cannot trust this corporation to operate a pipeline safely in the Straits of Mackinac.

Problems:

- Corrosion is the number one reason that pipelines fail. It's not a question of *if* the pipeline will fail, but *when*.

- The currents in the Straits are extremely forceful and unpredictable – imagine these currents moving the way water moves in a washing machine. If there were a spill from Line 5, oil would be churned up so much that it would be nearly impossible to clean up; oil would spread throughout Lakes Michigan and Huron for up to 85 miles, according to a 2014 University of Michigan study.
- Line 5 was built before the Great Lakes Submerged Lands Act was adopted so Enbridge didn't have to obtain a permit and ensure that the pipeline wouldn't pose a threat to the waters of the state or the public's use of those waters.
- When it was built, Line 5's life expectancy was 40-50 years.
- The U.S. Coast Guard Commandant testified before Congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the Great Lakes.
- According to Steven Keck of the U.S. Coast Guard, if waves in the Straits are higher than three feet or if it is night/dark the Coast Guard would not put people on the water to recover oil.
- According to state officials, if a spill occurred in the Straits there would be no visible cleanup activity in the first hours or perhaps even the first days after the oil spilled, as response crews and equipment arrive from other regions of the country.
- Local emergency response teams would be the first to respond and the first put in harm's way.
- There is no real plan for how to recover oil in the event of a leak in winter when the lakes are covered with ice.
- In September 2015 Enbridge conducted a spill response drill in the Straits and preliminary reports show that only 30 percent of the oil would be able to be recovered.
- If a spill were to occur in the Lakes, Mackinac Island and St. Ignace would likely lose access to drinking water immediately, and ferry service to and from Mackinac Island would be stopped leaving islanders and tourists without drinking water or a way to get off the Island.

Solutions:

- It is easier to protect Michigan's waters and environment by preventing contamination or environmental degradation rather than attempting to clean up contamination and restore degraded environments and local communities after a spill.
- The state could make Enbridge submit an application for Line 5 under the Great Lakes Submerged Lands Act and subject it to that approval process.
- Public Trust Doctrine and Act 10 of 1953 provide the state with the authority, when faced with uncertainty of devastating or serious harm, take action to prevent harm, rather than waiting for a catastrophe or harm to occur.
- We need to keep fossil fuels in the ground, and make a real investment in energy efficiency, renewable energy and green jobs.

Asks:

- It's time to put the Great Lakes, our *Pure Michigan* lifestyle, our communities, our economy and our environment ahead of corporate greed.
- Attorney General Bill Schuette and Governor Rick Snyder must take swift action to shut down Line 5 under the Straits of Mackinac and stop the flow of oil under the Great Lakes.
- Support Representative Sarah Roberts and Jeff Irwin's resolutions (H.R. 182 and C.R. 15) calling on Governor Snyder and Attorney General Schuette to shut down Line 5.
- Ask your local city council/commission, county board of commissioners and/or township board to pass a local resolution calling on Governor Snyder and Attorney General Schuette to shut down Line 5.

Model Resolution

WHEREAS, Pipeline 5, which began operation in 1953 and now owned by Enbridge, has transported Alberta crude oil and natural gas liquids from Superior, Wisconsin through 18 Michigan Counties to refineries primarily in Sarnia, Ontario - a distance of 645 miles crossing numerous wetlands, 20 rivers, the Straits of Mackinac and the St. Clair River at Marysville, Michigan; and

WHEREAS, the State of Michigan and Enbridge are parties to an Easement Agreement requiring Enbridge to operate the pipeline in a reasonable and prudent manner and to guarantee payment of all damages and costs from its operation of said line; and

WHEREAS, the history of pipeline leaks shows that there is a significant risk of severe damage and economic loss to government entities, individuals, businesses, and the environment; and

Whereas, the Michigan Petroleum and Pipeline Task Force has recommended independent risk analysis, adequate financial assurances and independent analysis of alternatives to the existing Straits pipelines, together with disclosure of inspection data and other information; which recommendations have not yet been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that The _____ hereby requests that Governor Snyder utilize the State's authority by acting immediately to cause Line 5 to be restricted to not more than 300,000 bbl per day and its cargo be limited to non-oil products until the recommendations of the Michigan Petroleum Pipeline Task Force have been satisfied and an independent panel of pipeline experts has certified that Line 5 is safe.

[Copies of this resolution will be provided to Governor Snyder, the Pipeline Advisory Board and Task Force, and all appropriate elected state and federal representatives.]



Straits Area Concerned Citizens for Peace, Justice and the Environment

2/1/2016

Key Facets of the Model Resolution

What the resolution says:

1. The Governor Snyder needs to exercise his authority to restrict Line 5 to its original design capacity and to limit its cargo to non-oil products (e.g., natural gas liquids and propane);
2. The Governor needs to do this immediately;
3. The pipeline restriction would remain in effect until all recommendations of the Michigan Petroleum Pipeline Task Force Report are met. Specifically: a) an independent risk analysis has been completed; b) adequate financial assurance is in place to cover all monetary losses from a straits pipeline spill; and c) an independent analysis of alternatives to the existing straits pipelines are completed and acted upon; and, d) an independent panel of pipeline experts has certified that Line 5 is safe.

What the resolution does:

- By restricting the cargo to non crude oil products, the unacceptable ecological and economic consequences will be prevented; unless this decision is made, the question is not if, but when; this is why this resolution is so urgent:
- This resolution is temporary and will buy time to pursue the recommendations of the Pipeline Petroleum Task Force and to pressure Enbridge Energy to comply with the Task Force recommendation to provide all pertinent pipeline inspection data to an independent panel of experts to assess the operational safety of the Straits pipeline.



Straits Area Concerned Citizens for Peace, Justice and the Environment

2/1/2016

Resolution _____

WHEREAS, Line 5 is a set of twin, 62-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac; and

WHEREAS, the currents in the Straits of Mackinac at peak volumetric transport can be more than 10 times greater than the flow of Niagara Falls and switch bi-directionally from east to west every few days, and according to a 2014 University of Michigan study are the “worst possible place” for an oil spill in the Great Lakes; and

WHEREAS, the Great Lakes contain 20 percent of the world’s fresh, available, surface water and are a drinking water source for over 35 million people; and

WHEREAS, one out of every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes; and

WHEREAS, tourism is one of Michigan’s largest income industries bringing in billions of travelers dollars spent each year; and

WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and

WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and

WHEREAS, Enbridge has a shaky track record that includes 1,244 reportable spills, leaks and releases from 1996 to 2013; and

WHEREAS, Enbridge was in violation for their spacing requirements of its 1953 easement for Line 5 in 2014 and were responsible for a pinhole leak in a section of the pipeline north of the Straits in December 2014; and

WHEREAS, Enbridge was responsible for one of the worst and most expensive oils spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010 allowing almost 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and

WHEREAS, corrosion is the number one reason that pipelines fail; and

WHEREAS, Line 5 was built before the Great Lakes Submerged Lands Act was adopted so it didn’t have to obtain a permit and ensure that the pipeline wouldn’t pose a threat to the waters or the public’s use of the waters; and

WHEREAS, Michigan’s Attorney General Bill Schuette has stated (in regards to Line 5) that the “pipeline wouldn’t be built today” and that “the pipeline’s days are numbered”; and

WHEREAS, the Coast Guard Commandant testified before congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the heart of the Great Lakes; and

WHEREAS, there is no plan for how to recover oil if there was a leak during the winter when the lakes are covered with ice; and

WHEREAS, as Michiganders we have a responsibility to be wise stewards of the waters of our state for generations to come; and

WHEREAS, protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the ____ day of ____, 2015, (name of town) supports stopping the transportation of oil under the Great Lakes; and

BE IT FURTHER RESOLVED, that (name of town) supports shutting down Line 5 and the flow of oil under the Great Lakes, and

BE IT FURTHER RESOLVED, that (name of town) supports H.R. 182 and C.R. 15 introduced by State Representatives Sarah Roberts and Jeff Irwin calling on Governor Rick Snyder and Attorney Bill Schuette to shut down Line 5, and

AND BE IT FURTHER RESOLVED that (name of town) will send a letter to Governor Rick Snyder, Attorney General Bill Schuette, our State Representatives, State Senators and U.S. Senators calling on them to take swift action to shut down Line 5.

PASSED, APPROVED, AND EFFECTIVE on this ____ day of ____, 2015.

ATTEST:

Mayor

Council President

PLEASE SEND A COPY OF THIS SIGNED RESOLUTION TO:

1. [Governor Rick Snyder]
2. [Attorney General Bill Schuette]
3. [town's state representatives]
4. [town's state senators]
5. [US Senators]
6. [Food & Water Watch]

County of Antrim - Planning Commission

Jill Barnard
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Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - April 5, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Barb Bradford, Mike Hayes, Laura Stanek, Rick Teague, Ron Tschudy
Members Absent: Jill Barnard, Christian Marcus
Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:37 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Laura Stanek, seconded by Barb Bradford, to approve the minutes of the March 1, 2016 meeting as written. Motion carried – unanimous.

6. Farmland Development Rights Application

Mr. Gurr gave an overview of the Farmland and Open Space Preservation program. Ms. Stanek said the property had to be contiguous with the applicant's other PA 116 properties.

Motion by Bill Bailey, seconded by Rick Teague, to recommend the Banks Township Board approve the Farmland and Open Space Preservation Programs application from Marvin Rubingh for parcel number 05-01-035-022-00. Motion carried – unanimous.

7. Rules and Procedure Committee

Mr. Gurr said Section 6.1 of the Planning Commission's Rules for the Transaction of Business state that in even numbered years, the Rules are to be reviewed. It was the consensus of the Planning Commission to have a review of the Rules as an agenda item for the next meeting.

8. Master Plan Chapter 3: Implementation Steps

The Planning Commission reviewed the implementation steps for Chapter 3.

Mr. Gurr described the background of the first implementation step. Mr. Tschudy asked about the text on Map 3-5 and cited a number of spelling errors and instances of awkward sentence construction.

The second step was discussed and left intact.

The Planning Commission discussed the third implementation step. Ms. Bradford requested that Mike Meriwether, County Forester, be asked to attend the next Planning Commission meeting. Pete Garwood, County Administrator, said the Administration Department would contact Mr. Meriwether and request his attendance at the May meeting.

It was noted that Step 4 as written should be eliminated. Ms. Stanek said the implementation step was meant to apply to the abandoned water wells that are not closed and sealed properly. She added that in the State of Michigan, abandoned water wells haven't been established to be the responsibility of either the landowner or the Department of Environmental Quality. Currently there are laws that a driller has to cap an old water well when drilling a new water well. It was requested that the Administration Department contact the Health Department of Northwest Michigan to invite Casey Clement to a future meeting.

Mr. Teague noted number 5, asking about a definition of a Green Business Park. Mr. Garwood said he would bring suggested language back to the next meeting.

The necessity of having data regarding boat registrations and hunting licenses in the Master Plan was discussed. Creating a new implementation step concerning oil-gas lines was discussed. Mr. Teague said the County has no jurisdiction over oil and/or gas lines. Ms. Stanek said the Department of Environmental Quality office in Gaylord has pipeline maps.

Mr. Gurr asked to have a discussion of Chapter 4: Existing Conditions and Land Use at the next meeting.

9. Various Matters

Strategic Planning

Mr. Garwood said the Board of Commissioners had scheduled a strategic planning session on the morning of Thursday, April 28. Mr. Teague said he felt that was a step in the right direction.

Capital Improvement Plan (CIP) Committee Meeting

Ms. Koch said the first CIP meeting for 2016 was scheduled for Wednesday, April 27 at 9:00 a.m.

10. Public/Member Comment

Mr. Bailey asked about the recycling millage that is planned for the August ballot. Ms. Koch said ballot language for the recycling millage would be made available on the County website after it is approved by the Board of Commissioners.

Meeting adjourned at 7:15 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - May 3, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Rick Teague, Ron Tschudy
Members Absent: Mike Hayes, Christian Marcus, Laura Stanek
Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:40 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Barb Bradford, seconded by Bill Bailey, to approve the minutes of the April 5, 2016 meeting as presented. Motion carried – unanimous.

With the consensus of the Planning Commission, the County Forester's agenda item was moved forward.

6. County Forester - Mike Meriwether

Barb Bradford asked Mr. Meriwether about his role as County Forester, especially regarding diseased trees. Mr. Meriwether said part of his job was to provide services to private property owners; he said he'd been advising property owners regarding the emerald ash borer for ten years. He estimated that 90% of the ash trees in the State are now gone. Mr. Meriwether said research shows that the emerald ash borer has attempted to establish itself in trees other than ash, but it is not establishing itself successfully.

Mr. Meriwether talked about oak wilt, which is a combination of two pathogens, a beetle and a fungus. Oak wilt spreads in a similar way to Dutch elm disease in that it transfers from tree to tree. Mr. Meriwether said the disease is not a significant problem in Antrim County as there aren't many oak trees in the County, but adjacent counties have many oaks. He added that the Antrim County forests will reforest through self-propagation and generally have an assortment of tree varieties, which protects forestlands from any single disease.

Mr. Meriwether noted that the County had, in the past, obtained a tree planting grant through the Natural Resources Conservation Service, an agency of the United States Department of Agriculture. He said although there was no line item in the Antrim Conservation District budget for the planting of trees, it was possible that funding could be provided through the County's Forestry Fund.

Ms. Bradford asked Mr. Meriwether for any recommended changes regarding the Master Plan's page 3-7 and 3-10. He said he would like to see classifications for land in the County, adding that he would like to see the County purchase more open land before it is lost to development, especially land that is contiguous to other County-owned lands.

Mr. Meriwether recommended that the Master Plan support the County Forester position. He said he would work with Pete Garwood, County Administrator, regarding suggested language regarding forestry for the Master Plan.

7. MSU Placemaking Guidebook

Janet Koch, Associate Planner, said she'd recently received the guidebook, which is 52 megabytes in size and 598 pages long. She added that she'd recently suggested at a Networks Northwest meeting that a placemaking session be offered that focused more on examples for small towns rather than an introduction to the concept.

8. Torch Lake Township Zoning Ordinance Amendment

The Planning Commission reviewed the proposed amendment. Portions of the existing zoning ordinance were read for comparison purposes and discussed.

Motion by Jill Barnard, seconded by Rick Teague, that the Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed zoning ordinance amendments to Section 2.16.B and 19.02B and recommended that Torch Lake Township approve the amendment. Motion carried – unanimous.

9. Master Plan Chapter 4: Existing Land Use Patterns

Mr. Tschudy asked about the inclusion of a description of manufacturing land use in Chapter 4. The Planning Commission discussed the existing manufacturing areas in the County. Mr. Tschudy also suggested language that described highway corridors. Ms. Koch made copies of his suggestions.

The Planning Commission discussed the addition of other land use categories; they noted that they'd like to add airports and highway corridors and rail corridors to page 4-3.

It was suggested that the Village of Elk Rapids might want to assist with the Chapter 4 description for the Village.

10. Rules for the Transaction of Business

Ms. Barnard noted that the Planning Commission was created long before 2008. It was the consensus of the Planning Commission to change the language in Section 2 to "The Antrim County Planning Commission was created in YEAR by the Antrim County Board of Commissioners and currently operates pursuant to Act 33 of the Public Acts of the State of Michigan, 2008," with the year being completed by staff when the year of the Planning Commission's creation could be ascertained.

It was noted that the organization titled "Northwest Michigan Council of Governments" should be changed to "Networks Northwest" and that the terms "Coordinator/Planner Office" and "Planner's Office" should be replaced by "Administration & Planning Office."

Typographical errors were noted as needing correcting in the following sections: 3.2.4.4, 4.5, 4.13, 5.1, 7.4, and 8.8. It was agreed that 3.1.15 should begin with the word "Address."

Mr. Tschudy asked about moving Public Comment in Section 7 to Section 4; after discussion it was the consensus of the Planning Commission to leave the sections as they stood. Also, it was agreed to continue reviewing the rules every two years.

Motion by Jill Barnard, seconded by Barb Bradford, to recommend the Board of Commissioner's approve the changes to the Planning Commission's Rules for the Transaction of Business. Motion carried - unanimous.

11. Various Matters

Ms. Koch said she had requested a quote from LIAA (Land Information Access Association) for a new land use study.

Chapter 3 – Implementation Steps

Mr. Garwood had said he would bring suggested language to the May meeting for the implementation step #5 in Chapter 3. The suggested language was “Welcome all businesses to the Antrim County Business Park that utilize environmental best practices in the production of their goods and the provision of their services.”

2017-2022 CIP

Mr. Bailey said he had requested that large projects from the CIP be presented to the Planning Commission. Ms. Koch said the proposed project sheets could be provided to the Planning Commission for discussion and review at the June meeting.

12. Public/Member Comment

Strategic Plan

Ms. Koch was asked about the progress of the recent strategic planning by the Board of Commissioner's. She said the final session would be a joint session between the Board of Commissioners and the County department heads and was scheduled for Monday, May 9 at 11:30 a.m.

Meeting adjourned at 8:10 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - June 7, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Rick Teague, Ron Tschudy
Members Absent: Mike Hayes, Christian Marcus, Laura Stanek
Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:55 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

The Planning Commission discussed the differences between abandoned oil/gas wells and water wells.

5. Approval of Minutes

Motion by Barb Bradford, seconded by Jill Barnard, to approve the minutes of the May 3, 2016 meeting as presented. Motion carried – unanimous.

6. Elk Rapids Township Zoning Ordinance Amendment

The Planning Commission reviewed the proposed amendment. The suggestion was made that the Elk Rapids Township Planning Commission consider adding language that would clarify the distinction between greenbelts and setbacks. It was also suggested that the zoning ordinance formalize the process for making that distinction.

Motion by Rick Teague, seconded by Barb Bradford, that the Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed Elk Rapids Township Zoning Ordinance amendments to Sections 11.04, 11.05 A, 11.05 C, 12.01 B, and 14.01 C and recommended that Elk Rapids Township approve the amendment.

Motion carried - unanimous.

7. Strategic Plan Results

Pete Garwood, County Administrator, reviewed the results of the joint strategic planning session between the Board of Commissioners and the elected and appointed department heads. Methods of increasing building security were discussed.

8. Capital Improvement Plan (CIP) Projects

Mr. Garwood said the upcoming CIP would only be the third CIP the County had ever created. He said the CIP was becoming more integrated with the budgeting process. Mr. Bailey said the CIP was maturing. The Planning Commission discussed how the CIP would integrate with the Master Plan. Mr. Garwood described the County's budgeting process.

9. Various Matters

Rules for Transaction of Business

Ms. Koch said the amended Rules had been uploaded to the County website.

Tourism Presentation

Ms. Koch said Dr. Sarah Nicholls had confirmed the times of her two presentations on tourism for Thursday June 23. The first presentation will be held at the Elk Rapids Village/Township Hall at 10 a.m.; the second will be held at the Kearney Township Hall at 3 p.m. The presentations are expected to last approximately two hours, which includes time for questions.

TCE Plume fact sheets

A link to 12 fact sheets from Michigan's Department of Environmental Quality regarding the TCE plume is on the website; hard copies are available on the first floor of the County Building.

10. Public/Member Comment

Mr. Teague noted the recent newsletter of the Torch Lake Protection Alliance. Ms. Barnard said she would not be able to attend the July meeting.

Meeting adjourned at 7:30 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard

Jim Gurr, Chairman

Laura Stanek

Mike Hayes

Rick Teague, Vice-Chair

Christian Marcus

Bill Bailey

Barbara Bradford, Secretary

Ron Tschudy

Minutes - July 5, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague, Ron Tschudy
Members Absent: Jill Barnard, Laura Stanek
Staff and Others: Pete Garwood, Janet Koch, Stan Moore

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

Bruce Laidlaw, an Eastport resident, said he was here to address the Planning Commission opposing the proposed Torch Lake Township zoning ordinance amendments. He said no other ordinances that he could locate in Antrim County allowed decks to be constructed within the property setbacks.

Bob Spencer, a Kewadin resident, said he would reserve his comments until the agenda item was discussed. Anja Dickinson, a property owner on Oak Park Dr., Central Lake, also deferred her comments.

5. Approval of Minutes

Motion by Rick Teague, seconded by Bill Bailey, to approve the minutes of the June 7, 2016 meeting as presented. Motion carried – unanimous.

6. Torch Lake Township Zoning Ordinance Amendment

The Planning Commission reviewed the difference between the existing ordinance and the proposed amendment (**attached pgs. 3-4**). A discussion of setback requirements ensued. Janet Koch, Associate Planner, said the existing language of the Township's Zoning Ordinance Chapter II, Section 2.16B allowed the construction of decks and stairways inside of setbacks; the proposed amendment notes a specific square footage for that construction in addition to other modifications.

Mr. Laidlaw said the deck described in his letter to the Planning Commission on July 1 (**attached pg. 5-10**) had been constructed in the fall of 2014. Mr. Spencer said at the October 8 County Board of Commissioners meeting a motion that objected to the variance had been approved. The Board had been notified of the variance request due to the County-owned property within the 300' notification distance.

Mr. Laidlaw noted that the County's Master Plan stated on page 10-2 that "The County also has 27 miles of shoreline along Grand Traverse Bay (Lake Michigan). These water areas provide scenic beauty, wildlife habitat, and recreation. They should be protected, or they will not be able to continue these functions."

Stan Moore, Michigan State University Extension Educator, indicated that it would be appropriate for the Township's zoning ordinance to reference complying with U.S. Army Corps of Engineers regulations and the 2005 Michigan Supreme Court decision *Glass v. Goeckel*.

The Planning Commission noted that adoption of the amendments would create an inconsistency with Chapter 11 of the Antrim County Master Plan, specifically the final sentence on page 11-4; "Communities with [shoreline] developments should be aware of the environmental constraints these properties may have and work with the owners to minimize negative environmental impacts."

Also noted was that Section 2.16.B of the Township's zoning ordinance conflicted with its existing Section 7.03.A, which states every platted or unplatted lot in the R-1 Residential district shall have "an unoccupied front lot line setback having a minimum distance of fifty (50) feet."

The Planning Commission also recommended that future zoning ordinance amendments include a distinction between the Great Lakes and the inland lakes.

Motion by Rick Teague, seconded by Barb Bradford, that the Planning Commission, after further review of the proposed zoning ordinance amendments, found that there are incompatibilities between the Antrim County Master Plan and the proposed Torch Lake Township Zoning Ordinance amendments to Section 2.16.B and Section 19.02B and recommends the Torch Lake Township Board not approve the amendments as written. Motion carried - unanimous.

7. Capital Improvement Plan (CIP) Projects

The newly submitted CIP projects had been included in the agenda packets. The Planning Commission reviewed the new projects. Ms. Koch said the completed CIP will be submitted to the Finance Committee for approval at their July 11 meeting. When the CIP is approved, the final document will be presented to the Planning Commission.

8. Various Matters

Ms. Bradford said she appreciated that the Planning Commission was part of the planning process for the Capital Improvement Plan.

9. Public/Member Comment

Mr. Tschudy and Ms. Bradford both expressed their appreciation that concerned citizens attended the Planning Commission meeting.

Meeting adjourned at 7:25 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

Note: existing/unchanged text is in black – **proposed changes are in red. The proposed below are the same as reviewed during the Planning Commission meeting of May 3.**

Section 2.16 - GENERAL LOT AND YARD AREA REQUIREMENTS FOR ALL ZONE DISTRICTS.

B. FRONT, SIDE, & REAR LOT LINE SETBACK AREA USES.

Every part of every front, side and rear lot line setback area shall be open and unobstructed by structures from the ground up to the sky with the following exceptions:

1. Fences shall be allowed in all lot line setback areas.
2. Ground level unenclosed and uncovered porches and decks shall be allowed to extend into the front or rear lot line setback, with at least one outside access to the deck or porch, not to extend into the side yard setback area. It shall also not infringe upon the thirty five (35) foot setback from the road right of way.
- 2. Unenclosed and uncovered porches, decks and walkways shall be allowed in the front or rear lot line setback, but not to extend into the side yard setback area. They shall also not infringe upon the road right of way.**
3. Properties having multiple ground levels shall be allowed to have stairways between dwelling and non-dwelling ground levels and an unattached deck on a non-dwelling level within or extending into the front line setback of waterfront properties or the rear lot line setback of non-waterfront properties not to exceed fifty (50%) percent of the setback area.
- 3. Stairs and walkways in the front or rear lot line setback area shall have a maximum width of 48 inches. Landings which are part of walkways or stairways shall not exceed 64 square feet. Any porch or deck in the front or rear lot line setback area shall conform to the following provisions:**
 - 1) Maximum area of 324 total square feet of decking per setback.**
 - 2) The porch or deck shall not exceed an average of 18 inches in height as measured from the finished surface to the ground at the corners of the porch or deck facing the interior of the lot.**
 - 3) So as not to impact the dark night sky, only stairways and walkways may be illuminated by shielded and downward directed tread lighting only.**

Note: existing/unchanged text is in black – the proposed changes in red below are the same as reviewed during the Planning Commission meeting of May 3. The proposed change in blue was approved at a Torch Lake public hearing on June 14.

Section 19.02B - ZONING PERMIT EXEMPTION. Ground level decks and non-permanent accessory storage buildings (having no footings or foundation) constructed for residential usage and located in the Agricultural (A), Residential (R-1 and R-2), Village Residential (VR), Village Business (VB) or Timber Reserve (T) Districts having an exterior dimension of two hundred (200) square feet or less and a height not exceeding twelve (12) feet (accessory buildings) shall be exempt from the permit requirements of this ordinance. These buildings shall not protrude into the front yard and shall conform to all setback requirements of the district in which the building is located.

Section 19.02B - ZONING PERMIT EXEMPTION. Decks and accessory storage buildings **not located in setbacks**, having no footings or foundation, under two hundred (200) square feet, and a height not exceeding twelve (12) feet (i.e., accessory buildings only) shall be exempt from the permit requirements of this ordinance. These structures shall not protrude into the front yard setback and shall conform to all setback requirements of the district in which the structure is located.

R. Bruce Laidlaw

Attorney

PO Box 151, 5103 Old Park Road, Eastport, Michigan 49627 231-599-3136

July 1, 2016

Janet Koch
Antrim County Associate Planner
Via email to kochj@antrimcounty.org

Re: Torch Lake Township Zoning Amendment Regarding Setbacks

Dear Ms. Koch:

I see that the Torch Lake Township setback amendments are back on the county planning commission meeting agenda for its July 5 meeting. You may recall that you and I spoke regarding the proposed changes after the matter was last before the county planning commission. The matter is before the commission again because there was improper notice of the township's first public hearing. I was unaware of the matter because it was not posted on the township's web site.

The second public hearing on the proposed amendments was scheduled for June 14, 2016. The township planning commission proceeded with the hearing despite being informed that the hearing notice gave the hearing location as being at the former township offices, and despite the notice incorrectly indicating that the proposed amendments were available on the township web site. Three members of the public spoke in opposition to the proposal. Only the commission chair addressed the proposal. There was no discussion among the commission members before they voted unanimously to approve the proposal.

After the matter was last before the county planning commission, I copied the planning staff in a letter regarding my objections to the proposal. My letter included a mistaken understanding of the source of the current zoning provisions on setback. With the help of FOIA I was able to trace the language to a January 25, 2001 township board meeting. I have attached a copy of the minutes of that meeting including the actual ordinance language.

The township's planning consultant recommended allowing decks projecting no more than 50% into lakefront setbacks. Inexplicably, the board changed the distance limitation of the encroachment to 50% of the area of the setback.

The need for any construction in lakeside setbacks is far from clear. None of the nearby municipalities with frontage on both Lake Michigan and inland lakes permit decks in the lake setback. However, if such setback encroachments are to be permitted, some limit on the distance of encroachment would be the only sensible approach. At the most recent public hearing the township's planning consultant acknowledged that the proposed language would permit deck construction all the way to the water's edge.

A deck built without a permit on the Lake Michigan beach near Barnes Park provides a good example of how allowing unlimited lakeside setback encroachment affects beach use. Here is a photo

taken this morning. Because of the rising level of Lake Michigan, in windy conditions, persons cannot walk past the deck without going into the lake water.



In our telephone conversation, you indicated that the county planning commission review of zoning changes was limited to advisory recommendation on whether a proposal conflicted with the county's master plan. That plan refers to the Chain of Lakes as a key natural resource and describes Torch Lake as "one of the most beautiful lakes in the world." Regarding Lake Michigan, the plan states:

The county also has 27 miles of shoreline along Grand Traverse Bay (Lake Michigan). These water areas provide scenic beauty, wildlife habitat, and recreation. They should be protected, or they will not be able to continue these functions.

Surely consideration of appearance of the lake shorelines is an appropriate consideration regarding zoning amendments authorizing construction all the way to the edge of the water.

The county planning commission is not limited to consideration of zoning effects on the master plan. Surely its authority for "review and recommendation" (MCL 125.280) includes consideration of zoning changes that conflict with public policy. The Michigan Supreme Court has *declared that there is a public right to walk along the shorelines of the great lakes* (*Glass v. Goeckel*, 703 NW2d 58, 473 Mich 667 (2005)) But the setback zoning proposal would allow structures that block that right of travel.

I respectfully suggest that there be a recommendation to reject or to modify the proposed ordinance changes. Please provide the Antrim County Planning Commission with a copy of this letter.

Very truly yours,

R. Bruce Laidlaw

TORCH LAKE TOWNSHIP
PO BOX 477
EASTPORT MI 49627
(231) 599-2036
(231) 599-2981 FAX

SUPERVISOR
CLERK
TREASURER
TRUSTEE
TRUSTEE

Kim Schmidt 599-2313
Doris Leech 599-2754
Sharon Schultz 599-2730
George Parker 599-2931
Tom Stillings 264-5665

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MINUTES – TORCH LAKE TOWNSHIP BOARD MEETING
JANUARY 25, 2001, TOWNSHIP HALL, EASTPORT

Present: Schmidt, Parker, Schultz, Stillings

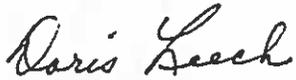
Absent: Leech

1. The pledge to the flag was given and the meeting convened at 7:32 p.m.
2. Minutes of December 19, 2000 open and closed meetings were approved and filed for audit.
3. Expenditures of all township funds were approved as submitted.
4. Reports were accepted from the EMS Director, Fire Chief, Treasurer and Zoning Administrator.
5. Public Comments were received inquiring whether the mileage reimbursement rate is sufficient for current gas prices (will be reviewed for next budget year), why fiscal year was changed some years ago to start April 1 (possibly to coincide with county fiscal year), and if 2001 road paving has been determined (Sugarbush, Bay Colony and Farrell roads, with Central Lake participation in Farrell Rd. cost).
6. Announcements/Correspondence: Schmidt announced he has had seven responses to his newspaper ad for the Planning Commission opening.
7. Wilkinson Homestead Historical Society-Betty Beeby: Beeby letter of Dec. 16, 2000 to the township board was read in which financial assistance was requested of the board. B. Beeby gave a verbal report of activities to date. The board indicated interest in giving some financial support upon their receiving their incorporation papers.
8. Zoning Amendment: Planning Consultant Sullivan submitted a complete copy of the Zoning Ordinance showing the material to be deleted and the material to be added as approved by the Planning Commission and which they recommended be adopted by the board. Resolution by Schmidt, seconded by Stillings to approve adoption of the zoning amendments as outlined in the zoning ordinance submitted with Sullivan's letter of January 23, 2001 with the provision that the last word in Section 2.16. B.3. on page 6 be changed from distance to area and the definition of "Structure" on page 110 be removed. Roll call vote: aye- Parker, Schultz, Stillings, Schmidt; nay – none; approved 4-0 with Leech absent.
9. Elk Rapids District Library: Tim Roach reported on results of a recent survey and current activities of the library.
10. Lot Split Request, Thomas Piraino letter dated 1/12/2001: Discussion, Schmidt will obtain letter from owner Nelson and draw up agreement and bring to the board for review.

Page 2: January 25, 2001 Township Board Meeting Minutes

11. Board Concerns: Stillings expressed concern re cracks in Golden Beach road surface.
12. Public Comments: Subjects discussed were: (1) cost of purchase and refurbishing of fire truck; (2) continuing a contract with the Elk Rapids District Library; (3) impact from suspension of Lifelink service; (4) grant information.

There being no further business, the meeting adjourned at 9:20 p.m. These minutes are prepared from a tape recording of the meeting and subject to approval at the next regular board meeting.



Doris Leech
Township Clerk

levels.

- D. The soil is predominately made up of "somewhat poorly" drained and/or "poorly drained" organic and/or mineral soils as defined by the Cooperative Soil Survey of the U.S. Department of Agriculture.

Section 2.15 - SHORELAND PROTECTION ZONE. Certain lands in the Township abut Lake Michigan and have been designated as "high risk" erosion areas under the Shorelands Protection Act. Construction within any zone shall comply with the rules and regulations adopted under the Shorelands Protection Act and the height, area and width requirements contained within the zone in which the use would otherwise be allowed will be applicable.

Section 2.16 - GENERAL LOT AND YARD REQUIREMENTS FOR ALL ZONE DISTRICTS.

A. NON-DUPLICATION

~~In determining lot and yard requirements, no area shall be counted as yard to more than one structure or use, and no area necessary for compliance with the open space requirements for one structure or use shall be counted in the calculation or requirements for any other structure or use.~~

B. FRONT, SIDE, & REAR YARD USES.

~~Every part of every front, side and rear yard shall be open and unobstructed by structures from the ground up to the sky.~~

C. DWELLING PER LOT.

~~No more than one (1) dwelling shall be erected on a lot in the R-1 or V zones. In all other zones where residential uses are allowed, a second dwelling may be constructed provided sufficient area is present to meet all frontage, lot area, yard, parking, and setback requirements for each dwelling should the parcel be split at a later date. Where a lot is being developed as a Site Condominium Project, more than one Building Site may be located on a lot provided that sufficient area is present to meet all requirements as though each Building Site were a separate lot.~~

Section 2.16 - GENERAL LOT AND YARD AREA REQUIREMENTS FOR ALL ZONE DISTRICTS.

A. NON-DUPLICATION

~~In determining lot and lot line setback requirements, no area shall be counted as setback area to more than one principal structure or use, and no area necessary for compliance with the open-space requirements for one structure or use shall be counted in the calculation of requirements for any other structure or use.~~

B. FRONT, SIDE, & REAR LOT LINE SETBACK AREA USES.

~~Every part of every front, side and rear lot line setback area~~

shall be open and unobstructed by structures from the ground up to the sky with the following exceptions:

1. Fences shall be allowed in all lot line setback areas.
2. Ground level unenclosed and uncovered porches and decks shall be allowed to extend into the front or rear lot line setback, with at least one outside access to the deck or porch, not to exceed into the the side yard setback area. It shall also not infringe upon the thirtyfive (35) foot setback from the road right of way.
3. Properties having multiple ground levels shall be allowed to have stairways between dwelling and non-dwelling ground levels and an unattached deck on a non-dwelling level within or extending into the front line setback of waterfront properties or the rear lot line setback of non-waterfront properties not to exceed fifty (50%) percent of the setback ~~distance~~ *area*.

C. DWELLING PER LOT.

No more than one (1) dwelling shall be erected on a lot in the R-1 or V zones. In all other zones where residential uses are allowed, a second dwelling may be constructed provided sufficient land is present to meet all frontage, lot area, parking, and setback requirements for each dwelling should the parcel be split at a later date. Where a lot is being developed as a Site Condominium Project, more than one Building Site may be located on a lot provided that sufficient land is present to meet all requirements as though each Building Site were a separate lot.

Section 2.17 - WATER SUPPLY AND SEWAGE

building hereafter erected, altered or used in whole or in part for dwelling commercial or industrial purposes, including other buildings in which persons customarily provided with a safe and sanitary water supply for collecting and disposal of all household water-carried domestic, commercial, industrial may adversely affect health conditions. Temporary facilities by the District Health Department filed with the application for a Zoning provided. Temporary sanitation facilities days may be permitted by signed approval and must be properly screened from public

2.16.B.3. approved with last word changed from "distance" to "area". 1/25/01 mtg of Imp. Board

Section 2.18 - GRADING. No premises shall be used to increase the amount or velocity of surface water runoff onto adjoining parcels.

Section 2.19 - USE OF RECREATIONAL VEHICLES AS TEMPORARY DWELLINGS. A one (1) time occupancy of no more than thirty (30) days per year may

County of Antrim - Planning Commission

Jill Barnard

Jim Gurr, Chairman

Laura Stanek

Mike Hayes

Rick Teague, Vice-Chair

Christian Marcus

Bill Bailey

Barbara Bradford, Secretary

Ron Tschudy

Minutes - August 2, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague, Ron Tschudy

Members Absent: Laura Stanek

Staff and Others: Pete Garwood, Janet Koch, Stan Moore

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Mike Hayes, seconded by Bill Bailey, to approve the minutes of the July 5, 2016 meeting as presented. Motion carried – unanimous.

6. Milton Township Rezoning

Chris Weinzapfel, Zoning Administrator for Milton Township, gave a quick history of the property being considered for rezoning. In 1991 the property was granted a special use permit. In 1999, the property was rezoned from an agricultural zoning district to a Planned Unit Development (PUD), which allowed for storage units. In 2012, the Milton Township Planning Commission revamped the zoning ordinance, after which PUDs were no longer allowed. The conditions of the existing PUD are still permitted. In 2013, the property was purchased by a new owner. The current request in front of the Planning Commission was to change the zoning district from agricultural to manufacturing.

The Planning Commission discussed the township's master plan and its relationship to the zoning ordinance. Mr. Weinzapfel said the township planning commission's vote on the rezoning was 5-2 in favor of rezoning. Mr. Teague asked about the change between the property owner's first submission and the current submission. Mr. Marcus asked about the results from the subcommittee; Mr. Weinzapfel said the subcommittee had made no recommendation to the Planning Commission. The issue of spot zoning was discussed.

Motion by Christian Marcus, seconded by Barb Bradford, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed rezoning application and recommend that Milton Township approve the change. Yes votes – Jim Gurr, Bill Bailey, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague; No vote – Ron Tschudy. Motion carried.

7. Kearney Township Revised Zoning District

The request was to rezone a portion of the existing manufacturing district east of Derenzy Road and south of Eddy School Road to a commercial/manufacturing district. Ms. Bradford said this was a big change for the township.

Motion by Bill Bailey, seconded by Rick Teague, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed rezoning of the manufacturing district and recommend that Kearney Township approve the change. Motion carried – unanimous.

8. Banks Township Farmland Development Rights Application

Pete Garwood, County Administrator, said it was a requirement of Public Act 116 that the County Planning Commission review and approve applications to the Farmland and Open Space Preservation Program.

Motion by Mike Hayes, seconded by Jill Barnard, to recommend that the Banks Township Board approve the Farmland and Open Space Preservation Program application from Thomas Cooper for parcel number 05-01-019-007-10. Motion carried – unanimous.

9. Various Matters

Ms. Koch said the Antrim County Capital Improvement Plan had not been discussed at the July Finance Committee meeting. She said when it was finalized and approved the Planning Commission would receive copies.

10. Public/Member Comment

None.

Meeting adjourned at 6:45 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard

Jim Gurr, Chairman

Laura Stanek

Mike Hayes

Rick Teague, Vice-Chair

Christian Marcus

Bill Bailey

Barbara Bradford, Secretary

Ron Tschudy

Minutes - September 6, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague, Ron Tschudy
Members Absent: Laura Stanek
Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Barb Bradford asked about the August discussion of Kearney Township's revised zoning district; she asked if every change in township zoning districts would have to be reflected in the Antrim County Master Plan. It was the consensus of the Planning Commission that the 5-year review of the Master Plan would take those changes into account.

Motion by Jill Barnard, seconded by Ron Tschudy, to approve the minutes of the August 2, 2016 meeting as presented. Motion carried – unanimous.

6. Banks Township Zoning Ordinance Amendment

Chairman Jim Gurr said the proposed amendment was an addition to the Greenbelt section of the Banks Township Zoning Ordinance. The proposed amendment stated that "No invasive species shall be planted in the greenbelt. Existing invasive species shall be identified and managed using appropriate best management practices." It was noted that best management practices could include the use of pesticides or herbicides which is prohibited in Section 4.11.4 and could be a burden to manage.

Motion by Mike Hayes, seconded by Barb Bradford, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed zoning ordinance amendment to add subsection 9 to Article IV Section 4.11 and recommend that Banks Township approve the change. Motion carried – unanimous.

7. Capital Improvement Plan (CIP)

Hard copies of the 2017-2022 CIP, approved by the Board of Commissioners on August 11, 2016, were distributed to members of the Planning Commission at the meeting; a link to an electronic copy had been provided the previous week.

Janet Koch, Associate Planner, gave a quick review of the Finance Committee's discussion earlier that day regarding the CIP. Mr. Marcus asked the Planning Commission's opinion of the proposed 2017 CIP Projects. Mr. Bailey said 911 connectivity in Central Lake Township was a priority for him. Rick Teague, also the Helena Township Supervisor, said he didn't think the Helena Township taxpayers should fund improvements to the County's Grass River Natural Area access road. Mr. Garwood said GRNA is a County park and the County is obligated to maintain the park and the road. Mr. Hayes said each project has its own merit; unless there was a legal requirement that a project be completed that the funding was up for grabs.

Mr. Hayes suggested that the Planning Commission members review the CIP and bring any questions back to the next meeting. The Planning Commission agreed and Mr. Gurr asked that the CIP be placed on the agenda for the next meeting.

Ms. Bradford said the date in the CIP of the age for the Commission on Aging building was incorrect. Ms. Koch was directed to look into the matter.

8. Various Matters

Mr. Gurr asked about interest in the upcoming Michigan Association of Planners Conference in Kalamazoo. Early registration ends September 23.

9. Public/Member Comment

Ms. Barnard asked about the funding for the construction of the County Building. Mr. Garwood said the voters had rejected a bond issue for the county building. It was his recollection that the money to build it had come from Federal revenue sharing that had accumulated over the years. He said there had been a bond issue to renovate the 1905 Courthouse.

Mr. Marcus asked about the County's master plan. Mr. Gurr said the five-year review needs to be completed by the end of 2017. Mr. Tschudy asked about the presentation by Jim Peters regarding hydraulic fracking at the August Board of Commissioners meeting. Ms. Koch gave a quick presentation of the new Antrim County aerial photography, which was taken in April 2016. She said the State of Michigan is currently reviewing the imagery. A final delivery date is not yet available, but is expected to be at the end of 2016 or early 2017.

Motion by Mike Hayes, seconded by Christian Marcus, to adjourn the meeting.

Motion carried – unanimous.

Meeting adjourned at 7:30 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard

Jim Gurr, Chairman

Laura Stanek

Mike Hayes

Rick Teague, Vice-Chair

Christian Marcus

Bill Bailey

Barbara Bradford, Secretary

Ron Tschudy

Minutes - November 1, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague, Ron Tschudy

Members Absent: Laura Stanek

Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:33 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

It was the consensus of the Planning Commission to add “Torch Lake Township Zoning Ordinance Amendment” to the agenda ahead of the Helena Township Proposed Zoning Ordinance Changes agenda item.

4. Public Comment

None.

5. Approval of Minutes

Mr. Teague corrected his statement in 7) regarding the Grass River Road, to note that he'd been speaking specifically about Helena Township taxpayers.

Motion by Rick Teague, seconded by Jill Barnard, to approve the minutes of the September 6, 2016 meeting as corrected. Motion carried – unanimous.

6. Torch Lake Township Proposed Zoning Ordinance Amendment

The Planning Commission discussed the Ordinary High Water elevation and what the designation meant.

Motion by Rick Teague, seconded by Mike Hayes, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed zoning ordinance amendment to Section 23.01 and recommended that Torch Lake Township approve the changes. Motion carried – unanimous.

7. Helena Township Proposed Zoning Ordinance Changes

Mr. Gurr noted that he was also Chairman of the Helena Township Planning Commission. Mr. Marcus asked about the language in 7.07.J regarding Township private road standards and why it was being struck. Mr. Gurr said there were no Township private road standards and removing the language clarified the ordinance. He added that new roads are subject to the township's site plan review process, which has a set of standards that must be met.

Home occupations were discussed. Mr. Gurr said the zoning ordinance allowed home occupations as a Use by Right if they met a number of requirements. A Special Use Permit was required for home occupations that didn't meet those requirements. Mr. Garwood noted that amending an ordinance must be done through an ordinance, and not simply by a motion.

Motion by Mike Hayes, seconded by Barb Bradford, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed Helena Township Zoning Ordinance changes and recommended that the Helena Township Board approve the changes proposed by their Planning Commission. Motion carried – unanimous.

8. Capital Improvement Plan (CIP)

The Planning Commission discussed the proposed capital improvement projects. Ms. Bradford said she considered repairing the County Building siding a priority. Mr. Teague said he saw future capital improvement projects as unfunded liabilities.

9. Various Matters

Mr. Marcus said he'd attended the Citizens Planner course during the recent Michigan Association of Planning conference.

Ms. Koch said the Administration Office had received a Notice of Planning from Kalkaska County regarding an update to their Master Plan.

10. Public/Member Comment

Mr. Tschudy asked about a recent decision of the Board of Commissioners regarding hydraulic fracturing. The Planning Commission discussed the process the Board uses to approve resolutions from other municipalities. Mr. Bailey asked about sources for grants and loans distributed by the Michigan Strategic Plan.

Motion by Jill Barnard, seconded by Rick Teague, to adjourn the meeting. Motion carried – unanimous.

Meeting adjourned at 7:34 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - December 6, 2016

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Jill Barnard, Barb Bradford, Mike Hayes, Christian Marcus, Rick Teague, Ron Tschudy
Members Absent: Laura Stanek
Staff and Others: Pete Garwood, Janet Koch

1. Meeting called to order at 5:43 p.m. by Chairman Jim Gurr

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Mike Hayes, seconded by Ron Tschudy, to approve the minutes of the November 1, 2016 meeting as corrected. Motion carried – unanimous.

6. Elk Rapids Township Proposed Zoning Ordinance Amendment

The Planning Commission briefly discussed the proposed amendments.

Motion by Rick Teague, seconded by Jill Barnard, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed zoning ordinance amendment to Zoning Ordinance Sections 1.03, 11.05-C, 11.05-C-3 & 5, 17.05-C & 17.11-B per Amendment #2016-02 and recommended that Elk Rapids Township approve the changes. Motion carried – unanimous.

The Planning Commission discussed the proposed rezoning; it was noted that the communication from Williams & Works indicated there had been no objection to the rezoning by neighbors.

Motion by Christian Marcus, seconded by Barb Bradford, that the Antrim County Planning Commission found no incompatibilities between the Antrim County Master Plan and the proposed rezoning of parcel 05-06-032-014-10 from R-2 Residential to C-Commercial and recommended that Elk Rapids Township approve the rezoning request. Motion carried – unanimous.

The Planning Commission commended Elk Rapids Township on the comprehensive packet of information that was provided.

9. Various Matters

Mr. Gurr mentioned the new contract obtained by Armor Express of Central Lake. The possible move of EJ (East Jordan Iron Works) to Warner Township was discussed. Mr. Gurr noted that January would be the Planning Commission's organizational meeting.

10. Public/Member Comment

None.

Meeting adjourned at 6:35 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date: