

**CITY OF CHARLEVOIX**  
**PLANNING COMMISSION MEETING MINUTES**  
**Wednesday, January 15, 2014 - 6:00 p.m.**  
210 State Street, City Hall, Council Chambers, Charlevoix, MI

**A. Call to Order/Pledge of Allegiance**

The meeting was called to order at 6:00 p.m. by Chair John Hess.

**B. Roll Call**

Chair: John Hess

Members Present: RJ Waddell, Toni Felter, Keith Sherwood, Judy Clock, John Elzinga, Sherm Chamberlain, Dave Novotny  
(arr. 6:55 p.m.)

Members Absent: None

City Planner: Michael Spencer

**C. Inquiry Into Potential Conflicts of Interest**

Member Chamberlain stated that he will likely be called upon for surveying and permitting of the Marina project, as he is very familiar with the permitting process and what information the City will need to proceed with the project.

Member Clock stated that she is the Manager of Sunshine Charters, an unpaid position that involves collecting and processing the mail; however, the owner has stated that the new docks will not interfere with the operation of Sunshine Charters. Based on these facts, Planner Spencer indicated that he felt there is no conflict of interest. The Planning Commission agreed.

Chairman Hess noted that Member Chamberlain would be the only member not voting on the Marina project.

**D. Approval of Agenda**

Planner Spencer stated that the Commission needed to nominate officers at this meeting. Chair Hess suggested waiting until the end of the meeting and the Commission agreed.

**E. Approval of December 9, 2013 Minutes**

Motion by Member Felter, second by Member Waddell, to approve the December 9, 2013 minutes as presented. Motion passed by unanimous voice vote.

**F. Call for Public Comment not Related to Agenda Item**

Chair Hess opened the meeting to public comment. There were no public comments and the item was closed.

**G. New Business**

1. Discussion on potential expansion of Dock A at the City Marina

a) Staff Presentation

City Planner Spencer reviewed the specifics of the Staff Report, including the background information. City Council had directed staff to further pursue information regarding an expansion of the City Marina to accommodate additional vessels in the 80' range. United Designs Inc., who designed the current dock layout, has looked at different options for adding additional slips in this range and Planner Spencer referenced the design exhibits included as part of the Staff Report.

Planner Spencer stated that, in accordance with the new policy regarding capital improvement projects, the Planning Commission's role is to take public comment, review the project and provide a recommendation on the expansion to City Council. He noted that this project has generated concerns regarding the cost and visual impact of the additional slips, and explained the details of the visual aids and pictures that staff had prepared to show the proposed expansion. The visual aids and pictures are not a "true" representation, since boats come in many shapes, lengths, and elevations. The expansion would increase the number of 80' slips from three to ten, and 50' slips from five to eleven.

Planner Spencer explained the options for the Planning Commission to consider after taking public comment: (1) make a recommendation of approval for Council to consider, either as is or with modifications, (2) recommend denial of the plan, or (3) table the decision for additional public comment and/or research.

Planner Spencer noted that the marina expansion has been discussed with the Waterways Commission and they were supportive of the project, but the City would not be eligible for any additional grant funding through the Commission. Upon questioning, Planner Spencer reported that there is no timeframe for the project.

Harbormaster Hal Evans stated that he has been Harbormaster for the Marina for 16 years and has seen a big change from the original 17 boat slips with an average boat size of 32-34' to the current 70 boat slips with an average boat size of 44-46'. On the busiest nights in July and August, there are typically 80 boats in the marina. Harbormaster Evans explained that the new reservation system through the DNR allows customers to reserve 42 of the boat slips during the season. The Marina is full from the last week of June until Labor Day. During these busy times, Marina personnel bring in as many boats as possible and double up on slips when possible. The boats being turned away are 60-80' in size. Harbormaster Evans reported that when the 68 boats in the Great Lakes Cruising Club come to Charlevoix for four days, it is estimated that they spend \$1.4 million in town. The largest boat in the marina was 186'. Harbormaster Evans also reported that from channel to channel is a Federal Waterway, whereas Round Lake is a State Waterway.

b) Planning Commission Questions

Harbormaster Evans responded to questions from the Commission members:

- Large cruise ships cannot be safely accommodated in the Marina.
- The City can choose not to open the new slips to the DNR reservation system.
- The larger boats will not come unless they are certain of dock space.
- Riparian rights would not be impeded by the proposed expansion.
- The area channel to channel is a Federal Waterway, whereas Round Lake is a State Waterway.
- The proposed expansion will not impede the Beaver Island Ferry.
- With adjustments, the boat parade and fireworks during Venetian will still be possible.
- Electric service is provided to boaters, who are not allowed to use their generators while docked.
- The dock would still be pedestrian accessible.

c) Call for public comment

Dave Gallinet, 307 Prospect Street, questioned how much of the revenue generated from the harbor is shared with the DNR and what goes to the City. City Manager Straebel stated that the total revenues are approximately \$300,000 per year and approximately 10% goes to the State. The revenue from the proposed new slips would not be shared with the State and the annual amount was estimated at between \$90,000 and \$105,000.

Bill Henne, Vice President of WATCH (Water & Air Team Charlevoix) and a resident of Hayes Township, stated that when this project was proposed several years ago, WATCH was concerned about the size and scope of the project and hired Gary Forbrig to create an alternate plan, which was very similar to the final adopted plan. At that time, there was a lot of controversy regarding the project, and the final plan was a compromise of ideas for all parties. Mr. Henne was quite surprised to find out that the City was considering expanding the marina, which would be at odds with the compromise. He noted that WATCH's concerns are water and air quality and urged the City to stay with the plan agreed to earlier. Harbormaster Evans agreed that the environmental capacity of the marina is important and stated that the City runs a clean marina, follows all guidelines of the Clean Water Act, and works within guidelines to keep a clean marina.

Pat Duffy, 302 Nettleton, stated she retired in Charlevoix because she liked the water, parks and everything in Charlevoix and spent all her vacations here. She expressed the importance of maintaining the visual aspects of Charlevoix and noted that, especially during Venetian and the summer months, the marina and lake become more of a parking lot than a marina. She also expressed concerns about boat traffic congestion.

Paul Weston, a resident of Round Lake, reported that he is an active boater and is very concerned about Round Lake, noting that the Lake is at the center of everything beautiful about Charlevoix. Mr. Weston was able to see the cones that depicted where the proposed dock expansion would be and was surprised at how far the dock would extend into Round Lake. Mr. Weston noted that, while there were good reasons to have docked versus anchored boats, the extension of that particular dock could affect the appearance of the Lake. He asked that other designs be considered.

Leon Perron, 2<sup>nd</sup> Ward Councilmember, reported that his vote on this subject will be determined by the input he receives from his constituents; however, as a small business owner he believes that the Marina is “everything” to Charlevoix, and that the expansion is not too intrusive.

James Stewart, city taxpayer and Charlevoix Township resident, agrees that Round Lake was a “virtual gem”. He acknowledges that there would be additional revenue to the downtown district, but noted that the City is considering taking a finite piece of Round Lake and “selling” it to bring additional revenue and business to the downtown. Mr. Stewart believes that the expansion will destroy another piece of the Lake that will never be recovered, and that in five or six years there will be another request to expand the marina. He is opposed to the expansion.

Mary Eveleigh, 1<sup>st</sup> Ward, expressed her concerns about the environmental impact of this expansion and stated that the project needs to be taken to the Watershed Council. She reminded the Commission that there are restrictions on additional boat houses or docks in Round Lake because of overcrowding and encouraged the Commission to research the environmental impact of additional large boats.

Planner Spencer stated that the public review process is being used to find out if there is public support and Planning Commission support for this project prior to submitting it to the regulatory agencies to determine any environmental impacts. This meeting is very early in the process and the City does not want to pursue a project unless there was public support; he demonstrated where the project was included on the City's website.

Cliff Biddick, representing WATCH, reminded the Commission of the compromise made between proponents and opponents of the original Marina expansion, and suggested that further expansion is a poor idea. As a boater, he believes that the docks are encroaching into Round Lake more than necessary and that extending the existing dock is unreasonable. Finally, as a person that has bought and sold docks in the past, Mr. Biddick believes that the possibility of selling the docks is remote.

Mr. Weston spoke again to the Commission, suggesting that the City look at doing this kind of expansion incrementally, since once the dock expansion is underway, it would be irreversible.

A citizen acknowledged that the final cost for the expansion had not been determined, but asked if the cost of operations would increase. Harbormaster Evans reported that the proposed dock expansion would have very little impact on the cost of operations. City Manager Straebel stated that the City does not have the cash to pay upfront for what is anticipated to be a \$350,000 - \$400,000 capital improvement project; however, City Council is considering the option of pre-leasing some slips for a 2-3 year period to help pay for the project. Final funding sources will have to be discussed and approved by City Council.

d) Discussion

Chair Hess polled the members for their ideas and concerns about the proposed project:

- Member Elzinga is excited about this project and believes that it should go forward.
- Member Felter reported that she started out excited about the project, but she is concerned about any possible environmental impacts. She noted that she has been on this Commission for several years, and that she has frequently heard of the need to bring something into Charlevoix that will provide a positive economic impact. She likes this idea.
- Member Waddell understands the concerns about the visual impact and losing part of the view. He suggested that there could be additional plans to consider and review.
- Member Sherwood is in support of the idea and believes that it might be helpful to consider other possible plans.
- Member Clock stated that the project was worth more investigation.
- Member Novotny believes that the project is economically good, but that it may cause the loss of a lot of “view corridor”. He would be in favor of looking at options to extend Docks B or C instead.
- Chair Hess stated is in favor of the project, but would like to see more creative options with different sizes of docks. He believes that the project should move forward.

Planner Spencer reminded the Commission that they do not need a formal motion if the consensus is to take more time with this matter and to review other options. He reported that staff could discuss with the engineer why

the proposed design was selected and to better understand the pros and cons of any other of designs. Planner Spencer can report back to the Commission at the next regular meeting.

- e) Motion.  
No motion at this time.

Chair Hess thanked the members of the public for attending the meeting.

**H. Nomination of Officers**

Motion by Member Novotny, second by Member Clock, that John Hess continue to serve as Chairman.  
Motion passed by unanimous voice vote.

Motion by Member Sherwood, second by Member Felter, that Sherm Chamberlain continue as Vice Chair.  
Motion passed by unanimous voice vote.

**I. Old Business – None**

Member Waddell asked about the status of meetings of the sub-committee appointed to review the By-Laws. Planner Spencer reported that he hadn't had time to organize the meeting. After discussion, the Sub-Committee meeting was scheduled for Tuesday, January 21<sup>st</sup>, at Noon.

**J. Staff Updates**

1. Planner Spencer provided the following updates on City projects:
  - Staff will be approving a Zoning Permit for the Lake Harbor Apartments for a major remodel of the inside and outside of the units, and adding a small addition (meeting room) to their accessory building;
  - Staff is working with architects on two new homes in the C & O Club.
2. Planner Spencer responded to Members' questions regarding projects that he had mentioned at previous Board meetings. Member Chamberlain asked if there was any demand for docks for kayakers, and Planner Spencer stated that staff was looking into the possibilities.

**K. Request for Next Month's Agenda or Research Items**

None.

**L. Adjournment**

Meeting adjourned at 7:21 p.m.

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Stephanie C. Brown/fgm

Deputy City Clerk

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John Hess

Chair