

CHOCOLAY TOWNSHIP PLANNING COMMISSION

CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, JANUARY 25, 1994

AS CORRECTED

**PRESENT:** Bill Sanders, Dave Wurster, Estelle DeVooght, Max Engle,

**ABSENT:** Scott Emerson, Don Wickstrom & Mike La Pointe

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary

**PUBLIC PRESENT:** Cathy DeVooght, John DeVooght, Sharon M. Burns

**PUBLIC HEARING:**

There were no public hearings.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 7:33 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Estelle DeVooght, Dave Wurster, and Max Engle present.

Scott Emerson, Mike La Pointe and Don Wickstrom were absent.

**APPROVAL OF THE MINUTES OF DECEMBER 28, 1993:**

Bill Sanders asked if there were any additions or corrections to the minutes of December 28, 1993

Estelle DeVooght noted that there was a grammar error on page 4 - third paragraph it reads: Estelle DeVooght stated that wood chips and rocks doesn't seem it should be considered green space.

It should be corrected to read: Estelle DeVooght stated that wood chips and rocks shouldn't be considered green space.

Bill Sanders stated that on page 4, paragraph 11 it states: Bill Sanders suggested by using a minimum landscaping it would give developers more flexibility.

Paragraph 11 should be deleted from the minutes.

Bill Sanders asked if there were any more correction or additions to the minutes of December 28, 1993. There were none.

Estelle DeVooght moved, Max Engle supported that the minutes of December 28, 1993 be approved as corrected.

**Motion Carried: 4-0.**

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders asked if there were any additions or changes for the agenda?

Cathy DeVooght - 6341 U S 41 S - stated she distributed information to the Planning Commission members regarding rezoning #69 regarding the Marquette County Planning Commission's recommendation and would like to request that the Chocolay Township Planning Commission consider the item at the meeting tonight or the Planning Commission Meeting in February.

The Planning Commission stated they would consider hearing the information regarding Rezoning #69 tonight.

Max Engle moved, Bill Sanders supported that an addition to the agenda under New Business A - Consider Rezoning #69 be added to the agenda and be considered before Old Business.

Motion Carried 4-0.

Bill Sanders moved, Max Engle supported the approval of the agenda with the addition of New Business A - Consider Rezoning #69 as discussed.

Motion Carried 4-0.

**PUBLIC COMMENT:**

Bill Sanders asked if any of the public had any comments or wanted to reserve time during any particular agenda item?

Cathy DeVooght stated she would like to reserve time under New Business, A - Consider Rezoning #69.

Bill Sanders asked if there were any further comments under the first Public Comment section. There were none. They first Public Comment section was closed.

**NEW BUSINESS:**

**CONSIDER REZONING #69:**

Mike Farrell stated that the Chocolay Township Board requested the Township Planning Commission to review the Rezoning #69 based on the recommendations made by the Marquette County Planning Commission and bring back comments to the Township Board after the Planning Commission has reviewed the Marquette County Planning Commission's recommendations.

Mike Farrell presented an overlay of Section 28. He is recommending to the Planning Commission not to rezone #69 based on the same reasons that was stated in the June 23, 1993 Planning Commission Meeting minutes.

Estelle DeVooght inquired if the Township Planning Commission or the Township Board would make the final decision.

Mike Farrell stated that rezoning #69 is dead. This is a whole new process.

Bill Sanders stated we either agree with the County Planning Commission's recommendations or stick to the Township Planning Commission's recommendations as stated in the June 22, 1993 minutes.

Cathy DeVooght read the letter dated January 15, 1994 that she delivered to all the Planning Commission Members and went over the history and information pertaining to rezoning #69. She feels that what she is requesting is reasonable and RR-2 and RB are compatible with each other. The land is not prime farm or forest land.

She also stated that before the present Zoning Ordinance was adopted, the Wieteks made approximately six (6) property splits.

Scott Emerson arrived at the meeting at 7:55 p.m.

Cathy DeVooght also stated that basically there are 1-5 acre lots and 10 acre lots. She stated there are two (2) farms in the RR-2 District, which are the Reader Farm on Greenfield Road and the Heitman Farm off U S 41 South.

John DeVooght stated the land pertaining to this rezoning is not good farm land.

The Planning Commission Members discussed various issues regarding Section 28 and pertaining to rezoning #69 including the following:

Extend public services, the 1977 Zoning Ordinance and map, spot zoning, the Comprehensive Plan and the ability to utilize land.

Bill Sanders moved, Scott Emerson supported that the Planning Commission recommend to the Chocolay Township Board not to consider

rezoning Section 28 (rezoning #69) as recommended by the Marquette County Planning Commission on July 9, 1994, but for the reasons stated at the Chocolay Township Planning Commission Meeting of June 22, 1993.

**Motion Carried: 3-2**

**OLD BUSINESS:**

**A. Discuss Home Definitions and General Standards Language:**

Mike Farrell stated that the language for Home Definitions and General Standards as discussed at a previous Planning Commission went to the Township Board for their review and discussion for approval. They referred it back to the Township Planning Commission for more review and changes.

After discussion and comments by the Planning Commission the following motion was made:

Scott Emerson moved, Bills Sanders supported that language pertaining to Home Definitions and General Standards be approved as discussed and referred back to the Chocolay Board for approval.

**DWELLING, SINGLE-FAMILY,** a structure containing not more than one dwelling unit designed for residential use and conforming in all respects to the standards set forth in Section 401.

**DWELLING, MULTI-FAMILY,** a structure containing two more dwelling units designed for residential use, with or without separate kitchens or dining facilities, and conforming in all respects to the standards set forth in Section 401. These may include apartment houses, apartment hotels, rooming houses, boarding houses, fraternities, sororities, dormitories, row houses, townhouses, and similar housing types, but not including hotels, motels, hospitals, or nursing homes.

(Replace Sec. 401 General Regulations with)

**SECTION 401 GENERAL REGULATIONS**

Every single-family dwelling and multi-family dwelling shall have a minimum floor area of 800 square feet, and every dwelling unit in a multi-family dwelling shall have a minimum floor area of 600 square feet, provided:

(A) It has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Marquette County Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Marquette County Building Code, then and in that event such federal or state standards or regulations shall apply.

(B) It is firmly attached to a permanent foundation constructed on a site in accordance with the Marquette County Building Code and constructed of such material and type as required in the applicable building code for residential dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.

(C) In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels and under carriage removed. Additionally, no dwelling shall have any exposed towing mechanism, under carriage or chassis.

(D) The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.

(E) The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.

(F) The foregoing shall not apply to mobile homes located in a licensed mobile home park or zoning district R-2 except to the extent required by state or federal laws or otherwise specifically required in the ordinance of the Township pertaining to such parks and zoning district.

Motion Carried: 5-0.

**B. Discuss Landscape Language for Zoning Ordinances:**

Mike Farrell provided the Planning Commission Members with material on various types of landscape information pertaining to a landscape ordinance.

After discussion on the landscape issue it was stated that landscape language is a high priority item and be considered for an agenda item for the February Planning Commission Meeting.

Some of the comments and concerns were:

1. More green space in parking areas.
2. Landscape be considered part of the Zoning Ordinance.
3. Enforcement may be a problem.
4. Preservation of wood lot areas.
5. Information be distributed when a Zoning Compliance Permit is obtained.
6. Alternative for enforcement may be able to be on a cost sharing basis with other townships in the area.

Mike Farrell stated Chocolay Township is a member of the Marquette County Townships Association (MCTA) and would inquire if there is any interest from other townships concerning the cost sharing of enforcing a landscape ordinance.

It was also requested that the survey that was done within the last couple of years be distributed to the Planning Commission Members.

**C. Zoning Ordinance Changes - Sign Regulations.**

Mike Farrell distributed suggested language to the Planning Commission members pertaining to signs. There was a general discussion on the following:

**SEC. 809 TOURIST DIRECTIONAL SIGNS.**

In addition to the signs permitted in Section 802, 803, and 804, off-premises signs directing motorists to facilities within the township required by tourists, hunters, and fishermen shall be permitted upon permit granted by the Zoning Board of Appeals upon finding that substantial number of motorists who might seek the advertised establishments pass the proposed location; that such establishment has no other sign visible from the same road; that consent of the property owner has been obtained; and that placement of the sign will not cause any hazard or significant obstruction of any scenic view; provided, however, no such sign shall have any area exceeding 100 square feet or a height in excess of 10 feet.

Tourist directional signs located in any R-1 or R-2 District shall not exceed 32 square feet or a height in excess of 10 feet. Signs permitted by this section must not be located within any state highway, county road or private road right of way or easement.

Mike Farrell commented that some tourists, hunters, fishermen, etc find locations of golf courses, recreational areas, etc. hard to find without some type of sign information.

**SEC. 811 SIGNS PERMITTED IN RR-2 AND RP IN CONJUNCTION WITH CONDITIONAL USES:**

Signs permitted in RR-2 and RP in conjunction with conditional uses shall not exceed 60 square feet and a height not exceeding 10 feet is permitted. Signs permitted by this section must not be located within any state highway, county road or private road right of way or easement. [shall be subject to the height and setback requirements of Sec. 300.]

At present tourist signs are not permitted in the R-1 or R-2 district. Off premise signs are needed for Chocolay Downs Golf Course and Gentz Golf Course.

**SEC. 812 SIGNS PERMITTED FOR GOLF COURSES**

One sign identifying each golf course, having an area not exceeding 60 square feet and a height not exceeding 10 feet is permitted. Signs permitted by this section must not be located within any state highway, county road or private road right of way or easement.

Mike Farrell commented Chocolay Downs Golf Course is non-conforming advertising in a subdivision. Permit was good for two (2) years advertising the located of the Golf Course. Permit expired January 1, 1994.

Must obtain permission from adjacent property owners. Property owners has to be off the right-of-way.

No lighted signs.

Sign would be on private property.

State Highway Department doesn't foresee the sign as a problem.

Waiting word from the County Road Commission.

Present sign is less than 32 square feet.

Planning Commission members doesn't foresee Chocolay Downs Golf Course as a problem.

Estelle DeVooght inquired when Gentz's Golf Course would be opening?

Mike Farrell stated possibly three (3) holes in the Summer of 1994.

**Mark Maki's Memo - Regarding Suggested Zoning Amendments**

Mike Farrell stated some of the issues address in the memo from Mark were discussed at a previous Planning Commission Meeting.

**Section 212: RP District:**

- \* Remove campgrounds, day camps, winter sports facilities, kennels, trails from permitted to Conditional Uses on 20 acres. This will insure that these uses are compatible and lot sizes adequate.

Max Engle stated that possibly kennels could become a problem.

- \* Add camps (recreational structures) to RP with setbacks.

Comment was made regarding the possibility of reducing the minimum square footage, but restrict to certain zoning districts.

Estelle DeVooght inquire about day camps.



Mike Farrell stated that in the present Zoning Ordinance there is no definition of day camps.

Currently no provision for camps in Zoning Ordinance.

### Section 300:

\*1. Put minimum lot sizes for C-1, C-2, C-3 areas. This will provide for adequate frontage for useable lots and unnecessary driveway culverts.

Comment was made that there is a need for minimum lot size for C-2, C-3 areas.

2. Spell out height for detached accessory buildings (14 feet).

Comment was made that the Township Board in the past was not in favor of height requirements.

3. Increase green areas in Commercial areas from 10 to 15%.

The Planning Commission members agreed that this is a priority item and should be considered in the Zoning Ordinance.

4. Make it illegal to create lots which do not meet the minimum set forth in each district. The Township has spent 1,000's of dollars in court fighting over these unbuildable lots. It's better to stop it right away.

It was suggested a way to avoid this would be possibly at the Register of Deeds Office in that they wouldn't accept any non-conforming lots if it didn't fall within the township's zoning.

It was also stated that when a person enters into a land contract it is not required to record them at the Register of Deeds Office.

### Section 402 Frontage Requirements (Private Roads):

Change requirement of two names to one.

The Planning Commission members felt one (1) name was sufficient.

Change private road designation requiring "trails" name (delete) as this no longer realistic. private roads are being developed in residential areas now.

The Planning Commission Members agreed that for future requirements for private roads that either blvd. or lane be used, not trails.

More restrictive road requirements in R-1 such as paving versus gravel.

The Planning Commission Members agreed with Mark's suggestion regarding restrictive road requirements, such as paving versus gravel.

### Section 403 Waterfront Setback:

Require setback for all waterfront lots.

30' setback to preserve natural area should be changed and required to protect the waterfront, flood way, etc. on all lots.

It was suggested that we may want to require setbacks pertaining to waterfront.

Scott Emerson suggested that possibly the Chocoyay Watershed Council to go over the scientific criteria for the Chocoyay River.

### Parking:

Increase parking spaces for offices 1 per 300 square feet to 1 per 200 square feet.

Scott Emerson suggested that this could possibly be considered in the landscape ordinance.

Mike Farrell stated he would look in the Planning Magazine dealing with parking areas over the next couple of months regarding stalls, large to small and the pros and cons.

#### Mining Text:

Eliminate topsoil from requiring a mining permit. It makes no sense to have a two month permit process for a 1 week removal process.

It was suggested that possibly a grading permit process be obtained for the removal of top soil.

#### PLANNING DIRECTOR'S REPORT:

Mike Farrell discussed the following issues during the Planning Director's Report:

Faith Assembly of God Church will be coming back to the Planning Commission for consideration of the final approval of the Conditional Use Permit.

At the February Planning Commission meeting zoning issues and the map should be an item of priority.

Mike stated that the Annual Report of the Planning Commission were distributed. Urged the Planning Commission members to review it and be prepared to add or delete items for the February Planning Commission Meeting to put in the final report.

He stated he attended a MTA conference down state and one of the issues he brought up was to have more workshops for continuing education of Planning Commissions. It was felt that the lack of attendance on previous workshops were not well attended and the nearest one would probably be in the area of Gaylord. Some of the Township Planning Commission members felt that the workshops were well attended when they were in Marquette.

Mike stated he would continue to provide the Planning Commission with handouts on landscaping information. He also stated there are other booklets in the office that the Planning Commission Members could check out.

Mike stated that the Planning Commission members discuss concepts of planning at a regular meeting.

Another topic on the February Planning Commission Meeting will be the renaming of Willow Road.

Mike checked with the township attorney on the precedent of the renaming of the road. There are no precedent in the renaming of any road.

The applicant has submitted a new name which is Riverd Rivard Trail.

Mike stated safety issues should be a priority in this case. Mike will try to have someone from emergency personnel from the various emergency services to provide information regarding the response on locating the correct entrance on Willow Road when various emergency situations have occurred.

Prioritized zoning issues should be done at a Planning Commission meeting.

A calendar on the various schedule of events that will be taken up at the Planning Commission Meetings will be prepared.

Hotel Place - It was stated that the deed excludes the road.

Leo Glass's property on Kawbawgam Road. It was stated that it is no-conforming.

It was also asked if anything has been requested on the Wahlstrom's property. Not at this point.

**PUBLIC COMMENT:**

There was none.

**ADJOURNMENT:**

There being no further business the Planning Commission Meeting was closed at 10:15 p.m.

Estelle DeVooght  
Estelle DeVooght  
Planning Commission Secretary

Jeanette R. Collick  
Jeanette R. Collick  
Recording Secretary



## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, FEBRUARY 22, 1994

AS CORRECTED

**PRESENT:** Bill Sanders, Dave Wurster, Mike La Pointe, Estelle DeVooght, Don Wickstrom

**ABSENT:** Scott Emerson & Max Engle

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary

**PUBLIC PRESENT:** Mark Larson, John Evans, Sharon Burns, Gary Gorsalitz, Christine Gorsalitz

**PUBLIC HEARING:**

There were no public hearings.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 7:33 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Dave Wurster, Estelle DeVooght, Mike La Pointe and Don Wickstrom present.

Scott Emerson and Max Engle were absent.

**APPROVAL OF THE MINUTES OF JANUARY 25, 1994:**

Bill Sanders asked if there were any additions or corrections to the minutes of January 25, 1994?

Mike Farrell noted that on page 7 it read comment was made that there is a need for minimum lot size for C-2, C-2, C-3 areas.

It should read comment was made there is a need for minimum lot size for C-1, C-2, C-3 areas.

Mike Farrell also noted that on page 9 last sentence reads the applicant has submitted a new name which is Rivord Trail.

It should read the applicant has submitted a new name which is Rivard Trail.

Bill Sanders asked if there were any more correction or additions to the minutes of December 28, 1993. There were none.

Bill Sanders moved, Estelle De Vooght supported that the minutes of January 25, 1994 be approved as corrected.

**Motion Carried: 5-0.**

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders asked if there were any additions or changes for the agenda?

There were none.

Estelle De Vooght moved, Don Wickstrom supported that the Agenda be approved as presented.

**Motion Carried 5-0.**

**PUBLIC COMMENT:**

Bill Sanders asked if any of the public had any comments or wanted to reserve time during any particular agenda item?

Gary Gorsalitz - 915 Willow Road requested to reserve time under Old Business A - Consider Request to Change Willow Road Name.

Mark Larson - 333A W. Park requested to reserve time under Old Business B - Consider Assembly of God Church - Conditional Use.

Christine Gorsalitz - 915 Willow Road requested to reserve time under Old Business A - Consider Request to Change Willow Road Name.

Bill Sanders asked if there were any further comments under the first Public Comment section. There were none. The first Public Comment section was closed.

OLD BUSINESS:

A. CONSIDER REQUEST TO CHANGE WILLOW ROAD NAME:

Mike Farrell read previous letters from property owners that were presented at the Planning Commission Meeting held on July 27, 1993. He also went over comments made by property owners made at the July 27, 1993 Planning Commission Meeting.

Scott Emerson arrived at the Planning Commission Meeting at 7:45 p.m.

Estelle De Vooght read letters from Greg Zyburt (Chocolay Township Police Chief), Shirley Murphy Furr, Mike Farrell and Chocolay Township Volunteer Fire Department stating that they are in favor of Willow Road name being changed to Rivard Trail.

Gary Gorsalitz - 915 Willow Road - residing since 1977 commented he feels the road should not be changed for the following reasons:

- 1. Potential Costs
- 2. How many wrong access incidents have occurred before the 911 system?
- 3. How many from South end of Willow Road have occurred?
- 4. Police Department and Fire Department - knows addresses from above 900 Willow Road can be accessed from Ortman Road.
- 5. When a 911 phone call is made the address is automatically given.
- 6. Police Department & Fire Department have maps and are professional enough to find the directions.
- 7. Expense - professional business - how many incidents have occurred at the North end prior to 922 start up?
- 8. Inconvenient request - feels the request is being used as a convenience - not as an emergency basis.
- 9. Taxes are being paid.

Christine Gorsalitz - 915 Willow Road - commented on the following:

- 1. Residence since 1977.
- 2. 1979 road was blocked off. Houses were marked.
- 3. Given assurance by Fire Department personnel and access was very noticeable for access by Ortman Road.
- 4. Police response before 911 system - response was within 10 minutes. Her daughter called and a police officer responded in sufficient time.
- 5. Young children have a hard time remembering addresses. Children know their address and if the Road name is changed, they may give the old address and may not remember the new name. Feels this should be considered a safety factor.
- 6. When emergency calls have been made, they have been responded

to adequately.

Mike Farrell presented the area 900 and above on the overlay.

Bill Sanders inquired how many property owners were for and against the road name previously.

Mike Farrell stated 5 out of 7 property owners were against the road name being changed.

Don Wickstrom inquired why the Police and Fire Department considered the safety concern now? Why wasn't it brought to the Planning Commission before?

He also commented it is an expense to the people that this change would affect.

Dave Wurster inquired if Willow Road would ever go through?

Mike Farrell state - no, Willow Road is a private road.

Gary Gorsalitz - 915 Willow Road stated Willow Road was blocked off in 1979. There was a fence across and could be opened up.

After much discussion on the name change of Willow Road the following questions and comments were given:

Willow Road is a private road and an unusual situation.

Willow Road is not up to public standards.

Not enough right-of-way.

Lots were sold without ownership of the road.

911 calls -- a non-resident may not know the area and address numbering of Willow Road and you may make a mistake on the correct access to use.

According to our township attorney - road is owned by one person and that person is making the request and not precedent not being able to change the name.

Has anything been done by the property owners regarding the legitimate expense. Possibly a date be set to give property owners to change address on checking accounts, savings accounts, letterhead, credit cards, etc.

Willow Road is an old issue and there are new staff on fire department and other emergency services that are not familiar with Willow road.

Does the Planning Commission have the right to deny the road name change?

Property owner wants to change the name in a memorial to her mother.

It was suggested possible a N & S Willow Road for a name change instead of Rivard Trail.

It was noted that the request to change the road name to Rivard Trail and there was no conflict with the proposed name.

It was stated we must rely on the Police and Fire Department regarding their opinion for emergency purposes and changing the name of the Road.

Applicant has went through the application procedures.

It was asked if the applicant had been approached on the costs that would occur to the property owners when/if the road name would be changed.

The applicant has not been approached on this .

Mike Farrell stated he did tell the owner costs would be occurred by the property owners, but did never talked actual dollars and cents.

It was asked when this name change went to the Township Board that a possible time frame in changing the name and addresses to be incorporated with their recommendation such as 6 months to a year.

What is stopping the applicant to change the name in the future again?

Mike Farrell stated the Township Board has rights to name the road in the community.

Mike Farrell stated that in talking with the zoning administrator that if an emergency occurred and the emergency personnel went the wrong way on the road and didn't perceive the road name change and something happened, the township may be liable.

It was felt that if the time was 6 months to 1 year it would just provide more time to spread the cash expense for the property owners that the road name would affect.

Estelle De Vooght moved, Bill Sanders supported that the Planning Commission recommend to have the name of Willow Road with access off Ortman Road to be changed to Rivard Trail and take affect on October 1, 1994.

MOTION CARRIED 4-2.

**B. CONSIDER ASSEMBLY OF GOD CHURCH - CONDITIONAL USE:**

Mike Farrell stated the applicant, Faith Assembly of God Church, was provided a conditional use permit February 23, 1993 Planning Commission Minutes to build a church at the property on Dana Lane. The Conditional Use Permit was granted for the purchase of the land. One of the conditions was that the final plans be submitted to the Planning Commission for review and final approval for compliance with original plans. Mike stated he has reviewed the final plans and feel they do not constitute a major change from the plans submitted.

Mark Larson - 333A Park Street - Marquette - Applicant for Faith Assembly of God has went over the final plans with Mike Farrell and Mark Maki.

Mark Larson made comments on the following:

1. Landscaping will be done in the Spring. Trees will be planted that will grow in the area.
2. Parking lot paving - The parking lot will not be paved until the money comes in. A reprocessed asphalt will be used until then.
3. Vinyl siding will be used on the two sides not facing the road. The reason for this is that the vinyl siding could be removed if an addition would be built.

The following questions and comments were made by the Planning Commission members.

What action does the Planning Commission have to do to approve the site plan?

Mike Farrell stated that conditions 4 - 8 have to be complied with and may want to include condition #1 - vegetation.

The Planning Commission Members commented on the very nice job that the Faith Assembly of God Church has done to preserve the land and the natural preservations.

Mike La Pointe moved, Bill Sanders supported that the Chocolay Township Planning Commission approve the final plans for the Faith Assembly of God as presented with the conditions listed below:

1. That the applicant consult with the Township Planner and Zoning Administrator on proper vegetative landscaping necessary to screen the proposed development from adjacent properties.
2. All plans be reviewed by the Township Zoning Administrator and conform with all established regulations as stated in the Chocolay Township Zoning Ordinance #34.
3. That Zoning Compliance Permit be obtained from the Chocolay Township Zoning Administrator prior to start of construction.
4. That the necessary permits as required by Federal, State and Local Agencies be acquired prior to project commencement.
5. That non-fulfillment of any of the conditions as set forth in this approval shall constitute a violation of the conditional use permit and may lead to the revocation of the conditional use permit.
6. That the applicant comply with all of the Michigan Department of transportation for access off M 28.
7. Vinyl siding will be placed on the Southeast and Southwest sides of the church.
8. Buffer is 75 feet.

MOTION CARRIED 6-0.

**C. DISCUSS LANDSCAPE LANGUAGE FOR ZONING ORDINANCE (ONGOING DISCUSSION):**

Mike Farrell stated he would like have the Planning Commission to consider to have a committee of three Planning Commission members to look through the landscape information and present language back to the Planning Commission for consideration of possible enforcement of the Landscape Ordinance.

Scott Emerson and Dave Wurster volunteered to be on the committee to review this information and present it to the Planning Commission for consideration of a landscape ordinance.

Scott Emerson commented on the material provided.

**D. ZONING ORDINANCE CHANGES - PRIORITIES (ONGOING DISCUSSION):**

Scott Emerson presented the following list he felt would be considered high priority items for the Planning Commission to work with:

1. Landscaping Ordinance
2. Ground Water
3. Re-zoning
4. Private Roads

Under landscaping the following suggestions were made that may be considered:

1. Screen buffer

Do we want to focus on both commercial and residential?

The Village of Harvey was given as an example.

2. Lighting
3. Power - underground
4. Setback - wetlands
5. Woodland - preservations

6. Trees - specific types be planted and preserved.

It was also suggested possibly sub headings under each item be considered such as:

- a. Enforcement
- b. Development
- c. Justification
- d. Addition Information

It was also inquired if the Planning Commission is going to have support from the Board before putting in alot of time and effort in the landscaping issue?

Don Wickstrom thought that the Planning Commission would possibly obtain support from the Board. It was recommended that once the Planning Commission get the priorities set up that we present an outline (preliminary sketch) to the Township Board.

Mike Farrell stated he felt the Board would be receptive to the landscaping ordinance, but cost may be a key factor. The outline approach is a good aspect.

Scott Emerson stated good communication with the Board is another key factor.

The following comments were made under: Groundwater Contamination:

Scott Emerson felt the Planning Commission should have input on the Watershed Council.

Scott Emerson inquired about the groundwater contamination in Harvey.

He stated that there was a 1988 survey done by the DNR. It was stated that there were eleven (11) hot spots identified in that report. Harvey Inn was a gas station at one time. It was suggested that the Township try to obtain a copy of the 1988 survey.

Mike Farrell stated he is constantly identifying the sources of contamination. Waiting for the State to take appropriate action.

Mike also stated he is on the GEM Board. Chocolay Watershed is also looking into the matter and probably will be doing an inventory and identifying the trouble spots.

It was also stated that Chocolay Township is being considered a model for the project by Michigan Tech.

Mike Farrell stated a site was chosen for a possible well system. Location will probably be by the Silver Creek Recreation Area.

The following comments were made regarding rezoning:

Mike Farrell presented an overlay regarding the R-1 Zoning District:

The following were suggestions regarding steps for zoning approval:

1. Site Plan View
2. Septic & Well
3. Run-off.

The following were suggestions regarding Zoning Ordinance Changes:

1. Top soil:

It was suggested that consideration be given to not allow the removal of top soil in Agricultural or Residential areas.



2. It was suggested that we need more commercial area. Possible the Village concept.
3. It was suggested possibly the Northeast side - US 41 - M 28 & Cherry Creek Road be considered for commercial expansion.

Mike Farrell stated he would take a look at the zoning district maps and take an inventory on the density in each of the three districts and at a Planning Commission meeting put together re-zoning maps.

Comment on the Old Jack's building:

It was stated just certain it was zoned just for certain types of business because there is a minimal parking area.

Square footage for camps should also be considered for when working on zoning ordinance.

The following comment was made regarding Private Roads:

Scott Emerson stated that when considering private road standards the specifications should comply with the County Road standards.

Mike Farrell stated he would schedule a Planning Commission Executive Committee meeting and present issues to the Planning Commission on specific items and a time period to get them done.

The Planning Commission Executive Board consists of Bill Sanders, Max Engle and Estelle DeVooght.

#### CONSIDER ANNUAL REPORT:

Dave Wurster inquired about money in continuing education.

Mike Farrell stated this money budgeted for the Planning Commission members and Planning Director to attend training seminars and workshops.

Scott Emerson moved, Don Wickstrom supported to approve the Annual Report as written and present it to the Township Board.

MOTION CARRIED 6-0.

#### NEW BUSINESS:

##### REVIEW PLAT - ELDERWOOD SUBDIVISION:

Mike Farrell presented information pertaining to the Elderwood Subdivision.

He stated this would be accessed by sewer.

It also meets the County Road standards.

Mike Farrell showed a portion that would not be able to built on. It was stated that possibly this could be designated for wildlife or recreational use, such as a bike bath.

Mike Farrell stated that we could require that an easement for recreational use be obtained. The Township has ninety (90) days to act on this. It also goes to the Drain Commissioner, Marquette County Road Commission, DNR and the Health Department.

It then comes back for the final approval on lot size, lot configuration and layout.

Larry Gould also has to review it for the sewer concept.

#### PLANNING DIRECTORS REPORT:

Mike Farrell stated the following workshops are scheduled for the Planning Commission members to attend, if the wish to do so:

1. February 28, 1994 from 6:00 p.m. - 9:00 p.m. - Skandia Community Center - Cost is \$2.00. This workshop is being put

on by CUPPAD.

2. March 9, 1994 from 1:00 p.m. - 5:30 p.m. - Gaylord
3. March 30, 1994 from 8:30 a.m. - 5:00 p.m. - Gaylord.

Dave Wurster stated he would be interested in attending the workshop on March 30, 1994.

Mike Farrell stated that the Chocolay Watershed Council has adopted the By-laws Procedures for the Council.

The Chocolay Watershed Council consists of members from the (Technical) DNR, Marquette Health Department, Soil Conservation Department, Drain Commissioner, Sands Township (1 representative), Chocolay Township (2 representatives), and (non-technical) 5 appointments at large. Technical members can't hold an office.

Grant has been tentatively approved. It is a one (1) year grant. Planning position will provide the inventory and identify the problem spots.

Inventory is micro soft accessible.

#### MEMORIAL:

Mike Farrell stated a local church wishes to establish a memorial garden to deposit cremations, if members of their congregation wishes to do so.

It was inquired if their were any regulations on this use and operating under a conditional use?

Prince of Peace Lutheran Church is the church inquiring about the memorial.

Mike La Pointe will obtain a set of plans and bring to the March 22, 1994 Planning Commission Meeting.

After discussion on this it was stated that some of the Planning Commission members were in favor of this type of use.

Dave Wurster will get information from his church on this for the March 22, 1994 Planning Commission Meeting.

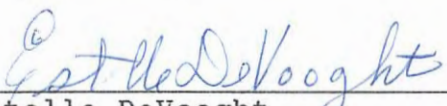
#### PUBLIC COMMENT:

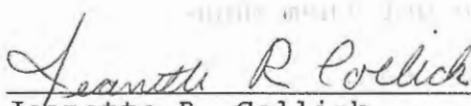
Bill Sanders inquired if the Planning Commission felt a roll call vote was necessary for the motions in the minutes. After discussion the Planning Commission unanimously agreed if the Chairperson of the Planning Commission felt it necessary to have a roll call vote, then one would be taken. If not the motions will be stated in the minutes as it is being none currently.

There being no further Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

#### ADJOURNMENT:

There being no further business the Planning Commission Meeting was closed at 10:00 p.m.

  
 Estelle DeVooght  
 Planning Commission Secretary

  
 Jeanette R. Collick  
 Recording Secretary

## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, MARCH 22, 1994

AS CORRECTED

**PRESENT:** Bill Sanders, Max Engle, Estelle DeVooght, Dave Wurster,  
Mike LaPointe

**ABSENT:** Scott Emerson & Don Wickstrom

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary

**PUBLIC PRESENT:** Sam Elder, Bob Cambensy, Dan Trotochaud, Jane  
Surrell

**PUBLIC HEARING:**

There were no public hearings.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the  
Planning Commission to order at 7:34 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Dave Wurster, Estelle  
DeVooght, Mike La Pointe and Max Engle present.

Scott Emerson and Don Wickstrom were absent.

**APPROVAL OF THE MINUTES OF FEBRUARY 22, 1994:**

Bill Sanders asked if there were any additions or corrections to  
the minutes of February 22, 1994?

On page 5 - Motion regarding Willow Road, it stated Motion Carried  
5-0. It should have stated Motion Carried 4-2.

Page 8 - Suggested regarding Zoning Ordinance Changes: It stated:

## 1. Top Soil

It was suggested that this be incorporated into the Mining  
Mineral Extraction Ordinance or not even be able to remove top  
soil or possible rezoning may be given.

It should be changed to read:

1. It was suggested that consideration be given to not allow the  
removal of top soil in Agricultural or Residential areas.

Page 9 paragraph stating: Mike Farrell stated he would schedule  
and Planning Commission Executive Committee and to prioritized and  
present to the Planning Commission on specific items and a time  
period to get them done.

It should read:

Mike Farrell stated he would schedule a Planning Commission  
Executive Committee meeting and present issue to the Planning  
Commission on specific items and a time period to get them done.

Page 10 Paragraph stating: Mike Farrell stated a local church  
wishes to establish a memorial garden to have deposits cremations,  
if members of their congregation wishes to do so.

It should read:

Mike Farrell stated a local church wishes to establish a memorial garden to deposit cremations, if members of their congregation wishes to do so.

Bill Sanders asked if there were any further corrections or additions to the minutes of February 22, 1994 minutes. There were none.

Bill Sanders moved, Mike LaPointe supported that the minutes of February, 1994 be approved as corrected.

Motion Carried: 5-0.

#### APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:

Bill Sanders asked if there were any additions or changes for the agenda?

Mike Farrell requested that under Old Business - Item C - Elderwood Plat Review be added.

Under New Business - Item B - Chocolay Watershed Appointments be added.

Bill Sanders asked if there were any further changes for the agenda. There were none.

Bill Sanders moved, Mike LaPointe supported that the Agenda be approved with additions as discussed.

Motion Carried 5-0.

#### PUBLIC COMMENT:

Bill Sanders asked if any of the public had any comments or wanted to reserve time during any particular agenda item?

Dan Trotochaud reserved time when the Chocolay Downs PUD was being discussed and Bob Cambensy and Sam Elder reserved time when the Elderwood Plat was being discussed.

Mike Farrell requested that under New Business - item A - Groundwater Education in Michigan (GEM) be moved up on the agenda when Jane Surrell - Marquette County Health Department returned. Bill Sanders asked if there were any further comments under the first Public Comment section. There were none. They first Public Comment section was closed.

#### OLD BUSINESS:

##### CHOCOLAY DOWNS PUD - DISCUSSION OF PLANS:

Mike Farrell stated that Dan Trotochaud obtained a market study regarding the types of condos desired by proposed residents.

Dan Trotochaud stated that in the market study that was obtained that prospective buyers wanted detached units or duplexes.

He would like to obtain more flexibility to change the design of the condos from triplexes and fourplexes to detached units or duplexes. He is not proposing to change the intent or the way it is laid out. He is still proposing the three (3) clusters, he would like the Planning Commission to grant permission to change the type of housing.

The information regarding each phase would be put in the Master Deed. There will still be 30' set backs and a space between the units. There will be grass and shrubs and the walking path with each unit. Each unit costs approximately \$129,000 - \$149,000 to build.

Some prospective buyers want a model to be built. They are interested in quality of the condo.

Each phase consists of the following:

1. Seek preliminary approval
2. Reservations
3. Construction

He also stated that each phase would have a Master Deed and One Association. Each phase would have a representative on the association.

There will still be 33 units and 11 in each phase completed.

Mike Farrell stated Mt. Trotochaud would still have to obtain approval from the Fire Department concerning the radius for the curb for fire protection.

He also talked with Mr. Trotochaud regarding the escrow for the replacement of septic system.

Mr. Trotochaud stated he would keep the Planning Commission informed regarding any problems and/or progress of each phase of the project.

It was stated there was very little change of ground coverage. It was less than 2%.

Estelle DeVooght inquired where the garage would be. It was stated the garage would be on the end of each building.

The Planning Commission members had no problem with the concept.

Bill Sanders moved, Estelle DeVooght supported to recommend to the Township Board to allow the Chocoy Downs P.U.D. to construct detached or duplexes as presented and discussed tonight.

Motion Carried 5-0.

#### NEW BUSINESS:

#### GROUNDWATER EDUCATION IN MICHIGAN (GEM) PRESENTATION:

Jane Surrell - representative from the Marquette County Health Department gave a presentation on groundwater contamination in Marquette County. She presented information on the overhead and a movie regarding groundwater. GEM stands for Groundwater Education in Michigan.

Marquette County has 122 contaminated wells, and in the top 23% in the State.

#### ELDERWOOD PLAT:

Sam Elder and Bob Cambensy gave a presentation of the proposed Elderwood Plat:

Mike Farrell gave the planning commission members a copy of a memo from Larry Gould and Mike Farrell addressing a number of concerns that the plat needed to be aware of and/or incorporate into the plat. These concerns identified were:

1. Complete set of plans and specifications for the proposed sewer extension must be submitted to the Township Office for review and approval. A majority of the sewer to service the subdivision was installed with Cherry Creek Road Sanitary Sewer extension, but there is to be extensions off of the existing main as well as the possibility of additional leads to serve additional lots.



2. A question was raised on the availability of municipal sewer for lots 4, 5, and 6. It appears that the sanitary sewer may need to be extended on Juliet Street to service the area and the question was also raised about the availability of gravity sewer for these lots since some of that area is very low. We also discussed lots 18, 19 & 20 that was proposed for on site septic systems if they could be approved by the County Health Department. Since that meeting and subsequently submitted to Bob Cambensy, the Township's Subdivision Control Ordinance requires that all lots of platted subdivision within a quarter mile of the sanitary sewer be serviced.
3. We talked about a variety of easements for the municipal sewer as well as the Township's inquiry about the possibility of a easement from Judy Street to the proposed street which would allow access to Cherry Creek Road and the Cherry Creek School.
4. The pond area or part of the pond area is to be designated as a drainage area and we discussed the possibility of having the entire pond area dedicated and restricted if it is needed for drainage retention for the subdivision and other upstream areas.
5. Also discussed was the possibility of the utility easement from the end of the Township's Sewer on Veda Street Southwesterly to Ortman Road to provide future access for Township Sanitary Sewer Extension to service the area South of Ortman Road.
6. We discussed the possibility for the need of a cul-de-sac at the end of Veda Street for the turn around of vehicles as well as the possibility of needing frontage for the end lot to meet zoning requirements.
7. When the preliminary plat is filed with the township there is mandatory \$200 filing fee.
8. We discussed the availability of the sanitary sewer service for the New Life Church property which is located adjacent to and North of the proposed development. The developer was to check with the representatives to determine if they would like access to the Cherry Creek Road Sanitary Sewer Extension or if they still anticipated making a connection to the sewer at the end of Juliet Street. It appeared to us that it would be more cost effective for them to connect to the sewer in the new Elder development.
9. The proposed cul-de-sac at the end of Juliet Street was shown on property owned by the New Life Church. Sam was to discuss this with the Church.
10. As part of the construction for the new plat the sewer leads for the existing sewer under the proposed road would have to be extended to the lot lines.
11. It appeared that the draft plan had a 125 foot frontage on the lots but it was requested that this be shown on the preliminary plat.

Most of the concerns identified by Larry Gould and Mike Farrell were addressed on the plans provided except for:

1. Wastewater service for lots 18, 19 and 20.
2. Wastewater service for the New Life Church Property.
3. The consent of the New Life Church for the cul-de-sac at the end of Juliet Street.
4. Extension of wastewater leads to lot lines under proposed roads.



These concerns would need to be dealt with prior to submission of the plat for final preliminary approval.

Bill Sanders moved, Max Engle supported that the tentative preliminary approval of the Elderwood Subdivision be granted as submitted and be presented to the Township Board on April 1, 1994.

**Motion Carried: 5-0.**

**ZONING ORDINANCE CHANGES - PRIORITIES:**

Mike Farrell stated he would not be in attendance at the April 26, 1994 Planning Commission Meeting.

Mike Farrell stated that the Executive Committee met and came up with a tentative priority list for Planning Issues to be discussed.

After going over the tentative priority list the following comments and concerns were made;

**Landscape ordinance:**

What does the Township Board want regarding the landscape ordinance?

It was commented that the Board was receptive to the green space regarding landscaping.

It was suggested that the Landscape Committee present an outline form regarding the landscape ordinance to the Planning Commission and to the Township Board.

**Parking Requirements:**

It was suggested to possibly look at the types of uses, such as compact car, fast foods, etc. versus the amount of spaces.

**Groundwater Contamination:**

It was suggested that possible Chocoy Township and Sands Township could combine in an effort regarding groundwater protection.

Mike Farrell explained the survey that Chocoy Township is presently conducting concerning the Harvey area.

**Budget:**

Mike Farrell stated he would like the Planning Commission to have more input regarding their portion of the budget.

**Comprehensive Plan:**

This should be updated every ten (10) years.

**Planning Director's Report:**

Mike Farrell stated he would like to have the Executive Committee set the agenda for the next Planning Committee at each of the meetings either before or after the meeting. He also stated that he has to have thirty (30) days notice to put rezonings in the paper.

It was also suggested to consider a possible time for adjourning the meeting would be appropriate.

He also stated he would like to have more educational seminars for the Planning Commission Members to attend.

The Planning Commission members felt that the Executive Committee would meet for approximately ten (10) minutes after each Planning Commission Meeting to set the agenda for the next Planning

Commission Meeting.

Mike Farrell gave the information regarding the Township Board's decision on the abandonment of County Road BU (Joe Gibbs).

Mike Farrell stated that he met with the Zoning Administrator regarding the memorial garden at Prince of Peace Church and both felt it was not necessary to amend the Zoning Ordinance.

Mike Farrell stated two appointments from Chocolay Township for the Watershed Council are Larry Gould and Rod Smith. He will keep the Planning Commission updated on the Chocolay Watershed Council.

**PUBLIC COMMENT:**

Mike LaPointe stated an ad would be advertised in The Mining Journal regarding the other five (5) appointments for the Chocolay Watershed Council.

Mike Farrell stated that the County Commission and the Drain Commissioner has been working on a Stormwater Ordinance for approximately 2 - 2 1/2 years. It is presently in draft 5 form.

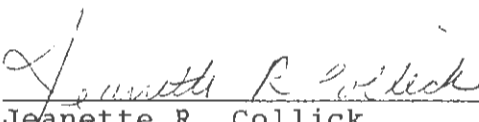
Mike LaPointe commented that there will be a workshop for groundwater on May 4, 1994.

There being no further Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

**ADJOURNMENT:**

There being no further business the Planning Commission Meeting was closed at 10:00 p.m.

  
 \_\_\_\_\_  
 Estelle DeVooght  
 Planning Commission Secretary

  
 \_\_\_\_\_  
 Jeanette R. Collick  
 Recording Secretary

## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, APRIL 26, 1994

AS CORRECTED

**PRESENT:** Bill Sanders, Max Engle, Dave Wurster, Mike LaPointe**ABSENT:** Scott Emerson, Don Wickstrom, and Estelle DeVooght**STAFF PRESENT:** Jeanette Collick, Recording Secretary**PUBLIC PRESENT:** None.**PUBLIC HEARING:**

There were no public hearings.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 7:34 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Dave Wurster and Mike LaPointe present.

Scott Emerson, Don Wickstrom, and Estelle DeVooght were absent.

**APPROVAL OF THE MINUTES OF MARCH 22, 1994:**

Bill Sanders asked if there were any additions or corrections to the minutes of March 22, 1994?

Bill Sanders noted that on page 1 regarding top soil it states:

1. It was suggested that consideration be given to not allow the removal of top soil in Commercial or Residential areas.

It should be changed to read:

1. It was suggested that consideration be given to not allow the removal of top soil in Agricultural or Residential areas.

Bill Sanders asked if there were any further corrections or additions to the minutes of March 22, 1994. There were none.

Max Engle moved, Bill Sanders supported that the minutes of March 22, 1994 be approved as corrected.

**MOTION CARRIED: 4-0.**

Estelle DeVooght arrived at the meeting at 7:36 p.m.

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders asked if there were any additions or changes for the agenda?

Bill Sanders requested under New Business B. Presentation of Chocolay Watershed Council be added.

Bill Sanders asked if there were any further changes for the agenda. There were none.

Bill Sanders moved, Dave Wurster supported that the agenda be approved with the addition as discussed.

**MOTION CARRIED 5-0.**

Scott Emerson arrived at the Planning Commission Meeting at 7:40 p.m.

**PUBLIC COMMENT:**

No public was in attendance. Bill Sanders closed the first Public Comment section of the meeting.

**OLD BUSINESS:****RECREATIONAL STRUCTURES/CAMPS IN RP AND OS DISTRICTS:**

The following comments were made by the Planning Commission members concerning structures/camps in RP and OS Districts:

RR-2 40 acre minimum and granted under a conditional use.

OS not granted under a conditional use.

RP granted under a conditional use with larger setback restrictions. Possibly the building be screened in for ~~from~~ permitted uses. Eight hundred (800) sq. ft. seem too large for a camp. Four hundred (400) sq. ft. more reasonable, also may eliminate small trailers. This may also protect neighbors from a eye sore building.

Conditional Use in RR-2 - not a permanent residential structure. The tepees were given as an example.

It was stated that there are some nice looking small camps.

It was also stated that adequate screening of a building seemed to be more critical than the type of building for a camp. It was also suggested that a possibility of planting trees be considered for a barrier for a building.

It was stated that it doesn't appear to be a huge enforcement problem.

After the above discussion the following were recommendations for Camps and Recreational Structures:

1. Granted under Conditional Use in RR-2.
2. Granted under Permitted Use in RP & OS with conditions.
3. Minimum structure size.
4. Adequate screening.
5. Define temporary/permanent seasonal.

**WATERFRONT SETBACKS:**

The following comments and inquiries regarding waterfront setbacks were made by the Planning Commission.

The waterfront setbacks of concern were part of Lake Superior - 30' Creeks (Harvey Area) - 100'.

It was stated that the elimination of 902 would not include the existing setbacks.

Vacant lot would be 100'

Occupied would be 30'.

It was stated that having the 100' setback the habitant of the area could be destroyed if filled in. It was inquired if a house would be on the lot presently, would this be grandfathered in? it was stated yes.

It was also stated that if 902 would be eliminated that a public hearing would have to be held. Also notification would have to be published.

It was also stated that for a porch to be added onto the back of a house, a variance would probably be needed.

**TOP SOIL REMOVAL:**

The following comments were made by the Planning Commission members concerning the removal of top soil.

It felt the grading permit section provided in the packet is more involved, if it could be enforced.

It was stated that possibly if the soil couldn't be used for growing agricultural crops then it may be okay.

It was asked if there was a way to regenerate the top soil once it is removed? Yes there is a way, but it is very time consuming.

It was also asked how can you determine the amount of top soil, when no definition of top soil is stated.

It was suggested that a performance bond be required by the person removing the top soil. It was suggested that a possibility of cost sharing for the enforcement of the top soil ordinance be consolidated with other townships.

It was also suggested that the person wanting to remove top soil would possibly have to go through an improvement process. It was stated that the improving process could take many years to regain the top soil.

It was stated that if the permit part of being able to remove top soil was not followed through, then the performance bond, all or a part of, would be forfeited.

After the above discussions regarding the removal of top soil that the Planning Commission review the grading permit section of the ordinance from Schoolcraft County that was provided at the meeting. It was also suggested to research for more top soil language.

**TRAIL DEVELOPMENT:**

The following items of concerns regarding recreation/trail development were made by the Planning Commission:

It was stated that a high priority item regarding the trail development would be the forming of the Ad Hoc Recreation Committee.

1. How should we acquire the land?

It was suggested that we purchase the land outright.

It was also suggested ~~discussed~~ that possibly look into the acquiring of land by condemnation. The Board was not in favor of this.

2. Should the easement limit the use of the property?

It was suggested that the use be limited to non-motorized, such as: bike path, skiing, walking.

It was stated that you cannot guarantee the use be limited to non-motorized. It was suggested that the local police department would have to enforce the non-motorized use.

3. How wide should the easement be?

4. What kind of capital needs to be set aside by the Township for a trail development program?

5. What additional work load will trail maintenance put on township resources?

It was suggested that the Planning Commission obtain a detailed copy of the budget of the Township to review reallocation for trail development. Also the greatest number of people that would be benefited by the trail development should be considered.

6. Where do we want the trails to go?

It was unanimously suggested that a means of linking recreation areas, schools and residential areas be considered the top priority. An example of this would be, an easement on Cherry Creek Road for a path.

It was also stated that the township should consider combining with the North Country Trails organization to see what direction they are considering going in.

It was suggested that the Planning Commission obtain a large map of Chocolay Township to determine where trails may be able to be developed.

**NEW BUSINESS:**

**ACCESS CONTROL:**

The Planning Commission had the following comments and concerns for access control:

Landscaping may help traffic control.

It was suggested that the business area by True Value, Vet Clinic, etc. possibly have one common access control.

Driveways should be designed for safety reasons.

It was suggested that limit access instead of lot size be considered.

This would possibly be more flexible for a PUD development.

**PRESENTATION - CHOCOLAY WATERSHED COUNCIL:**

Mike LaPointe gave a slide presentation of the Chocolay Watershed Council on the membership and the goals were.

He stated that the by-laws were formed and voted on by the membership.

A newsletter is going to be used to inform the public involved on what is going on in the council.

The council plans to work with agencies to correct problems that are occurring.

Funding sources have been identified. Grants have been applied for. Project Planner will be working on this part of the plan.

Soil maps that are going to be used have been color coded.

Fred Rydholm will be doing a history of Chocolay Township.

Jane Surrell - Marquette County Health Department - will be educating land owners on groundwater.

The Chocolay Watershed Council is hoping to have a plan put together for the implementation of the program for three (3) years and obtain the funding to get the goals accomplished.

Rules and regulations will involve all local units of government.

Rod Smith and Larry Gould are the representatives from Chocolay Township.

Chocolay Township has been very supportive in providing the meeting place for the Chocolay Watershed Council.

**PLANNING DIRECTOR'S REPORT:**

Due to Mike Farrell being on vacation and out of town there was n Planning Director's report.



**PUBLIC COMMENT:**

There being no Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

**ADJOURNMENT:**

There being no further business, the Planning Commission Meeting was closed at 9:40 p.m.

  
\_\_\_\_\_  
Estelle DeVooght  
Planning Commission Secretary

  
\_\_\_\_\_  
Jeanette R. Collick  
Recording Secretary

## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, MAY 24, 1994

**PRESENT:** Bill Sanders, Max Engle, Estelle DeVooght, Dave Wurster

**ABSENT:** Scott Emerson, Don Wickstrom & Mike La Pointe

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary  
Mark Maki, Director of Assessing & Zoning  
Suzanne Collins - Summer Intern Student

**PUBLIC PRESENT:** Mike Rucinski, Kay Rucinski, Pat Ferguson, Billy R. Jenkins, Tom Waselesky, Ken Hoog, Gloria Hoog, Dolores Salmi, Sylvia Barclay, Michael Bonanni, Dale G. Pelvit, Gary Baldwin, Nancy Baldwin

**PUBLIC HEARING:**

Bill Sanders, Chairperson called the Public Hearing to order at 7:30 p.m. He explained the process for public input and comments.

**Conditional Use #30 - Mike Rucinski:**

Bill Sanders stated Mike Rucinski, applicant has requested that the Chocolay Township Planning Commission consider granting a conditional use permit to allow the storage of materials that is business related, but not displayed for sale on property that is part of a business within the C-3 Zoning District. The request is being requested for 6570 U S 41 South.

Mike Rucinski - 109 Birchbrook - business located at 6570 U S 41 South.

There are three (3) businesses at the same location, which are: Northern Automotive Electric, Pelco Metal Fab, and Whitty's Auto Body.

Northern Automotive Electric is an auto repair facility.

Pelco Metal Fab builds custom vehicles and does frame-up restorations of classic cars.

Whitty's Auto Body is a body shop.

Mike Rucinski stated that utilizing parts from disabled vehicles is a vital part of their business. He explained that all the disabled vehicles are drained of gasoline, motor oil, transmission fluid, and antifreeze. They are stored behind a 6' high metal fence and are not visible from the highway or adjacent residential property. They have applied for a EPA Federal I D number and the hazardous wastes are picked up by appropriate EPA approved disposal companies.

The items that have to be drained are drained in a double container. There is a shelter put up for sand blasting and a special kind of sand is used and is stored in a special barrel.

Delores Salmi - 111 Alderbrook - concern about what would be done with the shells of the vehicles after parts are taken off.

Mike Rucinski - 109 Birchbrook - stated the business needs to have 8-12 vehicles before anyone from a scrap yard would come and get them. He is not running a junk yard and there is a fence for the storage of these vehicles.

Billy R. Jenkins - 362 S. Big Creek Road - concern on hazardous wastes and security with children.

Mike Bonanni - 116 Alderbrook - has talked to Mark Maki for sometime to get some clean up done on the property and presented

some photographs regarding the property at 6570 U S 41 South. he is also concerned about groundwater contamination, property values, aesthetics value, and consider this to be an eye sore. He requested to go on record of being opposed to the approval of this conditional use.

Gloria Hoog - 108 Alderbrook - agrees with Mr. Bonanni's comments and is also concerned about the fragile aquifer in the area.

Ken Hoog - 108 Alderbrook - concern about the junk yard in the area, ground water, and the property values.

Mike Bonanni - 116 Alderbrook - stated he received a letter from Mark stating that Mr. Rucinski is requesting a conditional use to operate a junk yard.

Scott Emerson arrived at 7:40 p.m.

Dolores Salmi - 111 Alderbrook - inquired as to why some people received one letter and some others received a different letter.

Bill Sanders asked if there were any further public comment regarding Conditional Use #30. There were none.

Bill Sanders closed the public hearing.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the meeting to order at 7:45 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Dave Wurster, Estelle DeVooght, Mike LaPointe and Scott Emerson present.

Don Wickstrom was absent.

**APPROVAL OF THE MINUTES OF APRIL 26, 1994:**

Bill Sanders asked if there were any additions or corrections to the minutes of April 26, 1993

Bill Sanders noted that on page 2 paragraph stating: RP granted under a conditional use with larger setback restrictions. Possibly the building be screened in for permitted uses. Eight hundred (800 sq. ft. seem to large for a camp. Four hundred (400) sq. ft. more reasonable, also may eliminate small trailers. This may also protect neighbors from a eye sore building.

Should be corrected to read: RP granted under a conditional use with larger setback restrictions. Possibly the building be screened in for ~~from~~ permitted uses. Eight hundred (800 sq. ft. seem to large for a camp. Four hundred (400) sq. ft. more reasonable, also may eliminate small trailers. This may also protect neighbors from a eye sore building.

He also noted that on page 4 paragraph stating: It was also suggested that possibly look into the acquiring of land by condemnation. The Board was not in favor of this.

Should be corrected to read: It was also ~~suggested-~~ ~~discussed~~ that possibly look into the acquiring of land by condemnation. The Board was not in favor of this.

Bill Sanders asked if there were any further corrections or additions to the minutes of April 26, 1994. There were none.

Bill Sanders moved, Scott Emerson supported that the minutes of April 26, 1994 be approved as corrected.

**MOTION CARRIED: 6-0.**

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders requested that if there were no objections that under new Business, Item A - Conditional Use #30 - Mike Rucinski be moved before Old Business.

Bill Sanders asked if there were any further changes for the agenda? There were none.

Mike LaPointe moved, Scott Emerson supported that the agenda be approved with change as discussed.

**MOTION CARRIED: 6-0.**

**PUBLIC COMMENT:**

Mark Maki, Director of Assessing & Zoning reported that he sent the Planning Commission a memo dated January 1994 and commented on the following:

Camps & Recreational Structures RP District - based on criteria, minutes states not a big enforcement problem. In most cases the problem is when we find them basically brought Mark's request to the Planning Commission. His impression was that the Ordinance would probably not stand up and not allowing camps/recreational structures in Resource Production Districts.

Minimum lot sizes - C-1, C-2, C-3 - easiest way to control number of driveways on the highway.

Also requests the Planning Commission to make it illegal to create lots that do not meet minimum lot size requirements. Stop the creation of lots that do not meet the requirements.

There have been a number of cases where a number of people create lots that are not buildable and the problem is that it ends up costing the township money if it would have to go to court. The easiest way to solve that problem is to stop the creation of lots that do not apply to the Ordinance. If you put a provision in the Ordinance that somebody can't do it, once they do it, then it can be stopped immediately. It would be a lot less costly to enforce it at that end than past experiences has shown us that those problems do not go away. They end up in court and cost money that is unnecessary. The real issue is that this is not the purpose of for the creation of a lot that doesn't comply with the Ordinance. He would like the Planning Commission to consider that.

C-2 - offices - Parking spaces do not seem to be adequate. Increase number of parking spaces.

Top Soil - Require Mining Mineral Extraction process. It takes approximately three (3) months to secure all the permits, public hearing, Planning Commission and the Township Board submitting detailed plans to remove top soil off 10 acres of property. If the basic intent is not to allow the removal of top soil, that may be another issue. He thinks by having it as a Mining Mineral Extraction operation, it is not going to be realistic for the judge to enforce the ordinance.

Golf Course R-1 zones. Currently the ordinance doesn't provide for golf courses. Should provide some type of signage for golf courses.

Number of business in C-3 district with outdoor storage. Example: Marquette City ordinance doesn't allow outdoor storage, requires all retail storage inside. Suggested that we consider to put a limit of a certain percent on outdoor storage.

Bill Sanders asked if there were any further public comment. There were none. He closed the first public comment section of the regular meeting.

**NEW BUSINESS:**

**CONDITIONAL USE #30 - MIKE RUCINSKI:**

Mike Farrell stated he looked at the site, he does have a fence up almost all around the perimeter and would like to recommend that he enclose it completely and provide a gate that can be locked when the business isn't in operation and would eliminate access of kids in the neighboring area in the storage area and also that they deal with vehicles appropriately by draining all the fluids from the vehicles and store these in disposable and appropriate fashion.

It was inquired as how long the business has been in operation. Mike Rucinski stated about 5 years.

Estelle DeVooght read letters from: Trudell Plumbing & Heating Inc. dated May 23, 1994 and also from Dorothy Arnold, Jan Brondyke and Scott Porter dated May 24, 1994.

Oil drained in a double wall container and stored inside of building. 300 gallon capacity.

Gasoline is drained right a way.

15-20 gallons of anti freeze fluid are kept in the shop in 5 gallon pails.

Freon - no method yet - no air conditioning.

Security - willing to put a fence all the way around.

Scott Emerson questioned on how long tires would be stored.

Mike Rucinski stated they are presently stored in a van. Used tire business on U S 41 in Beaver Grove for \$1.00 per tire.

Delores Salmi inquired who would be policing and how often to be sure these fluids, etc. are being disposed of properly?

She also inquired on ground water contamination.

Mike Rucinski stated that fluids are drained from the vehicle inside before the vehicles are outside.

Delores Salmi also had a concern on floor drains and if the fluids go into the septic system.

Mr. Rucinski stated there are no operating floor drains.

Mike Bonanni presented photographs of the yard of the business at 6570 U S 41 South. These photographs were taken approximately 1 - 2 weeks ago.

Mike Rucinski pointed out where the fence would be.

Bill Sanders stated in a C-3 district you have the right to operate a business.

The following comments were made during the discussion pertaining to Conditional Use #30 - Mike Rucinski.

Possibility to do this under a Conditional Use Permit.

Concern on a vegetative screen being place on the outside of those parts of the fence that are facing the residential neighborhood. How would this get done and who would be responsible to make sure this got done.

Question on the number of vehicles - fabricating, trailers, etc.

There was a comment on this and very little material - 10 tons.

How many is there now? It was stated there was approximately 18 - 19.

Mike Bonanni inquire who looks after the policing? Mike Farrell stated the Zoning Administrator would enforce the conditions that are applied to the Conditional Use Permit.

It was asked who maintains the policing of the Quik Lube in Harvey. Would the DNR enforce this or it on a complaint basis? There has been not complaints regarding this.

It was stated that Mr. Rucinski has applied for the EDA license, Social Security No. of business for the environmental purposes and ID requirements. Do they monitor the conditions. It was stated the DNR monitors these conditions in the UP.

There was also concern about the basin sludge that settles in the

bottom of a barrel in an enclosed system. It was stated that there is another filter in another barrel.

It was stated that when gas stations remove tanks it is self reporting through the DNR.

Concern on furniture solvents and degreasing agents.

Mike Rucinski state these solvents used for cleaning the parts. Fluid is pumped out into a barrel and a basin is used and as you wash the parts, the sludge settles into the bottom of the barrel and the whole barrel then gets picked up. It is in an enclosed system.

It was stated that the fire department has a hazardous waste, chemicals, and flammable survey on the businesses of Chocolay and needs to know the location of the solvents and flammable fluids. The chemical survey form for the businesses in Chocolay Township are required to be filled out on an annual basis.

It was stated that the monitoring is difficult to do. You need a specialist on hazardous waste.

Mike Rucinski stated that businesses have to take precautions. If precautions are not taken and not monitored and corrected, the business could loose everything.

It was felt by some of the Planning Commission members that by the various pictures that were presented that the area should be cleaned up more.

Mike Farrell went over the general standards of the Chocolay Township Zoning Ordinance.

It was felt that a new site plan needs to be done on what the property would look like once the proposed items would be done. It was felt there was not enough information to approve the conditional use permit and the applicant should be given an opportunity to have a new site plan on what is being proposed.

There was a concern on the aquifer flow. The ground water contamination should be monitored.

It was also stated that another owner of the business may not be as responsible as what Mr. Rucinski is proposing to do.

Mr. Rucinski stated that the cars are picked up on a timely basis. He also stated that thirty (30) vehicles would be tops for storage for all three (3) businesses combined.

After discussion the following were of concern by the Planning Commission.

It was stated that the request is to store a number of vehicles.

Should have adequate screening and vegetation - vehicle be stored.

There was a concern on the number of tires. It was stated that tires are stored in a van as suggested by the DNR and tires are stored inside. You have to pay to get rid of tires.

Protection of the aquifer is of great concern.

Need a more detailed site plan on what is being proposed.

Tom Waselesky - 361 South Big Creek - Has been dealing with junk cars for approximately thirty (30) years and junk cars aren't worth anything. Also township should look into monitoring the garbage that has been dumped in the woods.

Bill Sanders moved, Max Engle supported that the Conditional Use #30 - Mike Rucinski be tabled until the June 28, 1994 Planning Commission and obtain the following:

1. A more detailed site plan.
2. Shallow well point.

3. Monitoring groundwater
4. Vegetation species.
6. Storage options.
7. Type of Fence.

Also the following conditions be taken into consideration:

1. The area in which vehicles and other materials are to be stored shall be screened from view by a six (6) foot opaque fence.
2. The area in which vehicles and other material are to be stored shall be secured with a gate and locked during the times that the businesses are closed.
3. All fluids and/or parts that could cause possible contamination must be removed from the items being stored within the fenced area. This includes but is not limited to anti-freeze, gasoline, motor oil, transmission fluid, batteries, brake fluid, freon from air conditioners and diesel fuel. These fluids and/or parts shall be removed at a designated location with appropriate flooring material that will not allow the dripping of fluids onto the ground. Storage of the fluids and/or parts removed shall be in an approved containers, that is in a safe location that provides for secondary containment, and shall be disposed of in an environmentally safe and legal method.
4. A vegetative screen be placed on the outside of those parts of the fence that are facing the residential neighborhood. This screen is intended to break up the line of the fence thus giving the adjacent residential area a more aesthetic view. This screen shall consist of trees and bushes of varying heights and anticipated potential heights.
5. There shall be no more than 30 vehicles and 10 tons of scrap stored at this site at any one time. Each vehicle frame with or without its other components shall constitute one vehicle.
6. No items stored within the fenced area shall exceed eight (8) feet in height and no vehicles shall be stacked upon one another.
7. Plans be prepared showing the fence and vegetative plantings and be submitted to the Township Planning Director for approval based upon established conditions for permit approval.
8. All plans be reviewed by the Township Zoning Administrator and conform with all established regulations as stated in the Chocolay Township Zoning Ordinance #34.
9. That Zoning Compliance Permit be obtained from the Chocolay Township Zoning Administrator prior to start of construction.
10. That the necessary permits as required by Federal, State and Local Agencies be acquired prior to project commencement.
11. That non-fulfillment of any of the conditions as set forth in this approval shall constitute a violation of the conditional use permit and may lead to the revocation of the conditional use permit.

MOTION CARRIED 6-0.

The Planning Commission commended Mike Rucinski on the job he is doing.

Mike Farrell stated that the public hearing process of Conditional Use #30 was already taken care of so no public notice will be sent for the June 28, 1994 Planning Commission Meeting.

He also responded to the question that was raised during the public hearing regarding the two (2) different letters that Mr. Bonanni received. One was the public hearing notice concerning the



conditional use and the other letter was a response from Mark Maki regarding questions that Mr. Bonanni had.

**OLD BUSINESS:**

Mike Farrell requested that the Executive Committee meet after the regular Planning Commission meeting to set the agenda for the June 28, 1994 meeting.

The following items were discussed at the regular Planning Commission Meeting of April 26, 1994 and the minutes reflected the issued discussed:

1. Recreational Structures/Camps in RP & OS Districts
2. Waterfront Setbacks
3. Top Soil Regulations
4. Trail Development
5. Commercial Access Control
6. Landscape Language Update

It was brought to the Planning Commission members' attention that Paul Smith was trying to obtain ten (10) year contracts for the removal of top soil on 2 - 3 acres of land and paying a dollar figure for the tops soil or sod.

It was felt that sod and top soil removal guidelines should be set up.

There was also a question on the legality of getting out of one of these contracts if a person would sign.

There is a big concern on the top soil removal. Mike Farrell has spoken with the township attorney and not removing top soil is really a hard issue to deal with.

Mike will do more research on this and try to obtain more concrete answers.

Mike La Pointe will contact CUPPAD and try to obtain answers for the removal of the tops soil and sod.

It was stated that basically the enforcement of the removal of top soil could be enforced under the grading permit in our Zoning Ordinance.

Basically in Marquette County, the removal of top soil is being regulated through a Soil Erosion Permit. If somebody obtains a Soil Erosion Permit, you do not have to obtain a Grading permit. Mike Farrell will pursue this further and if time allows, he will put some language together and contact the Executive Committee and run it past them and if they feel that they would like to have a public hearing at the next Planning Commission Meeting then he will schedule a public hearing.

Estelle De Vooght - Trail Development - this should be considered a priority item. Mike Farrell will try to obtain more information on trail development and present it to the Planning Commission.

Scott Emerson - Waterfront Setbacks - this should be considered a priority item. Public Hearing should be set as soon as possible.

Scott Emerson - Commercial Access - Mike Farrell stated the rationale Mark has given is legitimate rationale, but may cause commercial area the last few years is to concentrate the commercial in one location and if you create minimal lot size you get away from that approach. Another approach was basically to establish within the township certain distance between accesses to the highway based upon speeds of the roads they are accessing. This would be a more viable approach than limit lot sizes.

Scott Emerson - Landscape Ordinance - Key in the design in the Landscape Ordinance is to eliminate the number of driveway access.

Mike Farrell inquired if the Planning Commission wanted to deal with the access as part of the landscape issue or deal with it as a separate issue.

Dave Wurster felt it would be better to deal with it as part of the Landscape Ordinance before the Landscape ordinance is full blown.

Max Engle commented that the Township Board is looking at businesses in a more concentrated area and not spread out through the township and if minimum lot sizes are used, basically you are going to spread out commercial districts.

**NEW BUSINESS:**

**CONSIDER AMENDMENT TO SIGN REGULATIONS FOR GOLF COURSES:**

Mike went over the memo dated May 10, 1994 from Mark Maki that was sent to the Planning Commission regarding Signage for Golf Courses. Language to this extent is very important. Presently none of the golf courses we have can legally have a sign up on their premise.

In addition to this, in the future we will be dealing with off premise signs. Both of the golf courses in the Township are off county roads and state highways. As far as legitimate directions to them for notification for public who may be looking for them an on premise sign will not do the job.

**EXAMPLE:** Downs Golf Course - an on premise or off premise sign would be back somewhere by the pro shop. Somebody going down the highway wouldn't be able to see the sign.

The same situation would happen to Gentz's Golf Course.

Max Engle - sign for Downs Golf Course? Does Mr. Gibbs own the land on either side of the road?

Mike Farrell stated Joe Gibbs does own the land as you get to the intersection of Brewer Drive and Eagle Pass Drive. That is where his pro shop is. he has a pocket of developed plats and it breaks where his green is and his pro shop is there and another section of plats. There is room by the pro shop to put a sign up.

The problem with both of the golf courses is that the travelled road being County Road 480 and M 28 East, we don't have anything in our ordinance that would allow a sign to be placed on those locations.

Scott Emerson - suggested possible a small sign - directional sign on the order of the Michigan Department of Transportation signs.

Mike Farrell - Example - Gibb's Sign - and that would be the type of sign we would allow for on the highway, which would be 32 square feel (the size of a 4' x 8' sheet of plywood).

He also stated that the State Highway Department is looking at what they can do to allow a sign on M 28.

The language for on premise signs is ultimately good language and what he would like to do would be to advertise and have it as a public hearing for the June Planning Commission Meeting.

The size of the sign would be limited to sixty (60) square feet.

He will do more research on language on signs for the June Planning Commission meeting.

Tourist Directional Signs - not allowed in our R-1 and R-2 district and Downs Golf Course is an R-1 district, that is why a tourist directional sign cannot be placed there.

Tourist Directional Signs are permitted by Zoning Board of Appeals approval. Mike will talk with Mark and see what he thinks about possibly taking the R-2 and R-2 district restrictions of the tourist directional sign.

**PLANNING DIRECTOR'S REPORT:**

Mike Farrell reported on a workshop that Bill Sanders and he had attended that was held on Wednesday, May 18, 1994 in Escanaba pertaining to planning.

Mike Farrell inquired if the Planning Commission would be willing to have a special planning committee dealing with strategic planning. This would be advertised in advance and have volunteers for ideas and input. The Planning Commission members felt this would be a good idea.

Mike Farrell also stated that in July in Marquette there is going to be a general planning commission workshop. This would be just a basic entry level workshop. Mike will try to arrange to pay for any members of the Planning Commission that may be interested in attending the workshop. Workshop very important since the County no longer has county wide zoning, hopefully there would be a good turnout.

Mike Farrell stated that through the Marquette County Townships Association (MCTA) possible and agenda could be set up for all the Planning Commissions and possible the stormwater ordinance.

Scott Emerson also suggested that possibly a joint meeting with Sands and Chocolay could be set up.

Another suggested agenda item for the Marquette County Townships Association (MCTA) would be a county wide ordinance dealing with the disposal of used tires. A suggestion would be any business selling tires could add a fee on tires taken in. Possibly make it mandatory that tire dealers add the fee in.

Mike Farrell stated that the Planning Commission terms for Bill Sanders, Max Engle and Dave Wurster were expired. All three (3) members responded that they would be willing to serve on the Planning Commission.

Mike Farrell introduced Suzanne Collins - summer intern student who would be working with planning, garbage, etc.

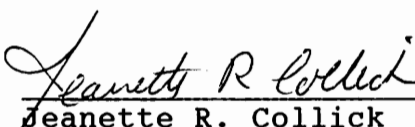
**PUBLIC COMMENT:**

There being no Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

**ADJOURNMENT:**

There being no further business, the Planning Commission Meeting was closed at 9:45 p.m.

  
 Estelle DeVooght  
 Planning Commission Secretary

  
 Jeanette R. Collick  
 Recording Secretary

## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, June 28, 1994

PRESENT: Bill Sanders, Mike La Pointe, Max Engle, Estelle DeVooght, Scott Emerson

ABSENT: Don Wickstrom

STAFF PRESENT: Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary  
Suzanne Collins - Summer Intern Student

PUBLIC PRESENT: Several public were in attendance.

## PUBLIC HEARING:

Bill Sanders, Chairperson called the Public Hearing to order at 7:30 p.m. He explained the process for public input and comments.

## REZONING #74 - TEXT AMENDMENT - WATERFRONT SETBACKS:

Mike Farrell, Director of Planning & Research explained the applicant, Chocolay Township Planning Commission has petitioned the Chocolay Township Board to amend the Chocolay Township Zoning Ordinance with language that will establish waterfront setbacks for that portion of only the Chocolay River located in Section 902 of the Chocolay Township Zoning Ordinance. Section 902 is that part of the Chocolay River NorthM-28 extending all the way to Lake Superior. This would re-establish the 100' setback in this area.

John Renfrew - 234 Riverside Road - would that also put restrictions on cutting trees.

Mike Farrell explained presently the Zoning Ordinance limits any development within 30' of the river and has always been in affect in this area. This would re-establish a 100' setback and no structures could be built within 100' from the river's edge. This would be for new lots. This would mean if there are any new lots that are developed, they would have to meet the 100' setbacks.

John Renfrew - 234 Riverside Road - Very much in favor for increasing protection along the Chocolay Rivers.

Susan Harding - 169 E Main Street - Does it protect cutting down trees?

Mike Farrell indicated you can cut within 30' of the river's edge, but you have to leave them natural 30' from the river.

Nydia Renfrew - 34 Riverside Road - What penalties are there for destroying the setbacks.

Duane Carlson - 206 Riverside Road - Very much in support of the 100' waterfront setback.

Jim Murdey - 274 Riverside Road - Support the 100' setback. Inquired on existing lots, does that include new construction within a 100' range?

Mike Farrell explained if you have an existing house right now and is within 100' of the river, it is considered non-conforming. If this was adopted, this would be non-conforming, you could put an addition on the house. You couldn't put it within 30' of the river.

Scott Emerson - what happens if the house would burn down?

Mike Farrell explained you could replace it in its existing location.

Bill Sanders inquired about penalties.

Mike Farrell stated that it would be in a violation of our Zoning Ordinance at which point an appearance ticket would be issued. There is a standard procedure that is followed:

1. Two (2) appearance tickets are issued.
2. Goes to the Chocolay Township Board to decide whether the Board wants to pursue it through court action or to reverse it or take whatever action the Board feels is appropriate at that point.

Mary Reichel - 270 Riverside Road - How is it established to the Board regarding the destroying of the trees.

Mike Farrell indicated that is a problem with any regulation ordinance. Enforcement is always a problem to a certain extent. We have to rely on the public to keep aware of what is going on. If staff is made aware of it, appropriate action would be taken before it is too late.

Susan Harding - 169 E. Main Street - What steps are taken for the passage of the waterfront setbacks?

Mike Farrell explained:

1. The Planning Commission's recommendation goes to the County Planning Commission.
2. County Planning Commission reviews it and see if the proper procedures were taken in the process in making amendment to our ordinance and will make a recommendation as they feel is appropriate.
3. The recommendation then comes back to the Chocolay Township Board at which time they will review at the input from the Township Planning Commission and the County Planning Commission and will make a decision.
4. If the Township Board approves it, they would have to publish it in the newspaper and at the next meeting they would adopt it in the Ordinance.

Duane Carlson - 206 Riverside Road - Is the passage up for a public vote?

Mike Farrell - no it is not.

Scott Emerson inquired about a boat dock.

Mike Farrell explained that a dock wouldn't be allowed that a permit for a dock would have to be issued through the DNR.

Bill Sanders asked if there were further comments regarding the public hearing for Rezoning #74. There were none.

Bill Sanders closed the public hearing regarding Rezoning #74.

#### REZONING #75 - TEXT AMENDMENT - RECREATIONAL STRUCTURES:

Mike Farrell explained the applicant, Chocolay Township Planning Commission has petitioned the Chocolay Township Board to amend the Chocolay Township Zoning ordinance with language that will establish minimum structure sizes and setbacks for recreational structures in the RR-2, OS and RP Zoning Districts.

Recreational structure, a cabin, cottage, camp, hunting camp, mobile home or other similar structure used intermittently for recreational or vacation purposes and which is not a permanent place of domicile or residency of the owner, his or her agents, lessees, heirs or assigns.

Every recreational structure shall have a minimum floor area of 150 square feet and comply with the stated or conditional requirements of this ordinance and/or the Planning Commission.

Bill Sanders asked if there were any comments regarding the public hearing for Rezoning #75. There were none.

Bill Sanders closed the public hearing regarding Rezoning #75.

**REZONING #76 - TEXT AMENDMENT - GOLF COURSE SIGNS:**

Mike Farrell explained the applicant, Chocolay Township Planning Commission, has petitioned the Chocolay Township Board to amend the Chocolay Township Zoning Ordinance with language that will establish regulation for on-premises signs for golf courses.

Bill Sanders asked if there were any comments regarding the public hearing for Rezoning #76. There were none.

Bill Sanders closed the public hearing regarding Rezoning #76.

**PRIVATE ROAD BLONDEAU:**

Mike Farrell explained that the applicant, LeRoy Blondeau, has requested the Chocolay Township Board approve a private road to be constructed and paved, private road is to be an extension from the end of existing Edgewood Drive to the Northeast across Cedar Creek. Existing pavement to be sawcut at joint.

There is no conflict with the proposed road being named Edgewood Trail.

On the site plan it is being proposed for about five (5) lots and looking to construct a bridge over Cedar Creek and is being constructed out of pre cast concrete beams. Weight capacity will far exceed any vehicles that will would be driven across it. It is beams off an old highway overpass.

John Renfrew - 234 Riverside Road - inquired the provision of drainage to the water way.

Mike Farrell - plans that have the design on this has been submitted for dealing with the drainage going into the river.

Mike Angeli - 155 Edgewood - inquired if this was the only entrance to the private road being proposed.

Mike Farrell - yes.

Mike Angeli - 155 Edgewood - Would this be developed for mobile homes?

Mike Farrell - this property is zoned R-1 - Single Family Residential.

LeRoy Blondeau - applicant - 1st house being proposed is around the \$200,000 range.

Greg Gagnon - 100 Edgewood Drive - Would the proposed road become a part of Edgewood Drive or will it remain a private road? Would the property owners along the private road follow the covenant of the Edgewood Drive?

LeRoy Blondeau - applicant - No, it would remain a private road. The property owners along the proposed private road would have their own covenant to follow.

It was inquired how large the lots would be?

LeRoy Blondeau - applicant - There would be two (2) lots with ten (10) acres and three (3) lots a little less than ten (10) acres.

Edward Diercks - 160 Edgewood Drive -If there are no other entrances onto the proposed private road, how are the trucks, tractors, etc. getting in there presently?

LeRoy Blondeau - applicant - Private property owner is granting permission to go through.



Steve Kotaniemi - 180 Edgewood Drive - Who is going to be responsible for snow removal and maintenance of the proposed private road?

LeRoy Blondeau - applicant - It will not be by the County, but by the owners of the lots. The proposed road would be black topped to the bridge. It will maintained close.

Bill Sanders asked if there any further comments regarding the public hearing for private road request. There were none.

Bill Sanders closed the public hearing regarding the private road request.

**CONDITIONAL USE #31 - CHOCOLAY TOWNSHIP BOARD:**

Mike Farrell explained the applicant, Chocolay Township Board, has requested that the Chocolay Township Planning Commission consider granting a conditional use permit to allow the placement of spectator bleachers at the soccerfield at the Silver Creek Recreation Area.

Because this is zoned R-3 - Multi Family recreational activity on the parcel requires a conditional use permit. At this time the Township because of a liability issue that was brought up last year - existing bleachers for spectators for the soccerfield at the Silver Creek Recreation Area gets bombarded with baseballs when you are sitting there for the soccer games. The intent is to move the bleachers to the side of the parcel that was recently purchased.

Gene Perket - 269 Silver Creek Road - inquired about the 66' County Right-of-way.

Mike Farrell stated the Township has contacted the Marquette County Road Commission to see if they would turn over that Right-of-way to us. Township hasn't received the paperwork on this, but it has been confirmed that we are going to be receiving it.

At this point there is no specific intent for the use of this 66' right-of-way, but at a future date it may be used for an access road for a specific use.

Bill Sanders asked if there were any further comments for public hearing for Conditional Use #31. There were none.

Bills Sanders closed the public hearing regarding Conditional Use #31.

There were no further public hearings.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the meeting to order at 7:55 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Estelle DeVooght, Mike LaPointe and Scott Emerson present.

Don Wickstrom was absent.

**APPROVAL OF THE MINUTES OF MAY 24, 1994:**

Bill Sanders noted that the minutes were dated for May 26, 1994. Correct date should be May 24, 1994.

Bill Sanders asked if there were any further additions or corrections to the minutes of May 24, 1994? There were none.

Max Engle moved, Estelle Devooght supported that the minutes of may 24, 1994 be approved with the date corrected.

**MOTION CARRIED: 5-0.**

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders requested that if there were no objections that under New Business items A-E be moved after Old Business item A

(Conditional Use #30 - Mike Rucinski).

Bill Sanders asked if there any further changes for the agenda? There were none.

Estelle DeVooght moved, Bill Sanders supported that the agenda be approved with the changes as discussed.

**MOTION CARRIED: 5-0.**

**PUBLIC COMMENT:**

Mark Larson - Faith Assembly of God Church Representative - inquired because of the overhead costs involved if the Planning Commission would consider approving the Conditional Use to allow all four (4) sides vinyl versus two (2) sides vinyl that was proposed in the original Condition Use.

It was a consensus of the Planning Commission members that this was a minor change.

The Planning Commission inquired if another public hearing would be necessary for this change for the Faith Assembly of God Church.

Mike Farrell indicated that a public hearing was not necessary if they consider this a minor change.

Planning Commission members felt this was just a minor change and gave the Faith Assembly of God Church the go ahead to vinyl all four (4) sides of the building.

Bill Sanders asked if there were any further public comment. There were none. He closed the first public comment section of the regular meeting.

**OLD BUSINESS:**

**CONDITIONAL USE #30 - MIKE RUCINSKI:**

Mike Farrell stated that at the last meeting, the Planning Commission asked Mr. Rucinski to come back with an updated site plan where he proposed to do the planting of the trees and to show the other items we showed under conditions, which was the gate and fence.

Another item the Planning Commission was the monitoring wells. Mike Farrell followed up on some information and contacted Sundberg Carlson & Associates, Marquette County Health Department and Department of Natural Resources.

Both the Marquette County Health Department and Department of Natural Resources felt that this particular project didn't warrant monitoring wells.

He did follow up on information regarding costs if the Planning Commission did feel that monitoring wells were necessary.

1. Sundberg Carlson & Associates - you could put 3 monitoring wells in for a cost of approximately \$3,000 - \$5,000.
2. DNR - felt to get the initial system up you could do monitoring - the cost would be between \$15,000 - \$20,000. You are looking at \$500 - \$600 per test per well. Tests would be on a quarterly basis.

Very expensive process of monitoring wells.

The other recommendation that was added to the previous one that was made was dealing with the tires and felt it was important that the Planning Commission set a limit of tires stored on site and require that they are stored within some type of structure. Presently they are being stored in a van, which at some point in time would be removed from the site. Important that a structure be established for this.

His recommendation is to have Conditional Use #30 be approved with conditions as presented in the Planning Commission's report.

The following comments questions and comments were made:

Type of Fence -

It is a 6' opaque metal fence and show on the overlay where the fence would be placed.

It is used for security purposes as well as aesthetic purposes.

30 Vehicles for Storage -

Applicant responded - the reason 30 was the number given is because presently there are 15 vehicles and there are 3 businesses and must have at least a dozen cars or so before someone will pick this up. Winter time nobody wants to pick them up.

Landscaping adjacent land -

Applicant responded that yes landscaping would be performed on the site line.

Tires -

Applicant responded to the issue dealing with tires.

1. Normally cars go to the junk yard with tires on them
2. In approximately 5 years that he has been in business there, approximately only 50 tires have been accumulated.
3. All cars on premises have tires.

Mike Farrell stated that the tires that are on the vehicles are not being proposed as conditions, but the number of tires that are stored on site were. Those are the ones that would cause problems with the insects, not the ones on the vehicles.

Suggestion for landscaping was White Spruce would be better than Jack Pine.

Applicant stated a protective screen that would grow in the location would be Jack Pine, Poplar and a type of Sugar Plum Tree.

Bill Sanders moved, Mike La Pointe supported that the Chocolay Township Planning Commission approve the application and plans submitted for a conditional use permit for the storage of vehicles and scrap steel as part of the businesses being conducted on the following parcel:

T47N, R24W, Section 21,

Part of the NE1/4 of the SE1/4 Beginning 437.52 ft. West of the NE corner thereof then West 396.36 ft., then South 41 degrees 51 minutes East 267.35 ft., then East 119.85 ft., then North 47 degrees 15 minutes East 136.26 ft., then East 75.14 ft. then Northwesterly along US-41 150 ft. to Point of Beginning.

More commonly referred to as 6570 US-41 South.

With the following conditions:

1. The area in which vehicles and other materials are to be stored shall be screened from view by a six (6) foot opaque fence.
2. The area in which vehicles and other material are to be stored shall be secured with a gate and locked during the times that the businesses are closed.
3. All fluids and/or parts that could cause possible contamination must be removed from the items being stored within the fenced area. This includes but is not limited to anti-freeze, gasoline, motor oil, transmission fluid, batteries, brake fluid, freon from air conditioners and diesel fuel. These fluids and/or parts shall be removed at a designated location with appropriate flooring material that will not allow the dripping of fluids onto the ground. Storage of the fluids and/or parts removed shall be in an approved

containers, that is in a safe location that provides for secondary containment, and shall be disposed of in an environmentally safe and legal method.

4. A vegetative screen be placed on the outside of those parts of the fence that are facing the residential neighborhood. This screen is intended to break up the line of the fence thus giving the adjacent residential area a more aesthetic view. This screen shall consist of trees and bushes of varying heights and anticipated potential heights. Should any of these trees and/or bushes die they will be replaced within a reasonable amount of time.
5. There shall be no more than 30 vehicles and 10 tons of scrap stored at this site at any one time. Each vehicle frame with or without its other components shall constitute one vehicle.
6. On site storage of tires shall be limited to 50 tires and that such storage be in an enclosed structure.
7. No items stored within the fenced area shall exceed eight (8) feet in height and no vehicles shall be stacked upon one another.
8. The fence and vegetative plantings conform to the plans submitted and approved as part of this Conditional Use Permit.
9. All plans be reviewed by the Township Zoning Administrator and conform with all established regulations as stated in the Chocoley Township Zoning Ordinance #34.
10. That Zoning Compliance Permit be obtained from the Chocoley Township Zoning Administrator prior to start of construction.
11. That the necessary permits as required by Federal, State and Local Agencies be acquired prior to project commencement.
12. That non-fulfillment of any of the conditions as set forth in this approval shall constitute a violation of the conditional use permit and may lead to the revocation of the conditional use permit.

**MOTION CARRIED: 5-0**

**NEW BUSINESS:**

**REZONING #74 - TEXT AMENDMENT - WATERFRONT SETBACKS:**

Scott Emerson moved, Bill Sanders supported that the Chocoley Township Planning Commission waive the reading and recommend to the Chocoley Township Board that the following amendment to the Chocoley Township Zoning Ordinance be approved.

**REPEALER AND AMENDMENT**

That portion of Sec. 403 of the Charter Township of Chocoley Zoning Ordinance entitled "WATERFRONT SETBACKS" as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined, and the removal of the of the language in brackets([]).

**[SEC.] SECTION 403 WATERFRONT SETBACK.**

All new structures on lots abutting any body of water, including but not limited to inland lakes, rivers, streams, creeks, impoundments, and Lake Superior, [excepting that portion of only the chocolay river located in section 902,] shall maintain a minimum setback of 100 feet as measured from the edge of a river or the edge of a lake's shoreline. Setbacks may be extended beyond the 100 foot minimum, if after site plan review by the Zoning Administrator, the Planning Commission finds that the environment quality, scenic or aesthetic value, water quality, or recreational value of the water resource or use would be endangered or create harm or nuisance to adjacent property. These provisions do not apply to any nonconforming parcel of land or use on a recorded plat, or described in a deed or land contract executed and delivered prior to the effective date of this Ordinance.

The part of that setback which lies within 30 feet of the water's edge shall be maintained in its natural condition. Natural conditions may be modified if the Zoning Administrator finds that such modifications will be consistent with management practices which will prevent soil loss, will not increase run-off, and will provide the shoreline with adequate protection without altering the inherent characteristics of the water body. Trees and shrubs in a space 50 feet wide may be trimmed or pruned for a view of the fronting waters and for access thereto. No change shall be made in its natural grade. A lot shall be regarded in its natural condition when there is at least one tree or shrub having a height of at least 15 feet for each 100 square feet of area thereof in wooded areas or sufficient natural ground cover in open areas. All uses shall be subject to this setback except marinas, boat liveries, bathing facilities, fishing piers, commercial fishing docks, recreational docks, and associated facilities when located and designed so as not to unreasonably interfere with, degrade or decrease the enjoyment of existing uses and water resources.

In areas identified as erosion control districts in this Ordinance, the restrictions and regulations imposed in those districts shall govern if such restrictions or regulations impose higher standards or requirements.

**MOTION CARRIED: 5-0.**

**REZONING #75 - TEXT AMENDMENT - RECREATIONAL STRUCTURES:**

This would be a conditional use under the RR-2, RP and OS Zoning Districts.

1. RR-2 - requirement of 40 acres.
2. RP & OS - requirement of 20 acres.

RR-2 Zoning District - 40 acre parcel there is still enough room that the proposed camp could still be isolated and not impact the Rural Residential homes that are in those areas.

RP & OS Zoning Districts - They would be allowed in 20 acre parcels because those areas tend to have the larger parcels in and have a camp on a 20 acre parcel would not impact the other larger parcels based upon setbacks.

Comments and discussion by Planning Commission Members -

- If 20 acres in OS, why 40 acres in RR-2? Twenty (20) acres would seem to be enough room particularly if this would be a conditional use.

Mike Farrell stated his recommendation is based upon his perception and discussions with staff members and they felt with the RR-2 Zoning District you need to be a little conservative with the approach for camps in those areas and felt 40 acres versus 20 acres would be more appropriate.

- Do staff know where all the camps are placed?
- Are the camps just left to deteriorate?

The only way to regulate is through investigation and travel throughout the township and take appropriate action through a violation process.

Those coming into the office know they need a permit and would probably maintain it, especially if the Planning Commission is going to set conditions based on setbacks.

Bill Sanders moved, Scott Emerson supported that the Planning Commission recommend to the Chocoy Township Board that the following amendment to the Chocoy Township Zoning Ordinance be approved.

**REPEALER AND AMENDMENT**

That portion of Sec. 101 of the Charter Township of Chocoy Zoning Ordinance entitled "DEFINITIONS:" as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language,



which is underlined, and the removal thereto of the language that is in brackets.

[SEC.] SECTION 101 DEFINITIONS: As used in this Ordinance.

Recreational structure, a cabin, cottage, camp, hunting camp, mobile home or other similar structure used intermittently for recreational or vacation purposes and which is not a permanent place of domicile or residency of the owner, his or her agents, lessees, heirs or assigns.

#### AMENDMENT

That portion of SECTION 401 of the Charter Township of Chocolay Zoning Ordinance entitled "GENERAL REGULATIONS:" as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined.

#### SECTION 401 GENERAL REGULATIONS

Every single-family dwelling and multi-family dwelling shall have a minimum floor area of 800 square feet, and every dwelling unit in a multi-family dwelling shall have a minimum floor area of 600 square feet, provided:

- (A) It has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Marquette County Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Marquette County Building Code, then and in that event such federal or state standards or regulations shall apply.
- (B) It is firmly attached to a permanent foundation constructed on a site in accordance with the Marquette County Building Code and constructed of such material and type as required in the applicable building code for residential dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- (C) In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels and under carriage removed. Additionally, no dwelling shall have any exposed towing mechanism, under carriage or chassis.
- (D) The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- (E) The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- (F) The fore going shall not apply to mobile homes located in a licensed mobile home park or zoning district R-2 except to the extent required by state and federal laws or otherwise specifically required in the ordinance of the Township pertaining to such parks and zoning districts.

Every recreational structure shall have a minimum floor area



of 150 square feet and comply with the stated or conditional requirements of this ordinance and/or the planning commission.

REPEALER AND AMENDMENT

That portion of Sec. 208 of the Charter Township of Chocolay Zoning Ordinance entitled "DISTRICT RR-2." as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined, and the removal thereto of the language that is in brackets.

[SEC.] SECTION 208 DISTRICT RR-2.

- (A) **INTENT.** To establish and maintain for low intensity use those areas which, because of their location and accessibility to existing utilities, paved public roads, community facilities, and public services, are suitable for wide range of very low density residential and recreational activities.
- (B) **PERMITTED PRINCIPAL USES.** The growing and harvesting of timber, and the raising of livestock. Agricultural produce, trees, shrubbery, flowers, etc., which are grown on the premises may also be marketed on the premises. Detached single family dwellings are permitted on lots five acres or more with 300 feet of lot width. Boarding stables on lots of 20 acres or more.
- (C) **CONDITIONAL USES.** Resorts, riding stables, parks, campgrounds, kennels, and day camps on lots of 20 acres or more. Hunting and shooting preserves, winter sports facilities, and trails on lots of 20 acres or more. Recreational structures on lots of 40 acres or more. Unlighted golf courses on lots of 60 acres or more.

REPEALER AND AMENDMENT

That portion of Sec. 212 of the Charter Township of Chocolay Zoning Ordinance entitled "DISTRICT RP." as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined, and the removal thereto of the language that is in brackets.

[SEC.] SECTION 212 DISTRICT RP.

- (A) **INTENT.** To establish and maintain for low intensity use those areas which because of their location, accessibility and natural characteristics are suitable for a wide range of agricultural, forestry, and recreational uses.
- (B) **PERMITTED PRINCIPAL USES.** The growing and harvesting of timber, livestock, campgrounds, day camps, riding or boarding stables, winter sports facilities, parks, kennels, trails, agricultural produce, trees, shrubbery, flowers, etc., which are grown on the premises may also be marketed on the premises. Detached single-family dwellings are permitted on tracts of 20 acres or more.
- (C) **CONDITIONAL USES.** Resorts and lodges on lots of 20 acres or more. Hunting and shooting preserves on lots of 20 acres or more. Recreational structures on lots of 20 acres or more. Unlighted golf courses on lots of 60 acres or more.

REPEALER AND AMENDMENT

That portion of Sec. 213 of the Charter Township of Chocolay Zoning Ordinance entitled "DISTRICT OS." as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined, and the removal thereto of the language that is in brackets.

[SEC.] SECTION 213 DISTRICT OS.

- (A) **INTENT.** To preserve as open space those lands which because of their soil, drainage or topographic characteristics, are unsuitable for development.

- (B) **PERMITTED PRINCIPAL USES.** Growing and harvesting of timber and bush fruit, and agricultural produce, livestock, and wildlife management.
- (C) **CONDITIONAL USES.** Single-family residences, resorts, and other recreational uses, on lots of 20 acres or more, where such development can be accomplished without significant adverse environmental impact. Recreational structures on lots of 20 acres or more.

MOTION CARRIED: 5-0.

**REZONING #76 - TEXT AMENDMENT - GOLF COURSE SIGNS:**

Mike Farrell stated the sign would be approximately 6' x 10' - on site for Downs Golf Course and would be by the pro shop, about ¼ mile off the highway.

Mike LaPointe moved, Max Engle supported that the Chocolay Township Planning Commission waive the reading and recommend to the Chocolay Township Board that the following amendment to the Chocolay Township Zoning Ordinance be approved.

**REPEALER AND AMENDMENT**

That portion of Sec. 802 of the Charter Township of Chocolay Zoning Ordinance entitled "SIGNS PERMITTED IN THE R-1, R-2, AND R-4 DISTRICTS" as adopted May 9, 1977, and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the language, which is underlined, and the removal of the of the language in brackets([]).

[SEC.] SECTION 802 SIGNS PERMITTED IN THE R-1, R-2, AND R-4 DISTRICTS.

One sign identifying each subdivision or mobile home park per vehicle entrance, having an area not exceeding 20 square feet and a height not exceeding eight feet is permitted. During development of a subdivision or other property for a period not exceeding two years, one sign, naming the subdivision or other property, developer, contractors and subcontractors, engineers, architects, brokers, and financial institutions involved, and advertising the development, having an area not exceeding 50 square feet and height and not exceeding 12 feet, is permitted in the subdivision, together with signs having an area not exceeding six square feet each and a height not exceeding six feet, directing the public to or identifying models. Signs permitted by this Section, listed above, are exempt from the setback requirements of Section 300.

On premise signs for golf courses are limited to one sign per course with a total area not exceeding 60 square feet provided that the sign is setback 5 feet from the front lot line and setback 30 feet from a side lot line.

MOTION CARRIED: 5-0.

**PRIVATE ROAD #8 - BLONDEAU:**

Mike Farrell - a number of concerns were raised at the public hearing and also referred to a questions and comments in memorandums that were distributed to the Planning Commission members from mark Maki, Director of Assessing & Zoning and Larry Gould, D.P. W. Supervisor and the Fire Department were addressed in his report.

Slope of the road. As to the road in approaching the bridge it is creating approximately a 10% slope. County Road specifications are at 8% and they will not adopt a road if it is over an 8% slope.

The plans submitted also shows a T on the end. In past approved roads the Planning commission required that a cul-de-sac as per county road specs with a 160' radius be put on the end of the road. This is waived under certain circumstances where there is only one driveway coming off the end of the cul-de-sac, which is appropriate at this time.

Until when an additional driveway is coming off that cul-de-sac that cul-de-sac be developed to that.

Bridge weight capacity - Engineer for Blondeau did say he would be submitting a letter to the township certifying weight capacity and the weight capacity will be equivalent to MDOT highway specifications, which is about 100,000 pounds. The bridge is being constructed isn't really an issue.

Mike Farrell stated in his recommendation that he made, he is asking if the Planning Commission is going to approve the private road that they require the developer to put some comments or statements in the deed as a covenant so that the purchasers of the property along the private road are aware that this road doesn't meet County standards and that no public dollars will be spent to maintain this road. Private roads are a private road and are not dealt with public funds.

At such time if the owners wish to make it a public road, they can do so by bringing it up to public roads standards and then the Planning Commission would consider adopting it.

Mike Farrell indicated that he would like the Planning Commission in the process of approving the private road request that they consider a covenant be placed in there so that the purchasers of the property are aware that this is a private road.

He went over the recommended conditions as written in his memo to the Planning Commission dated June 24, 1994.

The Planning Commission's recommendation would go to the Chocolay Township Board if they felt these conditions were necessary, they would approve this with these conditions and would be binding to the approval.

Estelle De Vooght inquired if the cul-de-sac was built in the swamp?

It was stated it was not. It was pointed out on the plans where it would be.

Scott Emerson inquired about a culvert.

It was stated that more than one culvert would probably be put in.

Concern regarding a Soil Erosion Permit. It was stated that a Soil Erosion Permit has been applied for.

Mike Farrell explained how the drainage would be done.

In the process of the permit being issued, they will have to comply with the DNR Specifications for inland lakes and streams for the bridge.

Mike La Pointe inquired about DNR Sediment Traps and inquired if there would be access to these traps and if the private road would be blocked from people walking in this area.

LeRoy blondeau stated this wouldn't be blocked.

It was inquired if the proposed private road is an extension of Edgewood Drive, how come it isn't a County Road?

The proposed private road will be Edgewood Trail.

Mike Farrell explained the Chocolay Township Ordinance requires all private roads being named with a Trail definition.

Bill Sanders moved, Max Engle supported that the Chocolay Township Planning Commission waive the reading and recommend to the Chocolay Township Board that the requested private road application and plans be approved, as submitted, with the following conditions:

1. The developer will provide, at their own expense, street signs and posts per township specifications and maintenance of the signs and post to be the responsibility of the owner(s).
2. A covenant be established on the parcel deeds that notifies the purchasers of property on the private road that the private road does not meet county standards and the responsibility for road maintenance, right-of-way maintenance.

and drainage maintenance belongs to the owners of the private road and also noted that the private road will not be maintained at public expense.

3. That open access to the private road be maintained for essential public services.
4. The proposed road be named Edgewood Trail.
5. That applicant comply with all requirements of the Marquette County Road Commission for connection to the public road system.
6. That the applicant obtain all the necessary permits from Local, State, and Federal agencies that are required for the development of the road. These may include Soil Erosion Permit, Inland Lakes and Streams Permit, Wetlands Permit and Flood plain Regulatory Authority review, as well as any others that may be required for the proposed road.
7. That the bridge design be certified by an engineer as to its weight capacity and that the bridge's weight capacity not be less than 80,000 pounds.
8. That a cul-de-sac easement be placed at the end of the road as per County Road Commission detail.

Estelle DeVooght inquired if the owner of the lots get requirements of the covenant regarding the maintenance of the road?

Mike Farrell indicated this would be required on their deed and identify that no public funds would be spent on the maintenance of the private road.

It was explained it was up to the owners of the association to maintain the road. Property purchasers would have to be made aware of who is responsible for the maintenance of the road.

He also indicated conditions of the approval of the proposed private road #8 - Blondeau would be going to the Chocolay Township for final approval at a Special Chocolay Township Board Meeting on Wednesday, July 6, 1994.

**MOTION CARRIED: 5-0.**

**CONDITIONAL USE #31 - CHOCOLAY TOWNSHIP BOARD:**

Mike Farrell as explained during the public hearing process, the Township purchased land on Silver Creek Road adjacent to the Silver Creek Recreation Area.

The reason the Township purchased the land was for future expansion for recreational opportunities and possibly a well field for the proposed water system.

The land that the township recently purchased was approximately six (6) acres.

The reason for the Conditional Use Permit is to be able to move the spectator bleachers for the soccerfield so they won't be getting hit with balls from the baseball field.

At a future Planning Commission date the Chocolay Township Board may be coming back to have that area rezoned to public lands, but presently it is zoned R-3 - Multi-Family, but the Zoning Administrator said presently the land is zoned R-3 and needs a conditional use.

If the Conditional Use is approved, the spectator bleachers will be moved.

The future use beyond putting beyond putting some bleachers is a subject the Planning Commission will have to address. A possible suggestions would be an update to the Recreation Plan and look at expanding the recreational area.

The Township will possibly be looking at it as a backup for a well field for the public water system that we are looking at to install

this Fall.

There is a 66' right-of-way that was deeded to the township and would be most likely be used as a driveway at some future date when the area would be developed for a potential use,

Gene Perket questioned on the water contamination?

Mike Farrell explained the water system project.

Questions and comments from Planning Commission Members.

- Chocolay Township needs to look at the recreational survey and possibly consideration for bike path, trails, etc.
- At the last Township Board Meeting that was discussed to a certain extent.
- Planting of trees should be considered.
- Trees have already been cut down.
- Reminder that this may be a concern for providing maintenance. Maintenance is done with a riding lawn mower.

Bill Sanders moved, Mike La Pointe supported that the Chocolay Township Planning Commission approve the application for a conditional use permit to allow the placement of spectator bleachers on the following property;

T47N, R24W, Section 6,

The South 400 feet of the fractional SW 1/4 of the fractional SW 1/4.

With the following conditions:

1. The planting of two to three (2-3) trees as per the D.P.W. Supervisor's discretion and be placed not to be a burden to performing the tasks of the D.P.W.

MOTION CARRIED: 4-1.

OLD BUSINESS:

TOP SOIL:

Mike Farrell has looked at language and contacted federal and state planning agencies, department of agriculture and none has ever heard of a problem with the top soil removal and had no type of language and suggestions.

By the July Planning Commission meeting hope to formulate language dealing with top soil based upon our grading permit.

TRAIL DEVELOPMENT:

Mike Farrell obtained literature dealing with dedication of lands. It primarily deals with plat approvals. Townships can adopt an ordinance that requires dedication of land to the township for plat approvals.

At this time Chocolay Township doesn't have any plats coming up that he is aware of.

We did get voluntary approval from the Elderwood Plant. He dedicated land for trails through there.

There was a question regarding trails for site condos.

Mike Farrell stated essentially under site condos in essence you have one (1) lot and that would be like coming up to one land owner and trying to obtain access through their property for a trail.

When you develop a plat, you are dedicating a road to public use, establishing particular lots, so then you can establish public access through those lots for a trail or establish a recreation area.

Suggestion was made to possibly utilize and combine with North Country Trails Association which is for non motorized vehicles.

It was stated the present bike path may be designated as part of North Country Trails.

It was also suggested when looking at the development of trails that schools, etc. be taken into consideration.

Recreation Ad Hoc Committee be set up. Mike La Pointe volunteered to be on the committee to get this set up. Once the committee gets set up and going, it will be self running.

Mike Farrell will check with the Township Supervisor to see what course of advertising for this committee would be needed and used to see who would be interested in serving on this committee.

#### ACCESS CONTROL:

Mike Farrell stated no further information has been obtained. Needs to be discussed more. Impression from the Planning Commission that they didn't want to establish minimum lot sizes and to go with access control.

He would like to go out and measure some of the existing driveway accesses to see what some of the spacing are and see how it would apply to the language in the literature that were previously discussed.

#### LANDSCAPE ORDINANCE:

Mike Farrell stated we need to move ahead with our Ad Hoc Committee on Landscaping. An outline needs to be set up and bring back to the Planning Commission to discuss.

Scott Emerson and Mike Farrell will get together and discuss information regarding a landscape ordinance and bring information to the Planning Commission at a future meeting.

#### PLANNING DIRECTOR'S REPORT:

1. Training workshop in Marquette - July 27th. This is a basic workshop for Zoning Board of Appeals and Planning Commission Members.

Scott Emerson will check his schedule to try to attend the workshop and let Mike know by July 18th so he can be registered.

2. Linda Rossberg, Michigan State Cooperative Extension Service, will be attending a meeting in the near future on strategic planning.
3. July Planning Commission Meeting - Budget. There are a number of items that the Planning Commission needs to include in their budget. One item is a computer software program called ARC Info.

Mike has arranged with NMU that Chocolay Township be used as a model for their new GIS System. If we are able to purchase the computer software, we will be able to load their GIS System data. GIS stands for Geographical Information System.

It's like taking a number of maps showing specific items and putting them together and take the information you want to see and how they impact each other.

Cost for the software is approximately \$600.

3. Memo from Mark Maki - Court Ruling Right-of-way.

Mike Farrell brought the Planning Commission members up to date of the recent court case the Township had dealing with right-of-ways.

As the court action Township was told as a township we have no standing in the right-of-way of roads and highways. This means we cannot enforce our zoning ordinance in those right-



of-ways and cannot limit signs, etc. in our zoning ordinance for usage in the right-of-ways.

Presently we are working with the Michigan Department of Transportation (MDOT) to find out what their requirements are and how they are going to enforce their requirements in the right-of-way.

Planning Commission member felt Township should appeal the decision.

Mike Farrell stated we got our recommendation from the township attorney that the Judge's determination was on very sound ground.

Township is looking to see what we can do to help MDOT to enforce their Rules & Regulations.

Their rules may be stringent, but the enforcement may not be, that is the concern we have.

The Planning Commission members are very concerned about the possibility of the placement of signs on the right-of-way.

It was suggested that the Township will have to complain to MDOT and they will have to take action on the enforcement.

Another way of enforcement was through out Police Department through the Motor Vehicle Code. This deals with the placement of obstructions in the right-of-way as far as safety concern.

There is no plan to appeal the case that went to court.

#### 4. Fire Department - Private Roads

Mike Farrell stated the Township Fire Department requests that we establish some minimum standards for private roads.

We had a number of situations where private roads are developed in OS and RP districts where private road approval isn't required.

A resident can go out and build their own road in a OS and RP District and not get approval for it and build a year round residence and then come back to the Township and requests, garbage pick up, police protection, fire protection, etc. and the road cannot be passed 3/4 of the year. Example of J H Lane was given.

This would be a future agenda item.

#### PUBLIC COMMENT:

Mike Farrell gave an update on the Chocolay Watershed Council. A Project Manager was hired and received confirmation of additional grant dollars. A 4H group did a maintenance on Silver Creek from the highway down to the Chocolay River. There will be more demonstration projects in the future.

Planning Commission members were concerned with top soil project that was off U S 41 South.

Mike Farrell stated property owner and hauler have a soil erosion permit. Health Department have money from the property owner and hauler to be sure re-vegetation is going to take place.

It was felt that something had to be done regarding the dust from this being hauled. Mike Farrell will contact the enforcing agency and State Motor Vehicle Carrier regarding this situation.

There being no further Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

ADJOURNMENT:

There being no further business, the Planning Commission Meeting was closed at 10:20 p.m.

Estelle DeVooght  
Estelle DeVooght  
Planning Commission Secretary

Jeanette R Collick  
Jeanette R. Collick  
Recording Secretary

## CHOCOLAY TOWNSHIP PLANNING COMMISSION

TUESDAY, July 26, 1994

**PRESENT:** Bill Sanders, Mike La Pointe, Max Engle, Estelle DeVooght, Kevin Weissenborn

Scott Emerson arrived at 7:40 p.m.

**ABSENT:** Don Wickstrom

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary

**PUBLIC PRESENT:** Rita Hodgins, MSU

**PUBLIC HEARING:**

Bill Sanders, Chairperson stated there were no Public Hearings scheduled.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the meeting to order at 7:30 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Estelle DeVooght, Mike LaPointe and Kevin Weissenborn present. Scott Emerson arrived at 7:40 p.m.

Don Wickstrom was absent.

**APPROVAL OF THE MINUTES OF JUNE 28, 1994:**

Bill Sanders inquired if there were additions or correction to the minutes dated June 28, 1994. There were none.

Mike LaPointe moved, Max Engle supported that the minutes of June 28 1994 be approved as presented.

**MOTION CARRIED:** 5-0.

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Bill Sanders requested that if there were no objections that under New Business Item A (Strategic Planning - Rita Hodgins Presentation) be moved before Old Business.

Bill Sanders asked if there any further changes for the agenda? There were none.

Estelle DeVooght moved, Bill Sanders supported that the agenda be approved with the change as discussed.

**MOTION CARRIED:** 5-0.

**PUBLIC COMMENT:**

Mike Farrell, Director of Planning & Research introduced Kevin Weissenborn (newly appointed Planning Commission Member) to the Planning Commission.

Mike Farrell also informed the Planning Commission that Dave Wurster presented a letter of resignation.

The Planning Commission members welcomed Kevin Weissenborn to the Planning Commission.

The majority of the Planning Commission members inquired if the Township Board could consider appointing another member to the Planning Commission as a representative for them?

It was stated that possibly after the election another member may be appointed.

Bill Sanders asked if there were any further public comment. There were none. He closed the first public comment section of the regular meeting.

#### NEW BUSINESS:

##### STRATEGIC PLANNING - RITA HODGINS PRESENTATION:

Rita Hodgins - Eight (8) years employment with MSU gave an overlay presentation on Strategic Planning. Copies of the overlay will be distributed to the Planning Commission members at the next meeting.

Strategic Planning is a systematic approach to matching strengths with opportunities resulting in actions framed by a vision for the future.

Why develop a strategic plan?

1. To improve performance.
2. To stimulate forward thinking and clarify future direction.
3. To solve major problems.
4. To survive - even flourish - with less.
5. To build teamwork and expertise.
6. To influence rather than be influenced.

Benefits of strategic planning:

1. Challenges leaders to address important issues.
2. Provides communication channels.
3. Builds team effort and participation.
4. Provides management and decision-making tools.

Getting started:

1. Form a planning committee.
2. Identify participants from various segments of the community.
3. Engage the total community.

It was suggested that two (2) individuals from each sector of the community should be involved.

To broaden the involvement of the total community, the more volume you will have, such as:

1. Youth issues.
2. Elderly issues.

It was suggested that the size of the task force consist of twenty-five (25) to thirty (30) people.

Planning Commission can be part of the task force. Township Planning Commission can identify the task force. Volunteer is very important.

Communicate with the community. It was suggested that a box be designed and placed at local stores to collect ideas from the community.

Another example of communication with the community was through a newsletter.

It was inquired what the MSU Extension's purpose would be?

1. Meet with the task force and give them an understanding of the process.
2. Conducts all the sessions.
3. Records all the information.
4. Fed by the task force.
5. Would hold a retreat with the task force.
6. Print final document.
7. Logo or title for the project.
8. Provide personnel support.

It was stated that we need to identify a group and segments of the community.

It was inquired if we would involve to many groups? It was stated no.

What would the time line be for the Strategic Planning and what has to be done to get this going?

1. When would the Planning Commission like to do this?

It was suggested to avoid Summer. Possibly Fall or Winter would be a better time.

2. The township would hold the initial meeting for the task force and the sponsors and all the people involved would come to these sessions.

Example of a group was the Chocolay Watershed Council.

3. Need strong leadership as Co-Chair.
4. Obtain a list of people and get constrictive for contact.

MSU will explain to the task force.

Need to identify:

1. What do you want for the future?
2. Problems.
3. Strengths.
4. Strategies.

It was inquired what amount of time is required for the commitment for this project?

MSU response:

Meet three (3) times.

First meeting will be approximately forty-five (45) minutes.

One three (3) hour meeting.

Final meeting - plans finished - about five (5) hours.

Task force - about five (5) hours plus - Contacts takes the most amount of time.

It was inquired about commitment from the Township Board? Mike Farrell talked to the Supervisor and he will make the Board aware of what the Planning Commission wants to do.

It was suggested that the Planning Commission go to the Township Board with the plans, if we want to move ahead with the Strategic Planning.

The Planning Commission members felt that possibly January through March would be appropriate dates to do the Strategic Planning.

Rita Hodgins, MSU will provide the outline for the Chocolay Township Board.

The Planning Commission members thanked Rita Hodgins, MSU for her time and the fine presentation.

#### OLD BUSINESS:

##### TOPSOIL REMOVAL:

Mike Farrell went over the language regarding topsoil removal that was provided to the Planning Commission that was included in their agenda packet, memo dated July 21, 1994.

It was suggested that a requirement could be made that temporary stone (crushed rock) about a 50' x 20' strip be laid depending on the size of the truck before the vehicle goes onto a county road. This is not required in the Soil Erosion permit.

It was also stated that the Marquette County Health Department determines if a Soil Erosion Permit is required.

During the discussion of topsoil removal the following suggestions were made:

1. We could require a Grading Permit and performance bond.
2. Encourage concerned citizens to contact the various agencies to do their job in overseeing the stripping of the topsoil.
3. Planning Commission to write a letter to appropriate agencies to enforce Act 347 in Chocolay Township.
4. Add another regulation on township level.
5. Write letter to the various enforcing agencies to make them aware that the enforcing agency is not enforcing the Soil Erosion Permit properly.
6. Write letter to enforcing agency regarding wind erosion.

It was suggested that a letter be drafted and reviewed by the Executive Committee of the Planning Commission and if they agree will send the letter with the Chairperson's signature to the agency that enforces the Soil Erosion Permit

It was suggested that a copy of this letter be sent to the following agencies and they send a letter stating they are in support of something be done regarding wind erosion.

1. Chocolay Township Board
2. Chocolay Watershed Council
3. Marquette County Health Department
4. Michigan Department of Public Health

##### TRAIL DEVELOPMENT:

It was felt that topic could be incorporated with the Strategic Planning.

Mike Farrell went over the information provided to the Planning Commission members in their agenda packet and gave them an update.

He suggested that this could be another part of the Strategic Planning process.

We can ask the developer to give easements, but we cannot force them to give easements.



He will try to obtain more information.

**COMMERCIAL ACCESS CONTROL:**

Mike Farrell stated he talked to some of the businessmen in the area and some of them were for access control and some were not.

It was felt that the safety issue here should be considered a priority when dealing with access control.

We can only deal with future developments, all other businesses would be grandfathered in.

He will keep the Planning Commission informed.

**LANDSCAPE LANGUAGE PROCESS - UPDATE:**

Mike Farrell stated he provided Scott Emerson with more literature, but they have not been able to meet yet. They will review the information regarding the Landscaped Ordinance and bring back suggested language for a Landscape Ordinance for the Planning Commission Members to review.

It was suggested that we should move ahead to put language together for green space parking areas for commercial and multi family districts. This should also be incorporated in the Strategic Planning.

**NEW BUSINESS:**

**CONSIDER PLANNING COMMISSION BUDGET:**

Mike Farrell went over the proposed budget for 1995 for the Planning Commission.

**POSTAGE:**

The Planning Commission members felt that due to the Strategic Planning postage should be raised to \$600.

**COMPUTER SOFTWARE:**

The Planning Commission members felt that the purchase of computer software, Arc View will enable the Township to utilize the G.I.S. (Geographical Informational System) developed by NMU, Geography Dept. This software would benefit both the Planning and Zoning Departments as well as the DPW Department.

**CAM CORDER:**

The purchase of a cam corder would be used by the Planning and Zoning Departments as an aid in presenting information to the Planning Commission and the ZBA. it would also be used by the zoning department to document zoning violations, nuisance cases, etc. The projected cost included the cost of one case of high quality video tapes.

The cam corder would also be used by the Police Department, Fire Department and Department of Public Works Department.

Mike Farrell informed the Planning Commission that due to the rising costs of the landfill tipping fees, there will be a Special Millage Election on September 13, 1994 for two (2) mills for ten (10) years for sanitation collection.

If passed, the millage will generate approximately \$158,000.

If the millage is denied, other alternatives would be either to charge a fee or possibly Chocoday Township will purchase a certain color bag with Chocoday Township printed on them, charge a certain price per bag and distributed through the various stores for pick up.

There was discussion regarding curbside recycling.

Inquires and statements made regarding recycling:

1. If we would have township curbside recycling, township would probably have to hire additional manpower staff.

2. When base closes, volume would be reduced at the landfill.
3. A Bond was purchased and because less volume being at landfill, would not mean tipping fees would be reduced. Bond still have to be paid.
4. Curbside recycling be suggested in the Strategic Planning.

**PROJECTOR SCREEN:**

There was a consensus that we purchase a projector screen for the meeting room that could be mounted on the wall above the windows for use with an overhead projector and slide projector.

Mike Farrell encouraged the Planning Commission to be represented during the budget process.

**STORMWATER MANAGEMENT ORDINANCE:**

Mike Farrell informed the Planning Commission on the ordinance and gave a brief summary on the ordinance and informed them that the County is looking to adopt the Stormwater Management Ordinance around October 1994. Each unit of government has received a copy of the Draft 6 of this ordinance. The Planning Commission was informed that Larry Gould, D.P.W. Supervisor has the Township's copy of the Stormwater Management Ordinance.

**PLANNING DIRECTOR'S REPORT:**

Mike Farrell informed the Planning Commission that based on a split vote at the July 18, 1994 Township Board Meeting, the Township Supervisor informed the Zoning Administrator not to enforce the Zoning Ordinance.

The Board wants to get involved of the enforcement of the zoning ordinance. He informed the Planning Commission of the process.

The Township Attorney will be in attendance at the August 15, 1994 Board meeting regarding the enforcement of the Zoning Ordinance.

Mike informed the Planning Commission that Mark Maki will still enforce the Zoning Ordinance.

It was inquired if there was anything the Planning Commission members could do regarding the enforcement of the Zoning Ordinance? They were encouraged to attend the next board meeting.

It was also inquired about the right-of-way enforcement. The Planning Commission was informed that the State has a State Vehicle Code. MDOT is the enforcing agency. The Township waiting for correspondence from MDOT on the enforcement of the right-of-way.

**MEMO FROM MARK MAKI - CHOCOLAY DOWNS GOLF COURSE:**

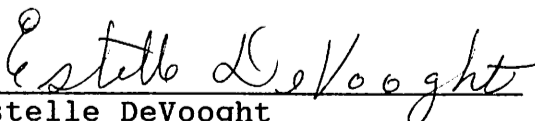
Mike Farrell brought the Planning Commission up-to-date on the Chocoday Downs Golf Course.

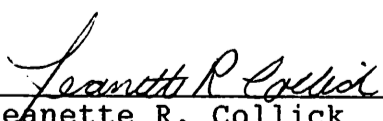
**PUBLIC COMMENT:**

There being no Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

**ADJOURNMENT:**

There being no further business, the Planning Commission Meeting was closed at 10:50 p.m.

  
 Estelle DeVooght  
 Planning Commission Secretary

  
 Jeanette R. Collick  
 Recording Secretary

CHOCOLAY TOWNSHIP PLANNING COMMISSION  
TUESDAY, August 23, 1994  
AS CORRECTED

**PRESENT:** Bill Sanders, Max Engle, Estelle DeVooght, Kevin Weissenborn

Scott Emerson arrived at 7:40 p.m.

**ABSENT:** Don Wickstrom and Mike La Pointe

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary  
Mark Maki, Director of Assessing & Zoning

**PUBLIC PRESENT:** John DeVooght, Cathy DeVooght

**PUBLIC HEARING:**

Bill Sanders, Chairperson called the Public Hearing to order at 7:30 p.m.

**Conditional Use #32 - Chocolay Downs Golf Course:**

There were no public comment on the Conditional Use #32 - Chocolay Downs Golf Course.

Bill Sanders closed the public hearing regarding Conditional Use #32 - Chocolay Downs Golf Course.

There being no further public hearings, Bill Sanders closed the Public Hearing session of the meeting.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 7:35 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Estelle DeVooght, and Kevin Weissenborn present. Scott Emerson arrived at 7:40 p.m.

Don Wickstrom and Mike La Pointe were absent.

Bill Sanders informed the Planning Commission that according to the By-Laws that after the fourth (4th) absence of a meeting that the member missing the meeting should be replaced.

Due to work commitments Don Wickstrom has exceeded the absences allowable under the By-laws.

It was suggested that possibly after the November 8, 1994 General Election that Max Engle could be the Board Representative on the Planning Commission.

Max Engle was congratulated on winning the Primary Election.

It was inquired when Max would become a Board member.

It was explained that if he wins the November Election and after he has been sworn in, he can serve on the Township Board.

**APPROVAL OF THE MINUTES OF JULY 26, 1994:**

Bill Sanders inquired if there were additions or corrections to the minutes dated July 26, 1994? There were none.

Kevin Weissenborn moved, Bill Sanders supported that the minutes of July 26, 1994 be approved as presented.

**MOTION CARRIED:** 5-0.

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Estelle DeVooght moved, Max Engle supported that the agenda be approved.

**MOTION CARRIED: 5-0.**

**PUBLIC COMMENT:**

Cathy DeVooght commented on the time spent on top soil removal.

**NEW BUSINESS:****STORMWATER MANAGEMENT ORDINANCE:**

Mike Farrell explained the Stormwater Management Ordinance to the Planning Commission.

The Stormwater Management Ordinance is proposed to be a County wide Ordinance and doesn't want to step on other ordinances.

Scott Emerson moved, Kevin Weissenborn supported that the Planning Commission approve the concept of the Stormwater Management Ordinance as outlined in Draft #5 and this be enforced county wide.

**MOTION CARRIED 5-0.**

**TRAIL DEVELOPMENT:**

Mike Farrell stated nothing new to report on trail development, but is on the agenda to keep active.

Estelle DeVooght inquired about a letter regarding trails that she received.

Mike Farrell stated that he didn't think this would be pertaining to North Country Trails.

**COMMERCIAL ACCESS CONTROL:**

Mike Farrell stated noting ~~nothing~~ new to report on Commercial Access Control, but is pursuing more information and is on the agenda to keep active.

Mark Maki stated that Marquette City owns all their roads except Washington Street.

**LANDSCAPE LANGUAGE PROGRESS:**

Scott Emerson stated he is still interested in working with Mike Farrell on the Landscape Ordinance, because of work load, it may not be until November that he could meet.

Mike Farrell stated he was still in process of gather more information regarding landscaping.

It was also suggested that the Landscape Ordinance could be dove tailed in with the Strategic Planning.

**TOPSOIL REMOVAL:**

Mike Farrell stated we received a verbal response from the County Health Department on the letter that was written, but waiting for a written response.

It was stated that the County Health Department accepted the letter as support for enforcement.

**NEW BUSINESS:****CONDITIONAL USE #32 - CHOCOLAY DOWNS GOLF COURSE:**

It was stated that minimal contact has been made with Mr. Gibbs regarding this issue.

It was commented that the gazebo is already there.

It was stated that the concern is with the use of the gazebo.

It was commented that possibly a vegetative screen be placed between lot 14, not fencing.

It was stated no zoning permit will be granted until all the conditions have been met, which are:

- a. That proper screening be established to make the cart storage facilities generally inconspicuous from adjacent land uses.
- b. That monitoring wells be implemented as per Marquette County Health Department recommendations and that monitoring data be provided to the township.
- c. Establish water use estimates.
- d. Estimating contaminant loading calculations.

It was also reported that the County has put a stop work order on the golf course. This is being enforced by the County.

Mark Maki suggested that we get the applicant to meet these conditions. The golf season will soon be over and should be a reasonable time to have these conditions be met.

Another concern is that alcohol consumption be dealt with.

It was suggested that a letter be put together to see what conditions Joe Gibbs hasn't met.

Max Engle moved, Bills Sanders supported that Conditional Use #32 - Chocolay Downs Golf Course be tabled until Joe Gibbs can comment and meet the conditions and that the issue of the consumption of alcohol be discussed.

**MOTION CARRIED 5-0.**

**ELECTION OF OFFICERS:**

Estelle DeVooght moved, Scott Emerson supported that Bill Sanders be Chairperson.

Estelle DeVooght moved, Max Engle supported that nominations be closed.

Kevin Weissenborn moved, Scott Emerson supported that the Planning Commission continue with the same officers which are:

Bill Sanders - Chairperson  
 Max Engle - Vice-Chairperson  
 Estelle DeVooght - Secretary  
 Mike La Pointe - Vice-Secretary

Scott Emerson moved, Kevin Weissenborn supported that the nominations be closed.

**MOTION CARRIED: 5-0.**

It was stated that when Max Engle leaves, the Vice Chairperson will have to be voted on for replacement.

**PLANNING DIRECTOR'S REPORT:**

Mike Farrell informed the Planning Commission that a request for rezoning from R-2 to R-3 from a land owner on Willow Road would be on a future agenda for the Planning Commission.

Mike went over the letter from Pete La Rue regarding the semi trailer being used for storage.

It was a consensus of the Planning Commission that the semi-trailer at La Rue's being used for storage was not a problem, as long as it met the setbacks.

It was also suggested that dealing with outdoor storage should be a topic for a future Planning Commission agenda item.

Mike Farrell brought the Planning Commission up-to-date on the

recommendations for the Planning Commission budget. He informed the Planning Commission that the Supervisor recommended everything that Planning Commission proposed except the Cam corder.

He stated that the budget would probably be dealt with at the second September meeting of the Township Board. He will inform the Planning Commission when this would be on the agenda.

Mike Farrell also brought the Planning Commission up-to-date on the Public Water System.

Mike Farrell also informed the Planning Commission that the Gambling Casino for the Keweenaw Bay has been delayed indefinitely.

**PUBLIC COMMENT:**

There being no Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission meeting.

**ADJOURNMENT:**

There being no further business, Estelle DeVooght moved, Max Engle supported that the Planning Commission be adjourned. The Planning Commission was adjourned at 9:17 p.m.

*Estelle DeVooght*

Estelle DeVooght  
Planning Commission Secretary

*Jeanette R Collick*

Jeanette R. Collick  
Recording Secretary



CHOCOLAY TOWNSHIP PLANNING COMMISSION  
TUESDAY, SEPTEMBER 27, 1994

**PRESENT:** Bill Sanders, Max Engle, Estelle DeVooght, Kevin Weissenborn, Mike La Pointe

**ABSENT:** Don Wickstrom and Scott Emerson

**STAFF PRESENT:** Mike Farrell, Director of Planning & Research  
Jeanette Collick, Recording Secretary  
Mark Maki, Director of Assessing & Zoning

**PUBLIC PRESENT:** Cathy DeVooght, Dr. Allan Olson, Gene Perket, Rev. Guy Thoren, Lori Deschaine, Ray Beauchamp, Jerome Le Beouf

**PUBLIC HEARING:**

Bill Sanders, Chairperson called the Public Hearing to order at 7:30 p.m.

**Rezoning #77 - R-2 to R-3:**

Mike Farrell, Director of Planning & Research explained the applicant - Paul Huard has petitioned the Chocolay Township Planning Commission to rezone parcels of property located in Section 7, T47N, R24W from the current zoning classification of R-2 to R-3.

The reason for the change is for 48 parking places.

Father Thorn - St. Louis the King Church - stated that the Church has no intention of rezoning.

Jerome Le Beouf - 612 Willow Road - stated his comments are addressed in the letter that is placed on file.

Estelle De Vooght read two (2) letters that were received by the Planning Commission regarding Rezoning #77.

Bill Sanders inquired if there were any further comments on Rezoning #77 R-2 to R-3. There were none.

The public hearing for Rezoning #77 was closed.

**Rezoning #78 - R-1 to C-2:**

Mike Farrell, Director of Planning & Research explained that the applicant, Ray Beauchamp - ABC Hardware, has petition the Chocolay Township Planning Commission to rezone a parcel of property located in Section 6, Township 47 North, Range 24 West

All that part of Government Lots 5 and 6 in Section 6, T47N, R24W in Chocolay Township, Marquette County, Michigan, more particularly described as follows: From a point on the South line of Government Lot 6 that is 200 feet East of the West 1/4 corner of Government Lot 6 and proceeding thence East along the Quarter Section Line 975 feet more or less to the West line of the present R.O.W. of U.S. 41 (75 foot R.O.W.); thence North along said R.O.W. 20 feet, thence West along the South line of Lot 1 of an unrecorded plat to the Southwest corner of lot 1 (Note: Lots were originally 300 feet deep of the Westerly R.O.W. line of Park Street in the Sergeant's Plat of Harvey); thence North 8° 01' West along the Westerly line of Lots 1 through 5 of said unrecorded Plat to the Northwesterly corner of Lot 5, this being the Point of Beginning. Thence continuing North 8° 01' West along the Westerly line of Lots 6 through 8 of said unrecorded Plat a distance of 300 feet more or less to the Northwesterly corner of said Lot 8; thence Southwesterly to a point which is 200 feet East and 622 feet North of the West 1/4 corner of Government Lot 6; thence South 300 feet more or less; thence Northwesterly to the Point of Beginning at the Northwesterly corner of said Lot 5.

from the current zoning classification of R-1 to C-2.

The purpose for this rezoning is to be able to access the property for business expansion, storage of pallet goods, expansion of the lawn and garden center and to provide additional customer and employee parking.

Dr. Allan Olson - 2318 U S 41 South inquired if this was the same request as a year ago.

Mike Farrell explained no. This would allow an additional 200' for rezoning.

Dr. Olson also inquired if plants, animals (endangered species) will be protected and if so how.

Bill Sanders asked if there were any further public comment regarding Rezoning #78 - R-1 to C-2. There were none.

There being no further public hearings, Bill Sanders closed the public hearing session of the Planning Commission meeting.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 7:40 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Estelle DeVooght, Kevin Weissenborn and Mike La Pointe present.

Don Wickstrom and Scott Emerson were absent.

**APPROVAL OF THE MINUTES OF AUGUST 23, 1994:**

Bill Sanders inquired if there were additions or corrections to the minutes dated August 23, 1994?

Max Engle noted that on page 3 under commercial access control it stated Mike Farrell stated noting new to report on Commercial Access Control, but is pursuing more information and is on the agenda to keep active. It should be corrected to read:

**COMMERCIAL ACCESS CONTROL:**

Mike Farrell stated noting ~~nothing~~ new to report on Commercial Access Control, but is pursuing more information and is on the agenda to keep active.

Kevin Weissenborn moved, Max Engle supported that the minutes of August 23, 1994 be approved as corrected.

MOTION CARRIED: 5-0.

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

It was suggested that New Business be moved on the agenda following Old Business Item A.

Bill Sanders moved, Estelle DeVooght supported that the agenda be approved.

MOTION CARRIED: 5-0.

**PUBLIC COMMENT:**

Mark Maki commented on the Conditional Use Permit for Chocoyay Downs Golf Course. He stated Mr. Gibbs has not complied with the previous conditions that the Planning Commission had set.

He suggested that the Planning Commission write a letter to the Township Board to force Mr. Gibbs to comply with the conditions that were set.

Mark Maki also commented on comments that were made regarding the letter from Mr. La Rue in the August 23, 1994 Planning Commission minutes regarding the semi-trailer issue in C-2 zones.

Mark assumes that what the Planning Commission members meant was that Mr. La Rue's semi trailer used for storage met the setbacks according to the Zoning Ordinance and was not visible from U.S. 41 in that the one in question was.

He also commented that he wouldn't think the Planning Commission wouldn't want to promote semi-trailers along U S 41 for storage. It wouldn't make it attractive retail zoning district.

Cathy DeVooght commented that anyone serving on the Township Board, Zoning Board of Appeals, Planning Commission, Board of Review and Fire Department were in violation of the Pension Ordinance.

She also commented on the absence of Don Wickstrom and that according to the By-laws after three (3) absences, a member should be replaced.

It was stated that the issue of the absences was discussed at the August 23, 1994 Planning Commission meeting.

It was also stated that the Township Board decided on the Pension and Cathy was advised to take the issue of the pension up with the Township Board.

#### OLD BUSINESS:

#### CONDITIONAL USE #32 - CHOCOLAY DOWNS GOLF COURSE:

Mike Farrell stated that Mr. Gibbs has not commented on the letter that the Planning Commission sent him dated September 12, 1994.

Following questions were asked along with comments regarding the Conditional Use #32 - Chocolay Downs Golf Course.

- It was suggested that the Planning Commission send a follow-up letter to Mr. Gibbs informing him to attend the next Planning Commission Meeting or the Conditional Use would be denied.
  - During a conversation with the Marquette County Health Department, a staff member was informed that nothing has been done regarding the Monitoring Wells.
  - Zoning Director has written two more letters to Mr. Gibbs and has received no response.
- Township Board policy is the issuance of an appearance ticket.
- It was suggested that a letter from the Planning Commission be sent to the Township Board informing them that Mr. Gibbs has not met the conditions that were set forth regarding Conditional Use #32.
  - Monitoring wells should have been put in place immediately.
  - It was inquired if a Conditional Use can be revoked?
  - It was suggested to write a letter to Mr. Gibbs to give him another opportunity to meet the conditions.
  - It was suggested that a letter be sent to the Township Board raising concern that the conditions have not been met and that Board action along the lines of an injunction is appropriate.
  - Table the Conditional Use until the October Planning Commission Meeting.
  - Deny the Conditional Use, applicant has had adequate time to meet the conditions that were set forth.
  - Not going to change the fact that the applicant has met the conditions.

Estelle De Vooght moved, Kevin Weissenborn supported that Conditional Use #32 -Chocolay Downs Golf Course be denied.

A letter will be written and reviewed by the Planning Commission

Officers and be sent to Mr. Gibbs and forwarded to the Township Board.

**MOTION CARRIED 5-0.**

**NEW BUSINESS: REZONING #77 - R2 TO R3:**

The following questions and comments were received regarding Rezoning #77.

- It was inquired if John Roberts was contacted regarding the rezoning?  
There was no response from Mr. Roberts.
- Outside of 200' the township couldn't require to hook up to the Township Sewer.
- Applicant plans on putting additional expansion of apartments.
- Suggested to table the rezoning until a response is obtained in writing from the Health Department regarding the septic system.
- It was stated that if Mr. Huard would hook up to the township sewer, the cost would be approximately \$4,000.
- In Michigan contracting zoning is not allowed.
- A letter was sent to the Marquette County Health Department inquiring about the septic service.
- Concern is the maintenance of the road.
- Land owner should be present at the meeting when this issue is discussed.
- Adequate plans for additional parking for his structure and the long term intent.
- It was explained that this wouldn't affect the church's use and what they can do.

Mike La Pointe moved, Bill Sanders supported that Rezoning #77 be tabled until a letter from the Marquette County Health Department is received and reviewed.

**MOTION CARRIED: 5-0.**

**REZONING #78 - RAY BEAUCHAMP - ABC HARDWARE:**

Ray Beauchamp explained what his intentions were regarding Rezoning #78.

- Doesn't plan on not preserving the endangered species.
- Not planning on leveling the whole area.
- Planning on maintaining the trees that are there.
- Not planning on paving, the trees will die.

The following questions and comments were asked and received regarding Rezoning #78.

- Needs to clean up the area in the back.

Mr. Beauchamp commented that they have been attempting to clean the area up, but is not through yet.

Planning on putting topsoil down.

- How large of an area would this be for?

Approximately one (1) acre.

- It was stated an Endangered Species Permit through the DNR could be obtain for the protection of the endangered species.

- Access would be limited for the expansion of the project. because there is no frontage.
- Present R-1 zoning is not practical.

Kevein Weissenborn moved, Bill Sanders supported that Rezoning #78 be approved.

**MOTION CARRIED: 5-0.**

**OLD BUSINESS:**

Cathy De Vooght requested that item E. (topsoil removal) be moved ahead of items B, C, and D.

**TOPSOIL REMOVAL:**

Mike Farrell stated that he had talked with Mr. Fred Benzie regarding the letter that was sent to the Health Department by the Planning Commission, but no response has been received at this time.

It was suggested that the Planning Commission keep abreast of the stripping of topsoil throughout the township and to see that the proper steps are followed.

**LANDSCAPE LANGUAGE:**

It was suggested that the Planning Commission address the Zoning Board of Appeals regarding the Landscape Ordinance, such as green space and parking areas.

Regulations to control trees and green space is important and possibly when a request is made to reduce these, that a hardship would be proven.

**COMMERCIAL ACCESS CONTROL:**

No information obtained.

**TRAIL DEVELOPMENT:**

No information obtained.

Mike Farrell will inform the new Director of Planning & Research of these ongoing projects.

**PLANNING DIRECTOR'S REPORT:**

Mike Farrell reported that the three text amendments: Water Front Setbacks, Recreational Structures and Golf Course Signs went to the Township Board.

The text amendment regarding Water Front Setbacks were passed by the Township Board.

The Township Board requested that the text amendment regarding Recreational Structures be referred back to the Planning Commission. Language concerning mobile homes needs to be cleaned up.

The Township Board requested that the text amendment regarding Golf Course Signs be referred back to the Planning Commission to obtain language regarding the type of advertising. The intent is to advertise for the Golf Course.

Mike Farrell stated that effective October 14, 1994 he will be resigning from his position at the Charter Township of Chocoday.

He will inform the new Director of Planning & Research of the Strategic Planning to begin January 1995 and also the ongoing projects that the Planning Commission are involved in.

He commended the Planning Commission for all their work and support they have given him while employed at Chocoday Township.

**PUBLIC COMMENT:**

Planning Commission members thanked Mike Farrell for all the support he has given them and much success to him in the future.

There being no further Public Comment, Bill Sanders closed the second Public Comment section of the Planning Commission.

**INFORMATIONAL ITEMS AND CORRESPONDENCE:**

Correspondence to Joe Gibbs - Planning Commission Questions.

**ADJOURNMENT:**

There being no further business, Mike La Pointe moved, Bill Sanders supported that the Planning Commission be adjourned. The Planning Commission was adjourned at 9:00 p.m.

Estelle DeVooght  
Estelle DeVooght  
Planning Commission Secretary

Jeanette R. Collick  
Jeanette R. Collick  
Recording Secretary





**Planning Commission**  
**Charter Township of Chocolay**

5010 US 41 South  
Marquette, MI 49855  
Phone: 906-249-1448 Fax: 906-249-1313

**There are no minutes for the meeting in October, 1994.**

**There was no meeting scheduled.**

CHOCOLAY TOWNSHIP PLANNING COMMISSION  
TUESDAY, NOVEMBER 22, 1994  
AS CORRECTED

**PRESENT:** Bill Sanders, Max Engle, Mike La Pointe, Estelle DeVooght  
(arrived at 8:15 p.m.)

**ABSENT:** Scott Emerson

**STAFF PRESENT:** Karen Chandler, Director of Planning & Research  
Jeanette Collick, Recording Secretary

**PUBLIC PRESENT:** None.

**PUBLIC HEARING:**

There were no public hearings scheduled.

**REGULAR MEETING CALLED TO ORDER:**

Bill Sanders, Chairperson called the Regular Meeting of the Planning Commission to order at 8:15 p.m.

**ROLL CALL:**

Roll call was taken with Bill Sanders, Max Engle, Estelle DeVooght, and Mike La Pointe present.

Scott Emerson was absent.

**APPROVAL OF THE MINUTES OF SEPTEMBER 27, 1994:**

Bill Sanders inquired if there were additions or corrections to the minutes dated September 27, 1994?

There were no corrections.

Estelle DeVooght moved, Max Engle supported that the minutes of September 27, 1994 be approved as submitted.

**MOTION CARRIED 4-0.**

**APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA:**

Due to Max Engle getting elected as trustee on the Chocolay Township Board and will be appointed as the Township Board representative on the Chocolay Township Planning Commission, he resigned as present Vice-Chairperson from the Planning Commission.

Mike LaPointe resigned as Vice-Secretary from the Chocolay Township Planning Commission and was unanimously elected to serve as Vice Chairperson.

Bill Sanders moved, Estelle DeVooght supported to accept the resignation of Mike LaPointe from Vice-Secretary and for the appointment of Vice-Chairperson.

**MOTION CARRIED: 4-0**

Bill Sanders moved, Estelle DeVooght supported that the agenda be approved as submitted.

**MOTION CARRIED: 4-0**

**PUBLIC COMMENT:**

There were none.

**OLD BUSINESS:**

**CONSIDER COMMENT ON STORMWATER MANAGEMENT ORDINANCE:**

The Planning Commission discussed the Stormwater Management Ordinance. It was stated that the Township Board submitted a letter to the Marquette County Board of Commissioners dated November 10, 1994. The Township Board asked that the County Board

refer draft #6 back to the committee and that the committee consider changing the ordinance so that it could be implemented on a watershed basis only.

It was stated there were some government entities that are against the Stormwater Management Ordinance.

The Stormwater Management Ordinance will be on the Marquette County Commission's agenda for December 1994.

**DISCUSS SECTION 106 AMENDMENT - RE: NUMBER OF STRUCTURES PERMITTED ON A LOT:**

After discussion on the number of structures per lot, it was suggest that the concern be placed on concentrating on area of commercial businesses rather than the expansion of commercial businesses.

There was also a concern for parking and access. Commercial access to control traffic on the highway. There are to many driveways on the highway.

After reviewing and discussing the number of structures per lot it was stated that a lot split can't be done until the proper parking is sufficient. It was suggested that this be put on a priority list and submitted to the Township Supervisor and the Township Board.

**REVIEW OF ONGOING PROJECTS:**

**1. TRAIL DEVELOPMENT:**

It was stated that when plats are being developed that the Planning Commission would like this to be considered as an easement.

Ad Hoc Committee for Recreation would be considered part of the Strategic Planning.

**2. COMMERCIAL ACCESS:**

This item should be placed on the priority list.

**3. LANDSCAPE ORDINANCE:**

This is an ordinance related item. It was commented that the Zoning Board of Appeals was contacted regarding the Landscape Ordinance, such as green space and parking areas and the approval of a hardship regarding meeting certain criteria. The Zoning Board of Appeals were against this. ~~The Zoning Board of Appeals would also need to support the landscape portion of the ordinance with variances required only in hardship cases.~~

**4. TOPSOIL REMOVAL:**

This is enforced by Soil Erosion through the County. It was suggested that if someone sees a potential problem with the removal of topsoil to contact the County by letter.

This item should be removed from the priority list.

**5. Strategic Planning:**

Karen Chandler brought the Planning Commission up-to-date on her meeting with Rita Hogins from Michigan State University regarding Strategic Planning.

It was suggested that the Planning Commission members give some thought on some residents that may be willing to serve on some of the various committees that were suggested for Strategic Planning.

It was suggested that the Strategic Planning be scheduled to start in February.

**6. Condo Ordinance:**

It was suggested that this be placed on the priority list.

**7. Sign Ordinance:**

It was suggested that this be on the priority list. Karen would draft up the Board comments for the Planning Commission Meeting in December.

**NEW BUSINESS:****SEMI-TRAILERS AND OUTDOOR STORAGE:**

Mark Maki's memo dated October 19, 1994 regarding semi-trailers used as storage was discussed.

Karen Chandler informed the Planning Commission that Ivan Fende, Township Supervisor met with Mr. Menhennick and Mr. La Rue regarding this issue. Karen will check with Ivan on the outcome of that meeting and will report the appropriate action that was taken back to the Planning Commission.

**PLANNING DIRECTOR'S REPORT:****1. CHOCOLAY DOWNS GOLF COURSE:**

Karen informed the Planning Commission that Mr. Gibbs will report on the items that were addressed in his memo to the Planning Commission in December 1994. If he cannot be in attendance, he will have information for them.

**2. PAUL HUARD:**

Karen informed the Planning Commission that Mr. Huard stated he plans on hooking into the Township Sewer and blacktopping Willow Road. He is also planning on building more apartments. This will be on the agenda for the January meeting.

It was also stated that when this was discussed at a previous meeting that St. Louis the King Church was against their piece of land to be rezoned.

**3. RESIGNATION OF DON WICKSTROM AND KEVIN WEISSENBORN FROM THE PLANNING COMMISSION.**

Karen informed the Planning Commission that both Don Wickstrom and Kevin Weissenborn have submitted their resignations from the Planning Commission.

**4. PLANNING COMMISSION MEETING NIGHT:**

After discussion, it was unanimously agreed by the Planning Commission members that starting January 1995 that the Planning Commission Meetings be changed to the second Monday of each month. Karen will check with Scott Emerson to see if this would fit his schedule.

**PUBLIC COMMENT:**

There were none.

**INFORMATIONAL ITEMS AND CORRESPONDENCE:****A. LETTER TO HARLEY ANDREWS, ATTORNEY FROM MARK MAKI - follow up on Gibb's Conditional Use Permit:**

Joe Gibbs responded to the attorney's letter.

**B. CURRENT ISSUES IN PLANNING & ZONING WORKSHOP:**

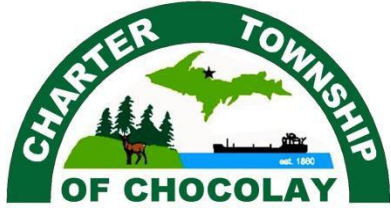
It was suggested that Karen check with MTA to inquire if it would be possible to hold some planning seminars in the U.P.

**ADJOURNMENT:**

There being no further business, Mike La Pointe moved, Max Engle supported that the Planning Commission be adjourned. The Planning Commission was adjourned at 9:30 p.m.

Estelle DeVooght  
Estelle DeVooght  
Planning Commission Secretary

Jeanette R. Collick  
Jeanette R. Collick  
Recording Secretary



**Planning Commission**  
**Charter Township of Chocolay**

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**There are no minutes for the meeting in December, 1994.**

**There was no meeting scheduled.**