

CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST., ROOM 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721

PHONE: (231)627-8489 ■ TDD: (800)649-3777

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING WEDNESDAY, JULY 1, 2009 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald
ABSENT: Kavanaugh
STAFF: Steve Schnell
GUESTS: Tom McCue, Dave Larsen, John Sarrault, John Moore, John Brown,

The meeting was called to order by Chairperson Croft at 7:00pm.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Borowicz, seconded by Mr. Matelski, to approve the agenda as presented. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

APPROVAL OF AGENDA

The meeting 06/03/09 Planning Commission meeting minutes were presented. **Motion** by Mr. Matelski, seconded by Mr. Borowicz, to approve the minutes as presented. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

PUBLIC HEARING AND ACTION ON REQUESTS

Cellere, Agent for Skyway Towers, LLC / Thomas & Carolyn Kepsel - Requests a Special Use Permit for a 199' self-support telecommunications tower facility (Section 17.13). The property is located at 10114 King Road, Tuscarora Twp, section 20, parcel #161-020-400-003-04, and is zoned Agriculture and Forestry Management (M-AF).

Mr. Larsen explained that this is the same request that was previously presented to the Planning Commission. Mr. Larsen stated that Verizon and Alltel recently merged. Mr. Larson stated there may be changes as Verizon is asking for input from local offices regarding where service needs to improve. Mr. Larsen stated all leases are still valid. Ms. Croft asked if Mr. Larsen believes these projects will actually move forward. Mr. Larsen stated yes as Skyway Towers has put a lot into the tower to get them ready to go. Mr. Larsen explained that a carrier will not even consider a tower unless it has zoning approval.

Ms. Croft asked for public comments. There were no public comments. Public comment closed. There was no correspondence to be read.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. The Planning Commission reviewed the Specific Findings of Fact Under Section 17.13. The Planning Commission agreed that 17.13.1.C1 should be "The Planning Commission finds that the proposed telecommunications tower will be engineered to accommodate 4 antennae." The Planning Commission agreed that 17.13.1.C2 should be "The Planning Commission finds that no more than 4 antennae will be permitted to be located on the proposed telecommunications tower." The Planning Commission agreed that the specific Findings of Fact Under Section 17.13 have been met. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 18.7. **Motion** by Mr. Borowicz, seconded by Mr. Bartlett, to approve the special use permit request based on the General Findings, Findings of Fact Under Section 20.10, Findings of Fact Under Section 17.13 and Findings of Fact Under Section 18.7. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

Cellere, Agent for Skyway Towers, LLC / Paul & Debra Chapoton - Requests a Special Use Permit for a 199' self-support telecommunications tower facility (Section 17.13). The property is located at 2764 South Extension Road, Mullett Township, section 19, parcel #130-019-100-001-01, and is zoned Agriculture and Forestry Management (M-AF).

Ms. Croft asked for public comments. Mr. McCue stated he lives at 3125 South Extension Road and he opposes having a tower across the street from his property. Public comment closed. There was no correspondence to be read.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. The Planning Commission reviewed the Specific Findings of Fact Under Section 17.13. The Planning Commission agreed that 17.13.1.C1 should be "The Planning Commission finds that the proposed telecommunications tower will be engineered to accommodate 4 antennae." The Planning Commission agreed that 17.13.1.C2 should be "The Planning Commission finds that no more than 4 antennae will be permitted to be located on the proposed telecommunications tower." The Planning Commission agreed that the specific Findings of Fact Under Section 17.13 have been met. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 18.7. **Motion** by Mr. Matelski, seconded by Mr. Borowicz, to approve the special use permit request based on the General Findings, Findings of Fact Under Section 20.10, Findings of Fact Under Section 17.13 and Findings of Fact Under Section 18.7. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

Cellere, Agent for Skyway Towers, LLC / George P. Gladding - Requests a Special Use Permit for a 199' self-support telecommunications tower facility (Section 17.13). The property is located on Wolverine Road, Mentor Township, section 33, parcel #200-033-300-001-00, and is zoned Agriculture and Forestry Management (M-AF).

Mr. Schnell stated a letter in opposition to this request was received from Marva Vance. Ms. Croft asked for public comments. There were no public comments. Public comment closed.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. The Planning Commission reviewed the Specific Findings of Fact Under Section 17.13. The Planning Commission agreed that 17.13.1.C1 should be "The Planning Commission finds that the proposed telecommunications tower will be engineered to accommodate 4 antennae." The Planning Commission agreed that 17.13.1.C2 should be "The Planning Commission finds that no more than 4 antennae will be permitted to be located on the proposed telecommunications tower." The Planning Commission agreed that the specific Findings of Fact Under Section 17.13 have been met. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 18.7. **Motion** by Mr. Borowicz, seconded by Mr. Freese, to approve the special use permit request based on the General Findings, Findings of Fact Under Section 20.10, Findings of Fact Under Section 17.13 and Findings of Fact Under Section 18.7. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

George Marble / Robert Coffey - Requests a Site Plan Review Amendment for boat sales, repair and storage (Section 6.2.8). The property is located at 351 S. Straits Hwy., Tuscarora Township, section 6, parcel #162-006-100-014-00 and is zoned Commercial Development (D-CM).

Mr. Schnell stated the front half of the property is zoned Commercial and the back portion of the property is zoned Agriculture/Forestry. Mr. Schnell stated there are no changes to the site. Mr. Schnell stated that all changes will be to the interior of the building. Mr. Schnell stated there are 16 parking spaces. Mr. Schnell referred to the site plan and explained the location of the boat storage and noted that it will remain a sandy surface.

Mr. Fullford stated there was a previous site plan approved for Bob Coffey. Mr. Fullford stated the only use that is proposed is the boat sales, repair and storage. Mr. Fullford stated Crystal Flash will provide storage units for waste oil and will pick up waste oil on an as needed basis.

Ms. Croft asked for public comments. There were no public comments. Public comment closed. There was no correspondence to be read.

Motion by Mr. Borowicz, seconded by Mr. Bartlett, to grant the topography waiver request and the elevations waiver request. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Borowicz, to approve the site plan review request based on the General Findings and the Specific Findings of Fact Under Section 20.10. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

Jonathon & Cresta Sarrault – Requests a Special Use Application for an automobile repair facility (section 9.3.2). The property is located at 7771 M-33, Benton Township, section 29, parcel #104-029-200-002-04 and is zoned Agriculture and Forestry Management (M-AF).

Mr. Schnell stated the only new construction on the site will be a fence. Mr. Schnell stated a dumpster will be placed behind the fence. Mr. Schnell stated there are three bays in the workshop but two are reserved for the residence. Mr. Schnell stated only one bay will be reserved for the auto repair facility. Mr. Schnell stated there will be a new freestanding sign that meets all of the ordinance requirements. Mr. Schnell stated there will be two parking spaces for customers. Mr. Schnell stated the fire department did not have any concerns regarding this request. Mr. Schnell stated there will be no employees and the business hours will be from 8:00am until 5:00 pm, Monday through Friday. Mr. Sarrault stated that everything will remain the same except for the sign and the privacy fence.

Mr. Freese asked how waste oil will be handled. Mr. Sarrault stated that waste oil will put into 55 gallon drums and distributed to other shops in the area that use it to heat their facility. Mr. Freese asked how Mr. Sarrault plans to dispose of antifreeze. Mr. Sarrault stated he has a recycler.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Board held discussion regarding DEQ permits not being necessary. Mr. Matelski noted a MDOT permit would be required because the parcel is on a highway. Mr. Schnell stated that a permit may not be required but MDOT has to review the application because there is a change of use. Mr. Moore questioned where vehicles that have been repaired will be stored. Mr. Schnell referred to the site plan and noted parking spaces 3 and 4. Discussion was held regarding limiting the number of vehicles that can be stored. Mr. Sarrault stated that he works on 1 to 2 cars per day and they are usually picked up the same day. Mr. Sarrault stated that if the car is not picked up within 72 hours the owner is charged \$10 per day. Mr. Sarrault stated that by law he is not able to do anything with a car for 120 days if a customer does not pick it up. Mr. Sarrault stated he has not run in to a situation like this and in the past all vehicles have been picked up within 1 to 2 days. Mr. Schnell suggested that a vehicle storage area be designated on the site plan and there be a limit on the number of vehicles that can be stored. Discussion was held. Mr. Sarrault noted that he could store the vehicles behind the privacy fence. Mr. Freese asked Mr. Sarrault if a maximum of 5 vehicles being stored would be acceptable. Mr. Sarrault stated yes.

Motion by Mr. Matelski, seconded by Mr. Freese, to approve the waiver request for topography and exterior lighting. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

The Planning Commission reviewed the General Findings. The Planning Commission added "There is a storage area for a maximum of 5 vehicles being repaired." as 10. The Planning Commission reviewed the Findings of Fact Under Section 18.7. The Planning Commission agreed to delete b5, c7 and d7. The Planning Commission agreed to change b4 to "There is a storage area for a maximum of 5 vehicles being repaired." The Planning Commission agreed the revised Findings of Fact Under Section 18.7 have been met. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Ostwald, to approve the special use permit request based on the General Findings, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to MDOT approval and DEQ approval. Motion carried. 8 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Moore, Behm, Ostwald), 0 Nays, 1 Absent (Kavanaugh)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

Discussion of possible rezoning in Koehler Township – Corner of East Mullett Lake Road and Onaway Road

Mr. Schnell stated this is a discussion for a possible future rezoning to Commercial. Mr. Schnell noted this has been an item that has been discussed in the past. Mr. Schnell presented an aerial photo and explained the history of the area. Mr. Schnell explained that this area was originally zoned Forestry (F-1) in 1970 and was rezoned to Residential in 1989. Mr. Schnell stated the future land use for this area is Rural Character and Public Lands. Discussion was held regarding commercial uses in this area. Ms. Croft questioned if Rural Character is an appropriate future land use category for a subdivision. Discussion was held. Ms. Croft questioned what the restrictions are on this subdivision. Mr. Schnell stated lots 32 and 11 allow Residential and Commercial. Mr. Schnell stated none of the other lots in this plat are allowed to be Commercial. Mr. Schnell stated zoning supersedes the deed restrictions and the parcels would have to be rezoned to Commercial. Mr. Schnell questioned if the Planning Commission would like to review this rezoning further. Mr. Schnell stated if the Planning Commission would like to review this further he will notify the township. Discussion was held. Mr. Bartlett and Mr. Moore believe this should be reviewed by the Planning Commission. Mr. Morgan stated his concerns regarding this area being rezoned to Residential and property owners not being notified of the rezoning. Mr. Schnell explained the rezoning process. Mr. Schnell explained the difference between commercial building code and Commercial zoning. Mr. Matelski stated the consensus of the Planning

Commission is that this corner should be rezoned to Commercial.

STAFF REPORT

No comments.

PLANNING COMMISSIONER'S COMMENTS

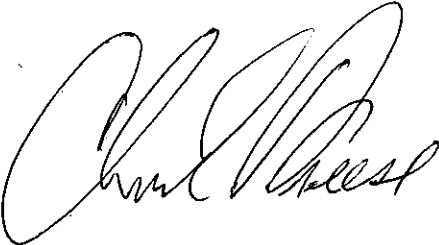
Ms. Croft stated that she and Mr. Schnell met with a title company and a surveyor regarding the Pier 33 property. Ms. Croft stated that the Planning Commission will be reviewing this site again at a future meeting. Ms. Croft stated that she expects it will be a manageable resolution to this project. Mr. Schnell stated that he has confirmed that the city has the capacity to handle the REU's that the township purchased.

PUBLIC COMMENTS

Mr. Morgan questioned why the next Zoning Board of Appeals meeting is being held at 3:00pm. Mr. Schnell explained that the 07/14/09 Zoning Board of Appeals meeting is a special meeting.

ADJOURN

Motion by Mr. Matelski to adjourn. Motion carried. Meeting was adjourned at 8:08pm.



Charles Freese
Planning Commission Secretary