

**PLANNING COMMISSION
REGULAR MEETING**

January 14, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Robert Jones
John Kane

MEMBERS ABSENT:

Barb Hampton

Also in attendance: Theresa Germain (Demawating Development), Zoning Administrator Calkins, Township Supervisor Moore, and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 p.m.

MOTION #1: by Kathy Noel, second by Robert Jones, to approve the agenda for January 14, 2019. Motion carried.

MOTION #2: by Robert Jones, second by Kathy Noel, to accept minutes of December 10, 2018, with the deletion of "*that Rudyard Township has no fees for zoning permits and*" in the discussion of permit fees. Motion carried.

CHAIRMAN'S REMARKS:

- The new fireworks legislation will need to be reviewed so that our ordinance can be updated.
- I recently read an interesting article about how some townships are trying to limit the number of certain types of businesses in the hopes of preserving existing businesses (in relation to Dollar General, Family Dollar, etc.)

NEW BUSINESS:

Special Land Use Permit: Theresa Germain, of Demawating Development, told the commissioners that the Sault Tribe of Chippewa Indians (of which Demawating is a subsidiary) was in the process of developing three of their current rental units to after care homes for people coming out of inpatient drug rehabilitation programs. Two of the units are on Taylour Day Way and one is on Red Cedar. Each unit will have life coaches to help the residents secure employment, etc. to enable them to transition to living on their own.

The Zoning Administrator had notified Ms. Germain that special land use permits would be needed.

After much discussion it was decided to have the Township Supervisor contact an attorney for guidance. Ms. Germain will be informed of any further action that Demawating will need to take.

Setback From Road: Zoning Administrator Calkins informed the commissioners that CoPart has inquired about extending their fence closer to the road than is currently allowed in the Junkyard Ordinance (1.107). Chairman Brood said that in order for the commissioners to consider a variance, CoPart need to submit a written request (zoning application).

There being no further business the meeting was adjourned at 7:50 p.m.

John A. Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

February 11, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Barb Hampton
Robert Jones
Kathy Noel

MEMBERS ABSENT:

John Kane

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 P.M.

MOTION #1: by Kathy Noel, second by Bob Jones, to approve the agenda for February 11, 2019, as presented. Motion carried.

MOTION #2: by Kathy Noel, second by Bob Jones, to accept minutes of January 14, 2019, as written. Motion carried.

CHAIRMAN'S REMARKS: None

NEW BUSINESS:

- Discussion concerning the proposed bee business on Kinross Lake.
- Discussion concerning Amendments to the Michigan Fireworks Safety Act, which the Commission incorporated into Nuisance Ordinance #1.109.

OLD BUSINESS:

- Copart – status of variance: no request has been submitted by the firm
- Halfway House: Attorney Palmer's response was unclear to the Commission; there has been no contact with Tribal representatives in this regard, subsequent to the Commission's January meeting
- Prohibition of Recreational Marihuana Establishments Ordinance – deferred until August meeting
- Members continued their review of Zoning Ordinance No. 1.100

There being no further business before the Commission, the meeting was adjourned at 7:41 P.M.

John A. Kane, Secretary

**PLANNING COMMISSION
REGULAR MEETING**

March 11, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Robert Jones
John Kane
Barb Hampton

MEMBERS ABSENT:

Also in attendance: Joe Russow (Farnsworth Group), Zoning Administrator Calkins, and Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:40 p.m.

MOTION #1: by Barb Hampton, second by Kathy Noel, to approve the agenda for March 11, 2019. Motion carried.

MOTION #2: by Kathy Noel, second by John Kane, to accept minutes of February 11, 2019, as written. Motion carried.

CHAIRMAN'S REMARKS: None

NEW BUSINESS:

Site Plan Review: Let it be noted that Commissioner Barb Hampton is abstaining from voting on any decisions regarding the Dollar General site plan due to personal involvement with the acquisition of the subject property. As the commissioners applied the standards for review of a site plan (prescribed in the Zoning Ordinance #1.100), Mr. Russow answered questions regarding: 1) room for snow, 2) delivery truck route/parking, 3) location of dumpster, and 4) number of parking spaces.

MOTION #3: by Arthur Brood, second by Robert Jones, to approve the site plan presented by the Farnsworth Group/Overland Engineering, LLC for a Dollar General store.
Motion carried.

OLD BUSINESS:

Commissioners continued review of Ordinance #1.100.

There being no further business the meeting was adjourned at 8:00 p.m.

John A. Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

April 8, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Robert Jones
John Kane

MEMBERS ABSENT:

Barb Hampton

Also in attendance: Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:35 p.m.

MOTION #1: by John Kane, second by Kathy Noel, to approve the agenda for April 8, 2019.
Motion carried.

MOTION #2: by John Kane, second by Robert Jones, to accept minutes of March 11, 2019, as written. Motion carried.

CHAIRMAN'S REMARKS: None

NEW BUSINESS: None

OLD BUSINESS:

Commissioners continued review of Ordinance #1.100.

There being no further business the meeting was adjourned at 7:45 PM.

John A. Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

May 13, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Robert Jones
John Kane

MEMBERS ABSENT:

Barb Hampton

Also in attendance: Judy Wright.

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 p.m.

MOTION #1: by Kathy Noel, second by John Kane, to approve the agenda for May 13, 2019.
Motion carried.

MOTION #2: by Kathy Noel, second by John Kane, to accept minutes of April 8, 2019, as written. Motion carried.

CHAIRMAN'S REMARKS: None

NEW BUSINESS:

MOTION #3: by Kathy Noel, second by Robert Jones, to re-elect the current slate of officers.
Motion carried.

OLD BUSINESS:

Commissioners continued review of Ordinance #1.100.

There being no further business the meeting was adjourned at 7:30 PM.

John A. Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

June 10, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel

MEMBERS ABSENT:

Barb Hampton
John Kane
Robert Jones

Also in attendance: Leigh & Mary Brinker and Judy Wright.

Due to the lack of a quorum Chairman Brood apologized to the Brinkers and stated that another meeting would be scheduled as soon as possible.

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
SPECIAL MEETING**

June 20, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Robert Jones
Barb Hampton

MEMBERS ABSENT:

John Kane

Also in attendance: Leigh Brinker and Judy Wright.

Chairman Brood called the meeting to order at 6:30. Mr. Brinker was informed that since this special meeting was called due to the lack of a quorum on June 10, 2019, the customary fee was being waived.

Information pertinent to Mr. Brinker asking the Commission to approve his zoning permit request is as follows:

1. The property in question is parcel #17-008-030-001-10.
2. Subject property was used in the same manner before being purchased by Mr. Brinker.
3. In June 2018 a zoning permit was approved for the construction of a 36' x 24' living unit.
4. Upon receiving the zoning application in May 2019, the Zoning Administrator found that the zoning district is light industrial, and as such, residential use is a non-conforming use.
5. The application was referred to the Commission for review.

Based on provisions of Section 3.01 Unlisted Property Uses the following was moved:

MOTION #1: by Barb Hampton, second by Bob Jones, to approve the zoning application.

Motion carried.

6:35 PM Mr. Brinker left the meeting.

Zoning Administrator Calkins arrived and briefed the Commission on other current issues he was handling.

John Kane, Secretary

Minutes taken and typed by Judy Wright

Planning Commission meeting

for Monday,

July 8, 2019

is cancelled

**PLANNING COMMISSION
SPECIAL MEETING**

July 23, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel
Robert Jones
Barb Hampton
John Kane

MEMBERS ABSENT:

Arthur Brood

Also in attendance: Herman Calkins and Judy Wright.

In the absence of the Chairman, Trustee Noel called the meeting to order at 6:30 PM. Chairman Brood joined the meeting by telephone.

Information pertinent to the Haley Wireless Group, LLC asking the Commission to approve a zoning permit request is as follows:

1. The Haley Wireless Group, LLC has leased property on the premises of the Chippewa County International Airport from the Chippewa County EDC.
2. The dimensions of the leased property are 80' 0" x 85' 0" (sheet C1.1 of the site plan).
3. The height of the proposed tower is 150' 0" (sheet C-2 of the site plan).

Based on provisions of Section 3.19 Supplemental Site Development Requirements

MOTION #1: by John Kane, second by Bob Jones, to return the application to the applicants advising them that the current application does not meet the requirements of Ordinance 1.100 Section 3.19 Paragraph 1. Motion carried.

Meeting adjourned at 7:10 PM.

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

August 12, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel
Arthur Brood
John Kane

MEMBERS ABSENT:

Barb Hampton
Bob Jones

Also in attendance: Herman Calkins and Judy Wright.

Chairman Brood called the meeting to order at 6:40 PM.

MOTION #1: by John Kane, second by Kathy Noel, to approve the agenda with the addition of the Shady Oaks violation memo. Motion carried.

MOTION #2: by Kathy Noel, second by John Kane, to approve the minutes of the special meetings of June 20, 2019, and July 23, 2019. Motion carried.

NEW BUSINESS:

Shady Oak's violation memo: Zoning Administrator Calkins stated that the state of Michigan's Mobile Home Commission Act, Act 96 of 1987, contains regulations that prohibit the types of issues that have been noted at the park. He asked that the Commission endorse him sending the memo to LARA, with the Township Supervisor's approval, to enlist the agency's assistance in correcting the cited issues.

MOTION #3: by Kathy Noel, second by John Kane, to approve sending the violation memo to Michigan LARA, the park owner, and park manager. Motion carried.

Par Plan Questionnaire: The members completed the questionnaire as requested. It will be returned to the Township Clerk.

Recreational Marijuana Opt-Out Ordinance: The members reviewed the sample ordinance from the MTA.

MOTION #4: by Arthur Brood, second by John Kane, to approve the use of the MTA sample ordinance to prohibit recreational marijuana establishments by filling in the blanks and asking the Township Board to approve the same. Motion carried.

OLD BUSINESS:

Haley Communications Group Site Plan: The members reviewed the updated site plan that details the adequate clearance zone as requested.

MOTION #5: by Arthur Brood, second by John Kane, to endorse the approval of the zoning application, pending FAA approval, from the Haley Communications Group. Motion carried.

There will be a workshop to continue review of the Zoning Ordinance #1.100, on Tuesday, August 20, 2019, beginning at 9:00 AM. All commission members are welcome to attend.

Meeting adjourned at 7:30 PM.

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

September 9, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel
Arthur Brood
John Kane
Barb Hampton
Bob Jones

MEMBERS ABSENT:

Also in attendance: Natalie Shaw, Heather Stelzer, Jean Huntley, Herman Calkins and Judy Wright.

Chairman Brood called the meeting to order at 6:30 PM.

MOTION #1: by Kathy Noel, second by Robert Jones, to approve the agenda. Motion carried.

MOTION #2: by John Kane, second by Kathy Noel, to approve the minutes of August 12, 2019, as written. Motion carried.

NEW BUSINESS:

Request for Zoning Approval: Heather Stelzer, of the Great Start to Quality UP Resource Center informed the commission that certain provisions of the home occupation section of the Zoning Ordinance #1.100 would impede Ms. Shaw from opening a group child care home. Specifically the requirement to employ only family members and the hours of operation were cited. Ms. Stelzer was told that the commission had recently decided to add day care facilities to the "Uses subject to special approval" sections in the R1 and R2 zoning districts. With this addition there would not be the restrictions that she had cited.

MOTION #3: by Barb Hampton, second by John Kane, to approve the group child care facility to be located at 65 Evergreen Drive operated by Natalie Shaw. Motion carried.

Burning within the R2 Zoning District: Zoning Administrator Calkins asked that the commission address the issue of open burning within the R2 Zoning District.

MOTION #4: by Kathy Noel, second by John Kane, to add to Section 5 of Ordinance #1.110 the following paragraph 2: "In the R2 Zoning District fires are restricted to either a metal fire ring on the ground or freestanding fire pit no larger than 4' in diameter and 18" deep. Only firewood or charcoal may be burned. No garbage, rubbish, or litter (see definitions in Section 2) may be burned. No burning, of any kind, is allowed without a proper permit from the Department of Natural Resources." Motion carried.

There will be a workshop to continue review of the Zoning Ordinance #1.100, on Thursday, September 19, 2019. All commissioners are welcome to attend.

Meeting adjourned at 7:55 PM.

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

October 14, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel
Arthur Brood
John Kane
Barb Hampton
Bob Jones

MEMBERS ABSENT:

Also in attendance: Judy Wright.

Chairman Brood called the meeting to order at 6:30 PM.

MOTION #1: by John Kane, second by Kathy Noel, to approve the agenda. Motion carried.

MOTION #2: by John Kane, second by Kathy Noel, to approve the minutes of September 9, 2019, as written. Motion carried.

NEW BUSINESS: None

OLD BUSINESS:

Ordinance #1.100 Review: Chairman Brood detailed the changes that were produced from the workshops including removing redundant wording, simplifying sentence structures, converting lengthy sentences to bulleted lists, and overall making the wording more user friendly.

MOTION #4: by Barb Hampton, second by Bob Jones, to request that the Township Board forward the revised edition of Ordinance #1.100 to an attorney before a public hearing is scheduled. Motion carried.

Meeting adjourned at 7:40 PM.

John Kane, Secretary

Minutes taken and typed by Judy Wright

**PLANNING COMMISSION
REGULAR MEETING**

December 9, 2019

4884 W. Curtis St.

MEMBERS PRESENT:

Arthur Brood
Kathy Noel
Bob Jones

MEMBERS ABSENT:

John Kane
Barb Hampton

Also in attendance: Annette Compo, Trevor Medema, Chris Rosema and Derek Caster representing Care by Design

Chairman Brood called the meeting to order at 6:35 PM.

MOTION #1: by Bob Jones, second by Kathy Noel, to approve the agenda with the addition of Care by Design to New Business. Motion carried.

MOTION #2: by Kathy Noel, second by Bob Jones, to approve the October 14, 2019 minutes with the correction that Motion #4 be changed to Motion #3. Motion carried.

NEW BUSINESS: Annette Compo, President of Care by Design provided the group with some company background, advising their Kinross location provides hemp based & CBD medical use products. The company recently purchased their building, and currently utilize 35% of the facility. The company would like to expand their product menu to include high grade Delta medical marijuana products at their location under a Class B license, and would like to expand operations to include grow activities. Ms. Compo provided an informational packet for the Commission to review and consider; and will check back in three/four month's time.

OLD BUSINESS: The group continued review/revision of current Ordinances, completing Ordinances #1.101, #1.102 and #1.103.

Meeting adjourned at 7:32 PM.

John Kane, Secretary