

CHIKAMING TOWNSHIP PLANNING COMMISSION October 3, 2018
Approved

The public hearing was called to order by Dow at 6:30 p.m. Commissioners Doug Dow, Grace Rappe, Jerry Kohn, Richard Carlson, Andrew Brown, Gary Wood and Bill Marske were present.

Moved by Wood, seconded by Dow, that all individuals making public comments be granted a maximum of 3 minutes to speak and the public hearing have a 2 hour maximum. Motion carried.

Public Hearing

Special Land Use No. 199

Property Code: 11-07-0028-0004-03-8

Property Address: Vacant Land on Warren Woods Road

Property Owner: Chikaming Cabins LLC.

Applicant/ Buyer: Chikaming Open Lands (COL)

Applicant intends to use this property as a nature preserve which will maintain and restore the land and additionally include recreational use.

Ryan Postem came forth to speak on behalf of COL. He stated that the purchase is anticipated this fall. The property will be updated with a parking lot and maintained hiking trails. The presented plan also addressed drainage issues with the addition of a shallow bioswale. The parking lot will accomodate 15 parking spaces and a circular gravel driveway.

The floor was opened for public comments. Jill Underhill question the location of the property. Postema clarified that it is located next to Lakeside Cabins.

Moved by Carlson, seconded by Marske, that special land use number 199 be approved. Motion carried.

Public Hearing

Proposed Chikaming Township Zoning Ordinance

Dow opened the public hearing by stating that the ordinance review and updating process began in the fall of 2016. McKenna was retained in 2017 to assist in writing the ordinance and they hosted an open house welcoming public input. A draft was then created with the assistance of a steering committee and focus groups.

Chris Khorey came forth to speak on behalf of McKenna and review some of the larger changes. He presented the new zoning districts. Khorey also shared details on changes to districts such as regulations around wind and solar energy facilities. He also reviewed changes in the sign ordinance and pointed out that vacation rentals and trees are no longer mentioned in the ordinance. Khorey shared a map of parcels for which zoning has been changed. He clarified that any residences located in the commercial district will be considered a permitted use.

Dow then opened the floor for public comments on zoning changes.

Michael Buche, Sawyer business owner, came forth to request more clarity around billboard requirements. Khorey responded that existing billboards will be grandfathered in until they fall down and most currently are under MDOT jurisdiction. Buche questioned who will enforce signage regulations. Township Supervisor, David Bunte, responded that enforcement is the responsibility of the code enforcement officer.

Tom Davis, property owner on Red Arrow Hwy., questioned if his existing residence will be subject to commercial zoning rules once it is updated to commercial zoning. Khorey responded that it would be but his residence is a permitted use and the only time he would be required to make any changes is if he were opening a business on the property.

Brian Kern, sawyer resident, came forth to question why residents in the R-1W district did not receive notification of their change in zoning. He explained the he understands it was not required that they be notified legally but it would have been a nice gesture. Attorney Michael Homier answered that a notice was published. Kern expressed that he feels the restrictions on signage and fences in the new ordinance goes against state laws allowing the posting of "no trespassing" signs. Homier clarified that the townships ordinance is not preemptive.

Dow then opened the floor for public comment regarding updates to content in the draft ordinance.

Dan Coffey came forth to state that he hopes lake front landowners are preparing a lawsuit. He questioned if the Planning Commission has the right to decide what they think is best and degrade property values. He stated that he feels the R-4 zoning district should be gotten rid of and the definitions section is overreaching. Coffey stated that he feels sections 7.04, 7.05, 7.08. and 7.10 - 7.16 have nothing to do with zoning.

Scott Rappe, Harbert resident, came forth to express support for the ordinance. He mentioned that he feels the entire process has been very transparent. Rappe stated that he feels the new ordinance better reflects the master plan and the old ordinance was becoming obsolete.

Virginia Holden, resident of Oronoko Township, came forth to comment specifically on animal related ordinance updates. She expressed concern that the new ordinance does not restrict facilities such as puppy mills and feed lots. Holden pointed out that animals raised in warehouses are not treated well and these types of facilities open the door for other neighborhood issues. She also stated that she feels the number of dogs and cats permitted should be increased.

George Lucas, Wildwood Dr. resident, came forth to state that his family has been in the area for the past 90 years. He thanked the commission for their work and expressed he feels they are biting off more than they can administrate. Lucas then asked the commission to go back and put more time into the ordinance.

Mary Fischer, East Rd. resident, came forth to express appreciation for the commission pursuing the task of updating the ordinance. She stated that she echoes the concerns regarding animal welfare. Fischer observed that puppy mills would be permitted under the new ordinance as well as contained feeding lots. She also expressed that responsible pet owners could host more than the limited number of pets. She pointed out that the 6 ft. fencing height is the most dangerous measurement for deer and suggested that 8 ft. would have less of an impact.

Trisha Smith, Baroda resident, came forth to state that she agrees that the ordinance relating to puppy mills needs to be reviewed. She expressed that the draft ordinance needs revisions to prevent puppy mills. Smith expressed that boutique boarding should be allowed but commercial kennels need to be outlawed.

Jill Underhill of Harbert came forth to state that she agrees that 6' fences are too low. She added that all electronic signs should be illegal.

Kristy Putnam, manager of the Peacock Place came forth to state that she feels the new ordinance and zoning district redesignation takes commercial rights away and creates new nonconformities. She questioned how residential is defined. Putnam explained to the commission that she purchased her property with plans to build a residence behind her business. She also questioned why resorts would not be defined as a use in commercial districts.

Dan Coffey questioned the future process. Dow answered that the steering committee will meet within the next few days to review comments and make changes. He added that there will be additional reviews by surrounding communities and the county.

Buche questioned how much research was done on Red Arrow Hwy. prior to writing the ordinance. Khorey responded that every parcel was reviewed.

Marie Headman, of Sawyer, informed the commission that near her home there is a large billboard advertising businesses outside of the community. Dow responded that it would be reviewed.

The public meeting was closed and the regular meeting began.

The Agenda was reviewed. Marske moved to approve the agenda, supported by Rappe. Motion carried.

Minutes of the prior September meeting were reviewed. Brown moved to approve the minutes, supported by Rappe. Motion carried.

Public Comments: None

Reports: None

New Business:

Special Land Use #200 Elizabeth Nuti - Home Business in Ag-Agricultural District

Elizabeth Nuti is requesting a special land use permit to allow a yoga studio as a permitted use in an AG District per Article 11, Section 11.04 (5). this property is located at 14074 Minnich Rd., Sawyer, MI Property Code # 11-07-0013- 0019-00-2

Elizabeth Nuti came forth to speak on behalf of her application. Nuti explained that there is an existing structure on the agriculturally zoned parcel. She presented a petition signed by 60 people in support of the yoga studio. Nuti explained that she would like to host yoga classes in the barn that is located on a peaceful wooded area not visible or audible from the street. She stated that she has adequate parking and that the yoga studio would be consistent with the character of the community and beneficial to health and well being.

Nuti presented a drawing that showed half the barn that would be used during the summer and a smaller section that is heated for winter use. Marske questioned how many cars Nuti estimates will be parked. Nuti responded that 15 would likely be average and 20 cars would be the maximum.

Moved by Wood, seconded by Kohn, that a public hearing take place to review special land use #200 on Wednesday, November 7th at 6:30. Motion carried.

Site Plan Review

5851 Sawyer Rd.

Asking to renovate a vacant storefront into a restaurant.

Property Code # 11-07-4280-0004-00-6

Approval of site plan is only action needed.

Martin Smith, architect for the project, came forth to present plans to renovate the storefront. Smith explained that the plan is to convert the vacant business into a restaurant. Smith pointed out that 20 parking spaces are required for the project and 25 are available. The driveway between the property and existing post office will be closed. The driveway will be crushed stone to better accommodate drainage as will the parking behind the building. Dow questioned how spaces will be designated. Smith answered that cast wheel stops will be used as will different colors of gravel. He added that two spaces will require paving to be ADHD accessible.

Kohn questioned if those 25 spaces are for the entire building and what additional businesses are in the building. Smith responded that he is not aware of any businesses.

Carlson encouraged the use of green space and planting of trees to beautify downtown Sawyer similar to what the Greenbush Annex has done. Smith responded that the existing green space will be slightly smaller.

Kohn questioned how many parking spots exist for the entire building and how many are being added. Dow observed that 15 spaces are being added. Kohn then pointed out that the restaurant has 50 seats.

Brown questioned the hours of operation. The restaurant owner responded that the hours are yet to be decided but currently dinner is anticipated to be served during the week from 4-10 P.M. and lunch and dinner will be served on the weekend. Marske expressed concern over additional traffic. Smith pointed out that the driveway will allow for a width of two cars.

Wood stated that he feels the Zoning Administrator needs to review this plan to make sure it complies with parking requirements.

Moved by Carlson, seconded by Marske, that a decision on the site plan review be postponed until the Zoning Administrator can confirm that the parking interpretation of the ordinance is correct. Motion carried.

Other Public Comments: None

Adjournment:

With no further business before the Commission, Wood moved to adjourn the meeting at 8:19 pm. Supported by Marske. Motion Carried. Meeting Adjourned.

Respectively Submitted,
Bill Marske, Secretary, Chikaming Township Planning Commission