

**MINUTES OF THE BURT TOWNSHIP
PLANNING COMMISSION SPECIAL MEETING AND PUBLIC
HEARING
November 1, 2011**

The Burt Township Planning Commission Special Meeting and Public Hearing was called to order by Chair, Gary Street, on November 1, 2011 at 7 p.m. at the Burt Township Hall, 7029 Birchwood Road, Cheboygan, Michigan.

Members present: Gary Street (Chair), Ann Baughman, Gene Hodulik, Bob Babcock, and Matt Landon.

Members absent: None.

Also attending: Mary Campbell, Dan Swantek, Tim MacArthur, and Joyce Hutto –Nolan (Recording Secretary) and those persons listed on the attached sign-in sheet.

Introduction

Gary Street said the purpose of the special meeting and public hearing was to consider the Burt Lake Boat Access Site improvements at Maple Bay proposed by the DNR. Gary said that he and the Planning Commission support the project and that the role of the Planning Commission is to see that the applicant meets the requirement of the Burt Township Zoning Ordinance and to look after the public interest. This meeting was advertised in the Straitsland Resorter and posted on the Burt Township web site. Gary said some of the residents within 300 feet of the parcel were not given written notification of this meeting. A second meeting will be held so those who were not notified will be able to attend.

Public Hearing Procedures

Gary summarized the Public Hearing Procedures.

Presentation for a Special Use Permit and Site Plan review-Michigan DNR

Keith Cheli, Regional Field Planner, DNR Parks and Recreation, Cheboygan Field Office requested a Special Use Permit for a seasonal dock at the Burt Lake Maple Bay Boat Access Site and Site Plan approval for improvements at that location. Keith introduced his DNR project team: Joel Gordon, Tim Knudson, Paige Perry and Rich Hill. Cheli said the DNR has been working on this project since 2007. He said the DNR is inclusive and transparent. Cheli gave an illustrated overview presentation of the proposed improvements. Cheli said the DNR improvements have been designed to minimize the impact to the natural resources at the site and to minimize the impact to the area. The entrance to the boat launch will be relocated away from the Chicagami intersection making it safer and will allow for 7 or 8 additional vehicle parking spaces. Storm water will be collected into naturalized rain water collection systems. Two toilets and two solar site lights are proposed. A fully paved parking area is proposed. (38 boat-trailer parking spaces).

Public Comment Period

Randolph Bricker, Pellston Fire Chief, said his main concern is public safety. He asked if the road will be plowed in the winter. He said access is needed for year round water supply for fires and to be able to launch an air boat in the winter for rescue purposes.

Dan Swantek asked about the width of the boat launch and asked if there is enough room to turn around with a 23 foot boat. He asked if it is possible to have a fence on the east side to protect the neighbors from vehicle headlights. He asked why there is a gate to the campground.

Dave Patterson asked about the location of the gate.

Iver Thornburg asked if there will be a swimming area with buoys and whether there will be a picnic area.

Kim Kihnke asked if there will be parking for vehicles without trailers.

Jim Weidman questioned the traffic flow. Keith Cheli said there will be one way traffic and there will not be pull through parking. Weidman said he has heard comments from the Burt Lake Springs resort owners about the existing poor facilities at the Maple Bay launch.

Randolph Bricker asked if the DNR had considered dry hydrants. Gary Street said that the subject has been considered by Burt Township and has been discussed with the DNR.

Dan Laninga asked how long the Maple Bay boat launch site will be without access. Keith Cheli said that 3 to 4 months is typical and the DNR will do everything possible to minimize the impact of using the facility during construction.

Iver Thornburg asked if there will be a fee to launch a boat. DNR District Supervisor Joel Gordon said that at this time there will not be a fee, but that there could be a fee in the future depending on usage. DNR staff added that it could be part of the recreation Passport program in the future.

Kim Kihnke asked if the beach and campground could be used during construction.

Don Cheyne asked if the proposed launch will add value and could be used to promote development nearby for commercial use such as gas stations and stores. Gary Street said that the area is not zoned commercial.

Public Comment Period Closed

Deliberations by the Planning Commission

Gary Street said he received a letter from Randolph Bricker expressing his concern about year round emergency vehicle access to Burt Lake and recommended a dry hydrant be installed. Gary said he also received a letter from Dorothy and Joel Wurster supporting the project. Letters attached.

Gary said he wanted to be sure the public will always have access to Burt Lake at Maple Bay launch site. Gary explained that the current access is by an easement granted by the State of Michigan years ago to the Cheboygan County Road Commission and is under the jurisdiction of the road commission until abandoned and then goes back to the State. Gary said a proposal has been prepared by Tim MacArthur to establish permanent access to Burt Lake. Gary said public safety is also a concern. Assurance is needed that there will always be year round access for emergency vehicles. Another concern is parking in the winter for skiers and ice fishing and who will be responsible to keep the area open. Another issue is the 2% imperious surface coverage limitation required by the Burt Township Zoning Ordinance.

Ann Baughman said she wanted assurance that the appearance from the lake and the road will not take away the feel of a rural area. Night lighting needs be reviewed to meet the requirements of the Burt Township Zoning Ordinance. Ann is in favor of the storm water management and wonders if large trees are removed, will this generate unplanned additional amounts of runoff. What will become of the dredging material and how often will dredging be needed. Will there be parking spaces for vehicles without trailers.

Mary Campbell reviewed seven concerns which need clarification and discussion. The seven items are: 1. Lot coverage. 2. Emergency access year-round. 3. Impact of wetland areas. 4. Landscaping. 5. Parking. 6. Lighting, and 7. Continued lake access.

Matt Landon said he thought there should be three or four lights and that parking needs to be improved on the side of the road.

Gene Hodulik wondered if there is enough room for a vehicle with a trailer to turn around at the launch site.

Bob Babcock said he is concerned about responsibly for snow plowing and where they will put the snow.

Gary Street commented on safety issues regarding swimming. Buoys should be placed in the swim area. Boaters need to be kept out of the swimming area and swimmers need to be kept out of the boat area.

Ann Baughman asked who will take care of the plants in the rain water collection swales to make sure they survive.

Tim MacArthur said that as part of the proposal, the road commission will be asked to abandon the existing road. This is a road end defined by case law in Michigan that allows people to access the waters of an inland lake. Once the road is abandoned, the title to the property will go back to

the State of Michigan and the road commission will not be required to plow the area. This is an important concern to be addressed.

DNR Representative, Keith Cheli, Responds

Keith Cheli said he would address most of the question asked tonight but because some of the questions were raised for the first time, he would answer them in December when he has had time to study them. (At this time it is pending as to whether a second hearing will be held in December, 2011).

1. The launch ramp will have 2 concrete ramps each 18 foot wide, with gravel shoulders, totaling 44 foot.
2. A 23 foot boat with trailer will have enough room to turn around with a 30 foot radius which is standard.
- 3 Headlight glare will be directed towards the campground, and the trees will also reduce headlight glare.
4. Channel markers will be placed in the water for boaters. The issue of buoys for swimmers will be discussed at a future hearing. Paige Perry, DNR, Forest Management Division, state that swimming buoys cannot be placed due to State Forest Campground Policies.
5. There is a funding conflict with the picnic area. The funds are legislated and earmarked for boating.
6. The DNR intends to keep the State Forest campground and beach area open during construction.
7. The DNR is working with Burt Township on the lake access issue.
8. The emergency access issue of keeping the road plowed is being addressed with the Burt Township Board.
9. The 2% impervious surface requirement will be studied.
10. The lighting issue will be reviewed in conjunction with the Burt Township Ordinance.
11. Storm Maintenance calculations have been done for the improvements.
12. Dredge spoils removal has not been determined at this time. The site will be checked for dredging yearly.
13. Car owner lights will be addressed.
14. Winter use and maintenance will be looked into.
15. Plant care will be studied.

Additional Comments

Gary Street emphasized the need to keep swimmers away from boats and asked the DNR to look at this as it is a safety issue. He expressed concern that public safety may be taking second place to DNR policy.

Tim MacArthur said the DNR should know this is an existing swimming area and should take that into consideration.

Frank Kestler on behalf of the BLPA, applauded the DNR and fully supports the project. Frank commented “if you do it, you have to do it right” He said to consider the future use of the project.

Dave Patterson said he supported the project and complimented all those who are working on the project.

Ann Baughman stated that it is important to provide recreation access to other users in addition to boater at this site.

Public Hearing Closed

Gary Street said the project is a good project and it is important for everyone to work together.

Next Public Hearing (tentative) and Planning Commission Meeting.
December 12, 2011 at 7 p.m.

Motion

Moved by Matt Landon and seconded by Bob Babcock to adjourn.
Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Joyce Hutto-Nolan, Recording Secretary