

**CHOCOLAY TOWNSHIP  
PLANNING COMMISSION MINUTES  
FEBRUARY 14, 2005**

**Present:** Bill Sanders, Tom Shaw, Estelle DeVooght, Mike LaPointe, Ken Tabor  
Steve Kinnunen and Scott Emerson  
**Absent:** None  
**Others:** Dennis Stachewicz, Director of Planning and Research

**I. MEETING CALLED TO ORDER**

Chairperson Bill Sanders called the meeting to order and noted that Scott Emerson will arrive shortly.

**II. APPROVAL OF THE MINUTES OF DECEMBER 6, 2004**

The Minutes of the December 6, 2004 regular meeting were presented for approval.

Moved by Bill Sanders, Supported by Estelle DeVooght, that the December 6, 2004 Minutes be approved as presented. Aye 6 Nay 0. **Motion carried.**

**III. APPROVAL OF AGENDA**

Moved by Bill Sanders, Supported by Estelle DeVooght, that the Agenda be approved as presented. Aye 6, Nay 0. **Motion carried.**

**IV. PUBLIC COMMENT**

Bill Sanders noted the person making comment must give their name and address and they are limited to 5 minutes.

- A. Mark Maki, 370 Karen Road.** Mr. Maki noted that facts were left out from his presentation in the minutes. He reserved time to clarify his presentation to the commissioners absent. He says the Assessor is not aware of the Zoning Ordinance. He also stated that there was not a quorum present at the January meeting and he was not told who was absent. He feels the Township is ignoring the Waselesky issue. He thinks the Township has struck a deal with Mr. Waselesky to cut up cars. Continued questions of zoning permits that have not been answered.
- B. Cathy Peterson, 6341 US 41 South.** Reserved time to speak for whatever.
- C. Dick Arnold, 312 West Branch Road.** Reserved time to speak on Junk Vehicle Ordinance.

**V. OLD BUSINESS**

**A. Consideration – Land Division Appeal #04-01**

Bill Sanders introduced Mr. Stachewicz. Mr. Stachewicz had nothing to add.

Mark Maki said the Assessor approved a land division and the Township Board made motion that was against the law. He said the Assessor made up a new term “average width.” Mr. Maki said he read the attorney’s opinion and he took the side of the Township. Mr. Maki said he posed the question to other professionals; Joe Lavey and Dick Graybill and they said depth and width ratio is 9 to 1.

Mr. Maki said he wrote a letter to the Department of Commerce and they said depth to width is 9 to 1. Mr. Maki said the Township Attorney is wrong and Mark Maki said he wants a written letter from the Assessor before the Planning Commission takes action.

Bill Sanders Moved, Scott Emerson Second, after reviewing the documentation provided by the Township Staff, Township Attorney, and Mark Maki, the Planning Commission accepts the opinion of the Township Attorney and the rescinding of the Application by the Township Assessor, which voids Land Division Appeal 04-01.  
Aye 7, Nay 0. **Motion carried.**

## **B. Discussion – Junk Vehicle Ordinance**

Dick Arnold asked about Section 4 regarding canvas (temporary) garages. Mr. Stachewicz said accessory structures should be addressed in the Zoning Ordinance.

Dick Arnold asked about Section 3 and why do we have it in there. He spoke about front end loaders. He said old ordinance in Section 46.4 allowed vehicles to be repaired. There are 19 unlicensed vehicles sitting in Beaver Grove for two years now. He thanked the Planning Commissioners for doing a good job.

John Dawydko, 109 Alderbrook, asked about the definition of “house trailers”, said we need to clarify many other things. He started speaking about freedom, camp vehicles and time it takes to order parts for vehicles. His definition of junk cars is a car on blocks. He said if you can move a vehicle and it starts it should not be a junk vehicle.

Cathy Peterson asked if someone had to have a garage for repairing a vehicle? She said the Township is getting too involved in people’s lives. She said some junk or antique cars are a form of art. She said that Kinnunen’s tool truck is always in front of the house, not on the east side where he is supposed to have it parked.

They discussed camp and snow removal vehicles that may be licensed only for a part of the year and parking vehicles in garages or screened areas.

Tom Shaw said he is concerned about the uncontrolled accumulation of iron that will not be used. Scott Emerson said environmental threats (battery acid and leaking oil contaminating the neighbors’ wells) are also a problem.

Other comments were made unrelated to junk vehicles. Bill Sanders had to calm the public down at this point as they were arguing among themselves and with the commissioners.

Mark Maki said the problem is ground water contamination. He said if there is no limit on how many vehicles can be screened, the Township is right back where they were with the old ordinance. Bill Sanders responded saying if there is no limit it devalues property and can be a pollution problem. Richard Arnold wants to protect of property and limit the vehicles allowed outside.

Bill Sanders answered questions that were asked during public comment. The person who would enforce the Junk Vehicle Ordinance would be the Zoning Administrator and the truck repair in Beaver Grove is zoned commercial. He said we have to fix the old Junk Vehicle Ordinance.

The commissioners then went through the problem portions of the ordinance and made changes they thought appropriate as they discussed it.

Ken Tabor suggested that large lots should have different rules than small lots in subdivisions. Bill Sanders said it has to be the same across the board. Mike LaPointe feels there needs to be a number to limit vehicles. Estelle DeVooght questioned agricultural vehicles. Ken Tabor said if the vehicles are screened, he thinks it is alright to have them unlimited. Steve Kinnunen recommends limiting junk vehicles, saying that 70% of the residents on the survey wanted a junk car ordinance with very small number of vehicles allowed, if any. Scott Emerson said there should be an agricultural exemption. Bill Sanders said this draft will go to the Board to the March or April meeting. Bill Sanders said it was all about being good neighbors to one another.

Steve Kinnunen Moved, Scott Emerson Second, that the Planning Commission advise the Director of Planning and Research to present the Draft Inoperable Vehicle Ordinance to the Township Board for adoption as presented with changes discussed at the 2-14-05 Planning Commission Meeting.

Aye 7, Nay 0. **Motion carried.**

## **VI. NEW BUSINESS**

### **A. CONSIDERATION – JOINT WORK SESSION INVITATION TO TOWNSHIP BOARD**

Ken Tabor Moved, Bill Sanders Second, to invite the Township Board to attend a joint meeting with the Planning Commission to be held on March 3, 2005 at 6:00 p.m. at the Township Hall, facilitated by the Planning and Zoning Center, Inc., to discuss the draft Chapters 10 through 12 regarding Future Land Use, Zoning Recommendations, and Implementation of the Plan.

Aye 7, Nay 0. **Motion carried.**

### **B. DISCUSSION – PLAN ADOPTION PROCEDURE**

Planning Director to write letter.

### **C. DISCUSSION – FUTURE LAND USE AND ZONING OF SILVER CREEK SCHOOL**

Planning Director to write letter.

## **VII. PLANNING DIRECTOR'S REPORT**

## **VIII. PUBLIC COMMENT**

Mark Maki complained that he did not get an answer from Dennis Stachewicz regarding who was not going to be present at the January meeting. Members of the Planning Commission responded and asked why is he so concerned where they are at? Mr. Maki also spoke about Waselesky, Togo's, sign in Beaver Grove, mini-warehouses being used for commercial. Mr. Stachewicz advised Mr. Maki that all of these issues have been answered in a meeting with the Township Attorney. Mark Maki continued to make numerous complaints and raised his voice. Bill Sanders asked him to finish. Mr. Maki continued. Bill Sanders again asked Mr. Maki to finish.

Dick Arnold said he is not completely satisfied with the ordinance language. He said he was disappointed at the length of time that it took to work on the ordinance. If he was a member of the Board he would quit.

Bill Sanders spoke in support of the Board and is not ashamed of the Planning Commission and is proud of them.

John Dawydko thanked the Board for their professional handling of the controversial meeting and people.

Chief Zyburt spoke about TV6 coverage of the snowmobile trail and invited the Planning Commission members to view it after the meeting.

**IX. COMMISSIONER COMMENT**

**X. INFORMATIONAL ITEMS AND CORRESPONDENCE**

**XI. ADJOURNMENT**

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Estelle DeVooght, Commission Secretary

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Dennis Stachewicz, Recording Secretary

**CHOCOLAY TOWNSHIP  
SPECIAL PLANNING COMMISSION MEETING MINUTES  
MARCH 3, 2005**

**Present:** Bill Sanders, Estelle DeVooght, Mike LaPointe, and Steve Kinnunen **Absent:**  
Tom Shaw, Scott Emerson and Ken Tabor

**Others:** Dennis Stachewicz, Director of Planning and Research

**I. MEETING CALLED TO ORDER**

Chairperson Bill Sanders called the meeting to order at 6:10 P.M.

**II. APPROVAL OF THE MINUTES OF FEBRUARY 14, 2005**

Moved by Estelle DeVooght, Supported by Steve Kinnunen, that the February 14, 2005 Minutes be approved as presented.  
Aye 4 Nay 0. **Motion carried.**

**III. PUBLIC COMMENT** No public comments.

**IV. NEW BUSINESS**

**A. Consideration – Amendment to 2005 Planning Commission Meeting Schedule**

Bill Sanders Moved, Mike LaPointe Second, to cancel the March 14, 2005 regular Planning Commission meeting and to ask the Director of Planning and Research to notice the change to the meeting schedule.  
Aye 4, Nay 0. **Motion carried.**

**B. Work Session – Comprehensive Plan**

Mark Wyckoff led the discussion regarding the Comprehensive Plan.

Cathy Peterson does not want 1 house per 20 acres. She is also opposed to the entire Comprehensive Plan; it is a fraud and a joke.

**V. PUBLIC COMMENT**

Cathy Peterson asked why Mark Wyckoff sent surveys to all Township affiliated people and none to anyone else? Mark Wyckoff said the survey was a local leaders' survey so the consulting firm would have an initial set of issues to bring to the Town Meeting. Cathy Peterson asked what law is open space law? Mark Wyckoff said amendment to Township Zoning Act. Cathy Peterson said smart growth is a copy cat. Mark Wyckoff said it is a professional planning tool.

Dan Hockin asked if the new streets may go through wetlands? Bill Sanders said it is just a broad overview.

**VI. COMMISSIONER COMMENT**

Steve Kinnunen said visual handouts would be good to have on hand. Mark Wyckoff said he would try to put it in the plan.

**VII. ADJOURNMENT**

Bill Sanders closed the Special Meeting at 8:50 P.M.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary



**Charter Township of Chocolay  
Planning Commission**

Monday, April 11, 2005  
7:30 P.M.

Present: Steve Kinnunen, Mike LaPointe, Bill Sanders, Scott Emerson, Ken Tabor, Estelle DeVooght and Tom Shaw

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo (Recording Secretary)

**I. MEETING CALLED TO ORDER/ROLL CALL**

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

**II. APPROVAL OF THE MINUTES OF MARCH 3, 2005 MEETING**

Estelle DeVooght moved to approve the minutes of March 3, 2005 meeting, Bill Sanders Seconded. Aye 7 Nay 0. Motion Approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Ken Tabor moved to Approve the Agenda, Scott Emerson supported. Aye 7, Nay 0. Motion Approved.

**IV. PUBLIC COMMENT**

Mark Maki of 370 Karen Road brought up the issue of the land division appeal on Kawbawgam Road, his appeal of the Planning Commission's decision, and the involvement of correspondence from the State Land Division. He asked that this correspondence be reviewed.

End Public Comment at 7:35 p.m.

**V. OLD BUSINESS**

**A. Future Land Use at Silver Creek School**

Dennis Stachewicz repeated the main points from the previous discussion last month. He said it would be appropriate to decide on a land use and zoning prior to receiving a purchase offer on the school and property. Bill Sanders discussed some zoning issues. Estelle DeVooght asked about the playground. Mr. Stachewicz said the playground could be included in any sale of the building.

The PC Board members discussed zoning pro's and con's, types of businesses, etc. that could utilize the building, the uses allowed by PUD and R-3 zoning designations and what direction they would like to see the township take regarding the usage of this building and land that is for sale.

Bill Sanders asked Dennis Stachewicz for his input as to what steps the Planning Commission should take regarding the review/change of the zoning.

Bill Sanders moved to send a letter to the Township Board asking the Township Supervisor to begin the rezoning process to change Silver Creek School from PL to R3, Ken Tabor supported. Aye 7, Nay 0. Motion Approved.

**VI. NEW BUSINESS**

**A. Consideration – Recommendation to Township Board – Distribution of Comprehensive Plan Draft**

Dennis Stachewicz said a recommendation is needed for the Township Board to approve the draft plan for distribution to adjoining jurisdictions.

Ken Tabor Moved, Scott Emerson Seconded, that after review of the draft Plan, the Chocolay Township Planning Commission submits the draft Comprehensive Plan Update to the Chocolay

Township Board for review and Comment and recommends that the Chocloy Township Board authorize the distribution of the draft plan to adjoining jurisdictions and schedule a public hearing for August 4, 2005. Aye 7, Nay 0. Motion Approved.

**B. Consideration – Chocloy River Watershed Sites of Concern**

Dennis Stachewicz said the Chocloy River Watershed Council's is requesting the Township's recommendations for locations of concern in the watershed. The Planning Commission discussed the status of the list from last year, the effect of snow melt, current sedimentation in the river, and any upcoming plans for development. The Planning Commission asked Mr. Stachewicz to add the Voce Creek sediment trap to last years list and present it to the Township Board for their input and comments. Mike LaPointe also asked that the Watershed Council provide an annual report and presentation to the Planning Commission.

**C. Consideration – Possible Relocation of Playground Equipment at Kawbawgam Pocket Park**

Dennis Stachewicz said the Township Supervisor had asked him to get the Planning Commission's thoughts regarding the possible relocation of the Kawbawgam Pocket Park playground equipment. After discussion, the Planning Commissioners suggested that a letter be sent to the Township Supervisor identifying the property south of the KBIC Community Center as the preferred area for relocation.

**VII. PLANNING DIRECTOR'S REPORT**

Dennis Magadanz is retiring. The position is currently open and it is hoped to be filled soon.

Estelle DeVooght's term is expiring soon. She was asked if she would like to remain on the Planning Commission Board of which she stated she did.

There is a Township meeting coming up on May 12<sup>th</sup>, 2005 at 7:00 p.m. at the Cherry Creek School. The Planning Commission will still meet on May 9<sup>th</sup>, 2005 at the regular time as the meeting on the 12<sup>th</sup> is a township meeting, not a PC meeting.

There will be a public hearing on April 18<sup>th</sup>, 2005 regarding land division ordinances and junk yard issues.

**VIII. PUBLIC COMMENT – None.**

**IX. COMMISSION COMMENT**

The Planning Commission discussed the status of the junk vehicle issues with Mike LaPointe asking if the number of junk vehicles a person may have was determined. Another issue brought up was the new "tent-like" parking structures that are being used to house boats, motor homes and such. These structures can be moved, eye sores and their ecological impact.

The Commissions would like a letter to be sent to Dennis Magadanz to thank him for doing a great job as Department of Public Works Supervisor.

Scott Emerson asked if the Commissioners should address the issue brought up earlier by Mark Maki. Bill Sanders recommended that the Dennis Stachewicz ask the Township Supervisor to review land division correspondence with attorney Mike Summers.

**XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Zoning Administrator to Jeffery Glass
- B. Correspondence - Zoning Administrator to Larry Huebner
- C. Correspondence – West Branch Township; Notice of Intent to Plan
- D. Correspondence – CUPPAD; Onota Township Policy Plan
- E. Correspondence – Supervisor to Planning Commission Chairman
- F. Correspondence – Planning Director to Township Board
- G. Correspondence – Planning Director to Township Board
- H. Information – Sands Plan Aquifer Review



- I. Information – Marquette Township Planning Commission Minutes – 01/12/05 and 02/09/05
- J. Publication – Planning and Zoning News.

**XII. ADJOURNMENT.** Bill Sanders adjourned the meeting at 8:22 p.m.

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Estelle DeVoght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, April 11, 2005  
7:30 P.M.

Present: Steve Kinnunen, Mike LaPointe, Bill Sanders, Scott Emerson, Ken Tabor, Estelle DeVooght and Tom Shaw

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo (Recording Secretary)

**I. MEETING CALLED TO ORDER/ROLL CALL**

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

**II. APPROVAL OF THE MINUTES OF MARCH 3, 2005 MEETING**

Estelle DeVooght moved to approve the minutes of March 3, 2005 meeting, Bill Sanders Seconded. Aye 7 Nay 0. Motion Approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Ken Tabor moved to Approve the Agenda, Scott Emerson supported. Aye 7, Nay 0. Motion Approved.

**IV. PUBLIC COMMENT**

Mark Maki of 370 Karen Road brought up the issue of the land division appeal on Kawbawgam Road, his appeal of the Planning Commission's decision, and the involvement of correspondence from the State Land Division. He asked that this correspondence be reviewed.

End Public Comment at 7:35 p.m.

**V. OLD BUSINESS**

**A. Future Land Use at Silver Creek School**

Dennis Stachewicz repeated the main points from the previous discussion last month. He said it would be appropriate to decide on a land use and zoning prior to receiving a purchase offer on the school and property. Bill Sanders discussed some zoning issues. Estelle DeVooght asked about the playground. Mr. Stachewicz said the playground could be included in any sale of the building.

The PC Board members discussed zoning pro's and con's, types of businesses, etc. that could utilize the building, the uses allowed by PUD and R-3 zoning designations and what direction they would like to see the township take regarding the usage of this building and land that is for sale.

Bill Sanders asked Dennis Stachewicz for his input as to what steps the Planning Commission should take regarding the review/change of the zoning.

Bill Sanders moved to send a letter to the Township Board asking the Township Supervisor to begin the rezoning process to change Silver Creek School from PL to R3, Ken Tabor supported. Aye 7, Nay 0. Motion Approved.

**VI. NEW BUSINESS**

**A. Consideration – Recommendation to Township Board – Distribution of Comprehensive Plan Draft**

Dennis Stachewicz said a recommendation is needed for the Township Board to approve the draft plan for distribution to adjoining jurisdictions.

Ken Tabor Moved, Scott Emerson Seconded, that after review of the draft Plan, the Chocoday Township Planning Commission submits the draft Comprehensive Plan Update to the Chocoday Township Board for review and Comment and recommends that the Chocoday Township Board authorize the distribution of the draft plan to adjoining jurisdictions and schedule a public hearing for August 4, 2005. Aye 7, Nay 0. Motion Approved.

**B. Consideration – Chocoday River Watershed Sites of Concern**

Dennis Stachewicz said the Chocoday River Watershed Council's is requesting the Township's recommendations for locations of concern in the watershed. The Planning Commission discussed the status of the list from last year, the effect of snow melt, current sedimentation in the river, and any upcoming plans for development. The Planning Commission asked Mr. Stachewicz to add the Voce Creek sediment trap to last years list and present it to the Township Board for their input and comments. Mike LaPointe also asked that the Watershed Council provide an annual report and presentation to the Planning Commission.

**C. Consideration – Possible Relocation of Playground Equipment at Kawbawgam Pocket Park**

Dennis Stachewicz said the Township Supervisor had asked him to get the Planning Commission's thoughts regarding the possible relocation of the Kawbawgam Pocket Park playground equipment. After discussion, the Planning Commissioners suggested that a letter be sent to the Township Supervisor identifying the property south of the KBIC Community Center as the preferred area for relocation.

**VII. PLANNING DIRECTOR'S REPORT**

Dennis Magadanz is retiring. The position is currently open and it is hoped to be filled soon.

Estelle DeVooght's term is expiring soon. She was asked if she would like to remain on the Planning Commission Board of which she stated she did.

There is a Township meeting coming up on May 12<sup>th</sup>, 2005 at 7:00 p.m. at the Cherry Creek School. The Planning Commission will still meet on May 9<sup>th</sup>, 2005 at the regular time as the meeting on the 12<sup>th</sup> is a township meeting, not a PC meeting.

There will be a public hearing on April 18<sup>th</sup>, 2005 regarding land division ordinances and junk yard issues.

**VIII. PUBLIC COMMENT – None.**

**IX. COMMISSION COMMENT**

The Planning Commission discussed the status of the junk vehicle issues with Mike LaPointe asking if the number of junk vehicles a person may have was determined. Another issue brought up was the new "tent-like" parking structures that are being used to house boats, motor homes and such. These structures can be moved, eye sores and their ecological impact.

The Commissions would like a letter to be sent to Dennis Magadanz to thank him for doing a great job as Department of Public Works Supervisor.

Scott Emerson asked if the Commissioners should address the issue brought up earlier by Mark Maki. Bill Sanders recommended that the Dennis Stachewicz ask the Township Supervisor to review land division correspondence with attorney Mike Summers.

**XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

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- G. Correspondence – Planning Director to Township Board
- H. Information – Sands Plan Aquifer Review
- I. Information – Marquette Township Planning Commission Minutes – 01/12/05 and 02/09/05
- J. Publication – Planning and Zoning News.

**XII. ADJOURNMENT.** Bill Sanders adjourned the meeting at 8:22 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, May 9, 2005  
7:30 P.M.

Present: Steve Kinnunen, Mike LaPointe, Bill Sanders, Scott Emerson, Ken Tabor, Estelle DeVooght and Tom Shaw

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research)

**I. MEETING CALLED TO ORDER/ROLL CALL**

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

**II. APPROVAL OF THE MINUTES OF THE APRIL 11, 2005 MEETING**

Estelle DeVooght moved to approve the minutes of the April 11, 2005 meeting, Bill Sanders Seconded. Aye 7 Nay 0. Motion Approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Tom Shaw moved to approve the agenda, Estelle DeVooght supported. Aye 7, Nay 0. Motion Approved.

**IV. PUBLIC COMMENT**

Bill Sanders read a letter submitted to the Planning Commission by Mark Maki of 370 Karen Road. In his letter Mr. Maki said that the Zoning Administrator has not given him a response regarding the well testing at the golf courses, structures have been put up by Don Anderson at the corner of M-28 and Superior Street, someone changed the requirements of the Junk Ordinance before it was presented to the Township Board, and he inquired as to what the status was regarding the review of correspondence from the State Land Division Office.

End Public Comment at 7:35 p.m.

**V. OLD BUSINESS**

**A. Discussion – Junk Car Ordinance**

Dennis Stachewicz presented a memorandum and a marked-up copy of the proposed ordinance that showed comparisons with the old ordinance (Ordinance #46) to the Planning Commission. Ken Tabor spoke about what concerns the Township Board had with the proposed ordinance language and said the Board was split over the idea of the Township regulating how many vehicles a person could have on their property.

There was a lengthy discussion by the Planning Commission regarding whether or not it would be appropriate to try and regulate the number of inoperable vehicles a person could have. A majority of the Planning Commission felt that as long as the vehicles were inside a building, the Township should not place a number on how many a person could have.

Dick Arnold, 312 West Branch Road, said that he didn't like the idea that someone could have an unlimited number of vehicles even if they were inside. He also said the Township would have a hard time enforcing the provision for a hobby car because the Township would be unable to determine if it is being worked on. He said the proposed ordinance should be for the health of all of the Township Residents and a majority of them do not want an accumulation of junk. Several Planning Commissioners reminded Mr. Arnold that there have been very few other residents that have attended any of the publicly noticed work sessions regarding this ordinance and that the Planning Commission is looking out for the good of the entire Township rather than a few residents.

There was further discussion by the Planning Commission about how to balance the environmental protection and aesthetic expectations of Township Residents versus the

expectations of residents that moved here to be able to have a number of vehicles and live a more rural lifestyle.

Mr. Stachewicz proposed a couple of alternatives to the Planning Commission and the Planning Commission discussed those options which included the possibility of a joint meeting and presentation with the Township Board or sending the proposed ordinance back to the Township Board with the changes discussed at this meeting.

Bill Sanders moved, Ken Tabor Supported, that the Planning Commission recommend that the Director of Planning and Community Development present the draft Inoperable Vehicle Ordinance to the Township Board for consideration and adoption as presented with the following changes:

1. The title be changed to "Vehicle and Trailer Parking and Storage Ordinance;"
2. Move the language requiring vehicles to be "wholly contained" from section 4.A.7 to section 4.A;
3. Revise section 4.A.7 to provide an allowance of 3 inoperable vehicles provided they are completely screened using the screening language currently in section 4.A.7.

Aye 7, Nay 0. Motion Approved.

## **VI. NEW BUSINESS**

### **A. Discussion – Firearms Ordinance**

Dennis Stachewicz said the Township had received a letter from Judd Johnston, 1943 M-28 East, requesting an expansion of the Firearms Restriction Zone that is outlined in the Charter Township of Chocoday Firearms Ordinance. Mr. Stachewicz recommended that the Planning Commission consider the Comprehensive Plan Update and the possibility of future changes to the Zoning Districts per the recommendations in the Plan.

There was discussion by the Planning Commission regarding the current ordinance and the correspondence from the Zoning Administrator that identified the need to either rezone a number of properties or make considerable amendments to the Firearms Ordinance.

There was a consensus by the Planning Commission to allow the Director of Planning and Community Development draft a letter to the Township Board asking them for direction based upon a set of proposed solutions.

## **VII. PLANNING DIRECTOR'S REPORT**

Dennis Stachewicz said the Township has entered into an agreement with Faith Assembly of God for the sale of the old Silver Creek School and property. He also said that the Township Board authorized the submission of a rezoning application prior to the purchase agreement.

Mr. Stachewicz said the Planning Commission will be reviewing a site plan for the Marquette Motor Lodge at their next meeting.

He also reminded the Planning Commission that there is a Town Hall meeting coming up on May 12<sup>th</sup>, 2005 at 7:00 p.m. at the Cherry Creek School.

## **VIII. PUBLIC COMMENT**

Denny Magadanz, 158 West Main Street, said that the water testing at the golf course has been done by the Township every year as required.

## **IX. COMMISSION COMMENT**

Estelle DeVooght inquired about whether or not the potential owners of the school would have to pay taxes. Dennis Stachewicz said he believes that they are tax exempt for both real and personal property and he would confirm with the Township Assessor.

**INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Planning Commission to Denny Magadanz
- B. Correspondence – Planning Commission to Township Supervisor
- C. Information – Marquette Township Planning Commission Minutes – 03/09/05
- D. Publication – Planning and Zoning News

**XII. ADJOURNMENT.** Bill Sanders adjourned the meeting at 8:45 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, June 13 2005  
7:30 P.M.

Present: Mike LaPointe, Bill Sanders, Ken Tabor, Estelle DeVooght

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo  
(Recording Secretary)

**I. PUBLIC HEARINGS**

1. Rezoning #131 – Chocolay Township – Public Lands to R-3

**II. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order by Bill Sanders at 7:30 p.m. Missing from the Planning Commission meeting were Scott Emerson, Steven Kinnuen and Tom Shaw

**III. APPROVAL OF THE MINUTES OF MAY 9, 2005**

Ken Tabor moved to Approve the Minutes of May 9, 2005 meeting with Estelle DeVooght supporting. Aye 4, Nay 0. Motion Approved.

**IV. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Ken Tabor moved to Approve the Agenda for the June 13, 2005 meeting with Bill Sanders Seconding. Aye 4, Nay 0. Motion approved.

Bill Sanders noted that he accidentally missed the Public Hearing and opened the Public Hearing for Rezoning #131.

Dennis Stachewicz reiterated his memo dated June 1, 2005 with his recommendations regarding the rezoning of an approximately 10 acre size parcel of PL (Public Lands) to R-3 Residential Three having to do with what is commonly known at the Silver Creek School.

It was discussed that the township would have access to some areas of the parcel.

At this time, Bill Sanders directed questions/input for public comment.

Mark Maki of 370 Karen Road asked if the new Comprehensive Plan included this building as a community center?

The Public Hearing was closed at 7:37 p.m.

**V. PUBLIC COMMENT**

Mark Maki lodged a complaint against the Planning Commission and said he was not provided an agenda to review prior to arriving at this meeting. He states this is against the law. He remarked that it was nice to see that water testing was being administered as he has asked for this to be completed for 3 years now.

Mr. Maki also commented on the agenda, Item X. C. Information – Township Attorney Opinion re: Parcel Split. It is his contention that Attorney Michael Summers did not have opportunity to review the correspondence (2 letters) that Mr. Maki had received from the State in response to his inquiry/complaints. He also added that he believes the land division issue is in violation of the law.

Public Comment closed.



**VI. OLD BUSINESS - None**

**VII. NEW BUSINESS**

**A. Consideration – Rezoning #131**

After discussion, the Planning Commission agreed that it make good sense to rezone #131 to R-3 for further use. The Planning Commission agreed that the outcome of their previous work sessions concluded a rezoning to R-3 would be appropriate given the proximity to residential areas.

Bill Sanders Moved, Ken Tabor Second, that following the review of Rezoning request #131, and Staff/File Review, the Planning Commission recommends APPROVAL of Rezoning #131 to the Township Board to rezone parcel 52-02-106-040-00 from PL to R-3 to recognize that the property will no longer meet the requirements of the PL zoning district and that a zoning designation of R-3 is more appropriate given the close proximity to residential land uses.

Bill Sanders asked if there were parcels available to the public of which Dennis Stachewicz stated yes.

Motion carried. Dennis Stachewicz said that this will be presented to the County Planning Commission, then to the Township Board in July of 2005.

**B. Consideration – Site Plan Review #05-01**

Dennis Stachewicz remarked that this plan had already been put in front of the ZBA and the ZBA granted a “Class A” designation and approval to expand a Class “A” non-conforming use. Now the plan must be presented to the Planning Commission for approval for the site renovation.

The developer and owner, using sketches and diagrams, showed the Planning Commission the façade appearance they propose to build, explained plans regarding a courtyard, an enclosed patio, and adding landscaping. There had been changes from the original site plan regarding parking change this to angle parking. There has been an adjustment made to the bike path making it narrower which has been approved by the MDOT Corridor Management Team. The sign will remain the same.

Bill Sanders asked about the carriage lights and the potential glare onto the highway.

Estelle DeVooght asked about the cabins that are located in the back of the motel property and was told they were the property of Wahlstrom’s.

Mike LaPointe Moved and Bill Sanders Seconded that after review of the standards of Section 504 and other applicable standards contained in the Township Zoning Ordinance; and the STAFF/FILE REVIEW – SITE DATA AND ANALYSIS; and subsequently finding compliance with the standards for approval of the request, the Planning Commission approves Site Plan Review Request #05-01 with the following conditions:

- 1) That the applicant obtain a permit from the Michigan Department of Transportation for the right of way improvements in front of the parcel along US-41; and
- 2) The above condition is subject to review and approval of the Zoning Administrator, prior to the application obtaining a Zoning Compliance permit.

Aye 4, Nay 0. Motion approved.

**C. Discussion – Township Welcome Signs**

Mark Wyckoff suggested that the Township should consider Welcome signs to create an identity. Greg Seppanen asked if the Planning Commission would look at this issue.

An example was shown to the Planning Commission which is the same layout that is seen at the soccer field and the township buildings. Mr. Stachewicz suggested that the Planning Commission take their time and brain storm of idea’s and lay-outs and come back with some information at a later time. After much discussion on whether to hold a contest for a logo or have an informal township meeting to get the community involved it was thought

that the current layout/design works well for the Township. Night lights and landscaping could be added.

Estelle DeVooght asked where the money would come from to pay for the new Welcome signs with lights and landscaping. Mr. Stachewicz said money was budgeted for Comprehensive Plan implementation.

Dennis Stachewicz will draft a letter to the Township Supervisor and let the Planning Commission review the letter.

### **VIII. PLANNING DIRECTOR'S REPORT**

Mr. Stachewicz stated that he has received one written comment regarding the Comprehensive Plan. A Public Hearing will be held on August 4, 2005.

It was questioned whether the August 4<sup>th</sup> meeting would supersede the planned August 8, 2005 Planning Commission meeting. The PC will still meet on August 8, 2005.

The Chocoday River Watershed Council meeting was discussed.

### **IX. PUBLIC COMMENT – None**

### **IX. COMMISSION COMMENT – None**

### **XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Supervisor to Chocoday river Watershed Council
- B. Correspondence – Yelle to Stachewicz re: Water Testing
- C. Information – Township Attorney Opinion Re: Parcel Split Complaint
- D. Information – Marquette City Planning Commission Minutes – 4/19/05 and 5/03/05
- E. Information – Marquette Township Planning Commission Minutes – 4/13/05

### **XII. ADJOURNMENT.** Bill Sanders adjourned the meeting at 8:34 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, July 11 2005  
7:30 P.M.

Present: Mike LaPointe, Estelle DeVooght, TomShaw and Scott Emerson

Absent: Ken Tabor, Bill Sanders and Steve Kinnunen

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo (Recording Secretary)

**I. PUBLIC HEARINGS** (begun at 7:36 p.m.)

1. Conditional Use #71 – Magadanz – Home Occupation
2. Conditional use #72 – Hockin – Recreational Structure in RP District

Dennis Stachewicz gave a quick overview regarding the requests listed above under public hearings. Conditional Use #71 involves the application for a day care center to be utilized from a home located on Lakewood Lane. Per Mr. Stachewicz, here are four conditions cited to be adhered to before the Planning Commission should consider approval of this request which in essence was building a fence, hours of operation, permit will be reviewed in one year and the applicant must obtain a permit from the Zoning Administrator.

Mr. Stachewicz pointed out the potential concern regarding increased traffic using M-28 to obtain access to Lakewood Lane. He checked with MDOT who gave their approval.

Mike LaPointe asked the applicant if she had anything to add to the discussion of which she did not.

Dennis Stachewicz went on to review Conditional Use #72 which involves building a recreational structure/camp on a 40 acre parcel located near Shot Pointe off of M-28. Mr. Stachewicz provided site data and analysis and the gist of the overview involved the fire department having access to this structure should a fire occur. In other words, the applicant must be aware that there is the possibility that the department could not gain access to his structure should there be a fire. The Chocolay Fire Department had no problem with the building of this structure as long as the applicant was fully aware of the limitation. Mr. Hockin indicated he understood. Dennis Stachewicz went on to state that the key to conditional use is that the structure was to be used only as recreational and not a permanent residence. The health department must also okay the structure which involves obtaining a permit. The applicant must go to the Zoning Administrator for a permit as well.

Mike LaPointe asked the applicant if he had anything to add of which he did not.

**II. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order by Mike LaPointe at 7:45 p.m.

**III. APPROVAL OF THE MINUTES OF JUNE 13, 2005 MEETING**

Estelle DeVooght moved to Approve the Minutes of June 13, 2005 with Tom Shaw supporting. Aye 4, Nay 0. Motion Approved.

**IV. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

For the convenience of those listed under public hearings that were waiting for their applications to be heard, the agenda was changed slightly in that VII New Business superseded VI Old Business.

Scott Emerson moved to Approve the Agenda with the aforementioned change for the July 11, 2005 with Tom Shaw Seconding. Aye 4, Nay 0. Motion approved.

**V. PUBLIC COMMENT**

Lee Blondeau of 30 N. Traci Lane, Marquette, MI asked that he, at some point, be given time to address the Planning Commission.

Public Comment is closed.

**VI. NEW BUSINESS (AGENDA CHANGE AS APPROVED ABOVE)**

- A. Consideration – Conditional Use #71
  - B. Consideration – Conditional Use #72
  - C. Discussion – Jurisdictional Transfer of County Road 480 from MCRC to MDOT
  - D. Discussion – Relocation of Tot Lot at Silver Creek Recreation Area
- Discussion – Comprehensive Plan Comments

A. Conditional Use #71. Tom Shaw directed a question to Mr. Stachewicz regarding the neighbors’ response to the request. Mr. Stachewicz advised that 25 notices were sent within 800 feet. Mr. Stachewicz pointed out to the applicant that her daycare facility would be reviewed on a yearly basis and should it prove to be a nuisance, then the conditional use would be withdrawn.

Scott Emerson Moved, Tom Shaw Second, that after review of Conditional use request #71, the STAFF.FILE REVIEW – SITE DATA and ANALYSIS, Section 107 (A) of the Zoning Ordinance, the site plan and application provided and subsequently finding compliance with the standards for approval of the request found in section 701 of the Zoning Ordinance, the Planning Commission approves Conditional Use Request #71 with the following conditions:

- 1. The applicant shall construct a fence as indicated on the site plan, a minimum of 4 feet in height and constructed of materials that will provide a visual screen of the rear yard activity from the view of the surrounding property and
  - 2. The operation of outdoor day care activity shall be limited to the hours of 7:30 a.m. to 10:00 p.m.; and
  - 3. the permit shall be subject to review one year from the date of approval and
  - 4. the applicant shall obtain a Zoning Compliance permit from the Zoning Administrator which indicates the above conditions.
- Aye 4, Nay 0. Motion Approved

B. Conditional Use #72. Estelle DeVooght asked if this was the same road that had problems with wetlands in years past? Mr. Stachewicz advised that it doesn’t matter if the road is gravel, it is a private road. Scott Emerson advised that the wetland/road problem was years ago and has been resolved. Mr. Stachewicz stated that Randy Yelle from the Zoning Board of Appeals had traveled to this site to check on access. Scott Emerson asked the applicant if he was totally aware that the fire department may not be able to get to his structure in case of a fire of which the applicant stated he did.

Scott Emerson Moved, Tom Shaw Second, that after review of the Conditional Use request #72 the STAFF.FILE REVIEW – SITE DATA AND ANALYSIS, Section 212 of the Zoning Ordinance, and subsequently finding compliance with the standards for approval of the request found in section 702 of the Zoning Ordinance, the Planning Commission approves Conditional Use Request #72 with the following conditions:

- 1. The applicant shall obtain a permit from the Marquette County Health Department for waste disposal/septic system; and
- 2. The permit is granted with the understanding that the recreational structure shall at no time be utilized, or ever converted to a permanent home without the permission of the Charter Township of Chocolay; and
- 3. The applicant shall obtain a Zoning Compliance permit from the Zoning Administrator once the first condition is met, which also indicated the second condition of approval.

Aye 4, Nay 0. Motion Approved

- C. Transfer of County Road 480 from MCC to MDOT. Jim Iwanicki of the Marquette County Road Commission (hereinafter referred to as MCRC) handed out paperwork to the Planning Commission members for review. A request was made to the Planning Commission of Chocolay Township by MCRC regarding the possibility of a jurisdictional transfer of County Road 80 to the Michigan Department of Transportation (hereinafter referred to as MDOT). Mr. Stachewicz stated there were six areas of concern regarding this transfer. They may be found in the agenda packet. Of main concern was access to a fire hydrant of which does not appear to be a conflict.

Mr. Iwanicki pointed out that they would like to make county road 480 a state road and that several meetings have taken place regarding this issue. This would all the communities of Negaunee and Ishpeming to be included. MDOT would write to all of the boards concerned. Mr. Iwanicki read a power point sheet he created which addressed the potential increase in traffic, improvements that will be made to 480 at the cost of MCRC and the fact that the state would be picking up the tab for fixing the road, not Chocolay Township.

This subject was brought up at this meeting for the first time and there are many meetings to be had. Mr. Stachewicz asked Mr. Iwanicki what route should the Chocolay Township PC be taking?

Scott Emerson brought up the subject of increased traffic on Cherry Creek Road. He also pointed out that there is a lot of truck traffic on this road. Could this be stopped with a truck through road?

Dennis Stachewicz pointed out that this issue should remain in the comprehensive plan now and MDOT can be addressed later.

Estelle DeVooght was concerned about the amount of truck traffic this would generate.

There were several ideas bounced around regarding new routes for traffic/trucks and such. Mr. Iwanicki again pointed out that this is the first time this is being addressed and there will be many kinks and issues to work out.

Scott Emerson stated that good things could come from this proposed change as there is a need to divert truck traffic.

Dennis Stachewicz stated he would attend the next corridor management meeting to see what other counties are looking at.

After several comments were made, Mike LaPointe thanked Mr. Iwanicki for his time and information regarding this request

- D. Relocation of the tot lot. The soccer field located in Beaver Grove was decided to be the best option of relocating playground equipment. Some of the equipment will be destroyed as they are old. Tom Shaw suggested that Dennis Stachewicz address a letter requesting the play ground equipment be relocated. Estelle DeVooght thought the Lions Club could come and move the equipment.
- E. Comprehensive Plan Comments. Lee Blondeau of 30 N. Traci Lane asked the Planning Commission about the non-conditional uses in Harvey under Chapter 10. If it includes terminology that businesses must be set back, does that mean all businesses on the highway must fit the same standard?

Tom Shaw suggested that this topic be addressed to Mr. Wycoff as he was the individual who drafted this plan. After discussions regarding this issue, it was decided that this would be addressed at the August 4<sup>th</sup>, 2005 meeting regarding the Comprehensive Plan. It was stated that the plan could be amended.

Dennis Stachewicz advised the Planning Commission that he has received e-mails, U.S. mail and conversations with individuals who are mostly positive about the proposed plan.

Mike LaPointe stated that Mr. Wycoff should take the lead during the August 4<sup>th</sup> meeting.

**VII. OLD BUSINESS**

- A. Discussion – Township Owned Signs
- B. Discussion – Firearms Ordinance

A. Dennis Stachewicz and Bill Sanders had discussed the options on coming up with a new logo and thought the best way to go would be to keep the logo as it is. Changes may create conflict, money would be spent and it would be best to keep logo as is.

B. The Firearms Ordinance will be worked on, however, it is best to wait for the comprehensive plan to be approved prior to making any changes to this ordinance.

**VIII. PLANNING DIRECTOR’S REPORT**

August 4<sup>th</sup> is the comprehensive plan meeting

August 9<sup>th</sup> is the normally scheduled Planning Commission meeting

The County has supported the rezoning of the school property use/permit to be used as a church.

A request has been made for a potential fire arm range near the Gitchee Gumees Campground located on M-28.

**IX. PUBLIC COMMENT – None.**

**X. COMMISSION COMMENT – None.**

**XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Stachewicz to Racine
- B. Correspondence – Yelle to Wietek
- C. Correspondence – Maki to Planning commission
- D. Information – Zoning Board of Appeals Minutes – 06/23/05
- E. Information – Marquette Township Planning Commission Minutes – 05/11/05
- F. Publication – *The Impact of PA577 on Rezoning*s
- G. Publication – *Planning and Zoning News*

**XII. ADJOURNMENT.** Mike LaPointe adjourned the meeting at 9:24 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay**  
**Planning Commission**  
Thursday, August 4, 2005  
7:00 P.M.

- Present:** Mike LaPointe, Estelle DeVooght, Tom Shaw, Bill Sanders and Scott Emerson
- Absent:** Ken Tabor and Steve Kinnunen
- Staff:** Dennis Stachewicz, Jr. Director of Planning and Community Development
- Others:** Mark Wyckoff, Consultant; Debra Heinzelman, Recorder

**I. PUBLIC HEARINGS**

**A. Comprehensive Plan Update**

Bill Sanders called the public hearing to order at 7:03 p.m.. Sanders stated the purpose of the meeting was to consider revisions to the Comprehensive Plan. Sanders states they have been working on the Comprehensive Plan for 14 months, and have had 9 public meetings seeking public input. He asked if anybody at the meeting wished to make comment upon the proposed revisions and said that their questions would be addressed under “New Business” all at one time.

Dennis Stachewicz stated that draft chapters have been available for review at the Township Hall and on the Township web page.

Christine Burris of 108 Cindy Lane had concerns about Number 29 on the revision plan reference to new roads. She had concerns about roads going through private property and said that she did not want her property fronting a highway.

Lee Blondeau of 30 N. Traci Lane said he had concerns about zoning status for commercial properties within the Township.

John Smith of 2176 M28 stated he had several concerns about the proposed Comprehensive Plan, including that he felt it did not address rural commercial zoning, which he described as a situation where an individual has a large parcel of property that, through controlled development, could use a portion of that property for commercial usage. He felt that this could act as an “industrial incubator” for private enterprise.

Smith feels that the new contract zoning, passed by the State of Michigan, should be included in this Plan. He stated he was disturbed by the fact that the document appears to have been produced by .06 percent of the population and that this has the look of “the minority dictating to the majority again”.

Smith also feels that the Plan does not encourage business very much and it does not address existing problems for the businessman and believes this should be considered.

Additionally, Smith had concerns about certain terminology, i.e., “Bigfoot” and “View Shed”. Stated his biggest “bone of contention” was that we seem to lack any vision of how to better communicate in this Township. States bare minimum being done to publish these meetings and feels much greater effort should be made to communicate with the public on these issues.

Smith stated that the Plan failed to address a lot of important concerns and suggests that the Commission not rush into passing this Plan.

Cathy Peterson of 6341 US 41 S read her concerns for the Comprehensive Plan from a prepared statement and presented a copy to Bill Sanders, Planning Commission Chairman.

Ms. Peterson opposed the entire Plan and was concerned about its potential violation of property rights.

At 7:29 p.m., Bill Sanders closed the Public Hearing. States letters and phone calls will be made part of public record.

## **II. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order at 7:29 p.m.. Ken Tabor and Steve Kinnunen are not present.

## **III. APPROVAL OF THE MINUTES OF JULY 11, 2005 MEETING**

Estelle DeVooght moved to approve the Minutes of the July 11, 2005 meeting with Scott Emerson supporting.

Aye: 5. Opposed: 0. Motion Approved.

## **IV. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Bill Sanders moved to approve the Agenda for August 4, 2005 meeting with support from Scott Emerson.

Aye: 5. Opposed: 0. Agenda Approved.

## **V. PUBLIC COMMENT**

Brian Muladore of 108 Cindy Lane expressed concerns over the proposed potential road in proximity to his property. He wished clarification on this road.

John Smith of 2176 M28 questioned the inactivity of the Planning Commission's Ordinance Review Committee. He further suggested that it add three at-large public members to its committee. Also, expressed concern regarding longevity with current serving Planning Commission members, stating that he would like to see a rotation of members on a more regular basis. Did not want his suggestion to be construed as being directed at any one commission member. Would like to see "new blood" on Planning Committee.

Cathy Peterson of 6341 US 41 S agreed with statements by John Smith concerning the longevity of current serving Planning Commissioners. She mentioned the longevity of Estelle DeVooght and that Bill Sanders has been serving since replacing his mother-in-law on the Committee. She referred to this process as a "Good Old Boy's Club", indicating it was time to end that practice.

Jude Catello spoke and offered her support for the Planning Commission, stating that they have been doing a fine job.

Cathy Peterson then stated she did not believe appointments to the Planning Commission were to be a life-long appointment.

No further comments being received, Bill Sanders closed the first public comment section.

## **VI. NEW BUSINESS**

Dennis Stachewicz read into the record comments received, in writing, reference to the Comprehensive Plan and suggested revisions. Letter received



from the City of Marquette indicating the Plan was not in conflict with their Plan. Received correspondence from Senior Planner from the City of Marquette pointing out certain spelling and grammatical errors. Letter received from Chairman of the Marquette County Planning Commission stating they have reviewed the Plan and found it consistent with the County and surrounding municipality plans. Have letter from Central Lake Superior Watershed Partnership endorsing the Plan. Also, a letter from resident Dan Smith addressing three items in the Plan pertaining to transportation. A letter from CABA asking a question about the nonconforming use. A letter from MDOT, Supervisor Andy Sikkema, commenting on the transportation portion of the Plan.

Bill Sanders moved the discussion to the questions raised by citizens during public hearing and public comment. First items discussed were road issues.

Road issues were discussed in generality by Bill Sanders and Mark Wyckoff with an explanation for the need to plan for the Township's future road needs. Mark Wyckoff stated that this would serve as an important information source for potential investors and property purchases.

Mark Wyckoff proceeded to discuss questions related to nonconforming use status of businesses along US 41 and M28. He explained the difference between "nonconforming use" and "dimensional characteristics". Indicates the Plan addresses those differences and that there was no desire to propose a change in uses as permitted in the zoning ordinance along US 41 and M28.

Wyckoff addressed the comments referring to "rural commercial" areas, stating that this would not require a change to the zoning ordinance. Discussion offered on "home occupation", "home based businesses", and "conditional rezoning".

Wyckoff responded to the comment that the Plan was not "anti-business" and agreed it was not an "anti-business" plan. He responded to comments regarding unclear language in the Plan, i.e., "Bigfoot" and "View Shed", stating that these are common phrases in this arena of work.

Wyckoff responded to the statement from Cathy Peterson expressing his respect for her input to this process. He stated that most of her comments were philosophical in nature and difficult to address, but respects her right to exercise her rights as a citizen to express her points of view. He then stated that there is no statutory nor legal basis with respect to most of the observations that she made.

Wyckoff addressed Cathy Peterson's comments about roads following abandoned railroad grades, stating there were many factors to consider, including ownership need and acquisition. He addressed Cathy Peterson's observation about the density of one house per 20 acres and the impact it may have on 5 acre parcels. The Plan acknowledges that there would be a potential problem, but proposes that a solution exists through the zoning ordinance.

Wyckoff discussed the public comment regarding a specific road near Cindy Lane. He indicated this was a generalized location and that it may or may not actually be near Cindy Lane. He reported the importance of listing potential road sites in the proposed Plan to assist in decision making.

Wyckoff addressed comments regarding rotation of membership on the Planning Commission. He stated that membership on Planning Commission is by appointment of the Township Supervisor with the concurrence of the Township Board. There is no statutory obligation for rotation of membership.

Greg Seppanen stated that John made the observation that we did the least possible to inform the public of the process. Asked if that was true. Wyckoff

responded that the only requirement is one public hearing prior to adoption. There was town meeting prior and a town meeting after. Bill Sanders states there were several articles in The Mining Journal and local television exposure. Request for citizen input was also put into the Chocolay Quarterly; on the radio; and was on the website.

Additional comment on the road additions was made by Bill Sanders and Mark Wyckoff indicating that the idea was to create a better inter-connecting road system within the Harvey area and to address fire and safety access concerns.

Cathy Peterson had concern about the private roads in the Township meeting conformity with public roads. Bill Sanders responded that there is a thorough discussion about public/private roads within the Plan.

Sanders acknowledged that the Ordinance Review Committee had been purposely inactive, stating that they felt it best to wait until the Comprehensive Plan was completed and adopted.

Mike LaPointe stated there was a letter in their packet from CABA stating concerns over area businesses being listed as nonconforming use. Mark Wyckoff responded that the question being raised is a “use nonconformity”, but that the Plan not proposing anything to deal with or address those in terms of future zoning changes. There is a mechanism under the law to deal with this, i.e., Class A and Class B system classification of nonconforming uses.

Lee Blondeau commented regarding the definition of “nonconforming”. Felt that it was a burden upon the property owner to have to pursue a Class A designation for their property and that a more reasonable way should be found. Mark Wyckoff addressed the Plan and indicated that it addresses both commercial and residential properties. Bill Sanders commented that he felt the Planning Commission had been more than fair in the past with these issues and that with this Comprehensive Plan they now have a mechanism to deal with it.

Estelle DeVooght asked for an example of “conditional rezoning”. Mark Wyckoff responded that if an applicant agrees to a specific single use of that property and that the Township agrees no other permissible uses of the property would be pursued by the applicant. Estelle DeVooght asked, “How can you make that stand?” Mark Wyckoff responded that you can make it stand because the Michigan Legislature authorizes it. However, it’s unknown at this time whether the courts will accept it. Estelle DeVooght stated she believes that is unconstitutional.

Scott Emerson asked if there is a distinction between “nonconforming lot” and “nonconforming use”? Mark Wyckoff responded that the term “nonconforming use” pertains to both “use” and “dimensional” aspects. The problem with using the term “nonconforming lots” is that there is no court defined definition. It is considered a subcategory under “nonconforming use”.

Cathy Peterson commented on the Township’s actions against Tom Waslesky and his business as being nonconforming use. She disagreed with those actions. Bill Sanders stated that particular reference is a good example of the Township working with business owners to expand nonconforming uses. States we worked pretty good with the residents on that.

Bill Sanders commented upon the Plan believing it to be an excellent work and complimented all those who had a hand in this drafting. Scott Emerson also spoke in support of the Plan, indicating that it was a golden opportunity to get ahead of things and to learn from the mistakes of the past. Bill Sanders added that he believes this not a perfect document, but a fair and adequate compromise upon the issues.

Mark Wyckoff and Dennis Stachewicz proposed changes to the wording of the amendments.

1. Item Number 2. “Director of Planning and Research”. “Research” needs to be crossed out.
2. Item 34. It was recommended that “nonresidential” be deleted from the paragraph.
3. Item 35. The proposed spelling change for the word “compliments” with an “e” to an “i”. Actually, “e” is correct. So cross 35 off with no change.
4. Item 39. Language states, “...with regard to the ‘residential lot dimensions’”, that it’s referring to the entire Harvey corridor. Recommends “residential” be deleted.
5. Item 49. Because we deleted Amendment 35, there are actually only 48 Amendments to the Plan.

Bill Sanders makes Motion in the form of a Resolution for the Adoption of The Charter Township of Chocoday Comprehensive Plan.

“**Whereas** the Charter Township of Chocoday Planning Commission has supervised an update to the Charter Township of Chocoday **Comprehensive Plan** to replace the Plan adopted on June 18, 1990, and

**Whereas** the public provided input to development of the Plan via Town meetings on August 5, 2004 and May 12, 2005, and

**Whereas** the Charter Township of Chocoday Planning Commission has reviewed the draft Plan and provided comments for its refinement which have been incorporated into the Plan, and

**Whereas** the Charter Township of Chocoday Planning Commission has duly reviewed the joint plan and accepts it as a basic plan for the development of the Township pursuant to the authority of Act 168 of 1959 (known as the Township Planning Act), and

**Whereas** the Charter Township of Chocoday Planning Commission had conducted a duly advertised public hearing on August 4, 2005 to receive public comment on this Plan, and

**Whereas** a set of Plan amendments were presented at the hearing as a result of public comment, planning commission and governing body review over the last four months,

**Now, therefore,** be it resolved that Charter Township of Chocoday Planning Commission does hereby adopt, on the date listed below, the **Charter Township of Chocoday Comprehensive Plan** along with the amendments attached to the Minutes of the August 4<sup>th</sup> public hearing and does direct the Chairperson of the Township Planning Commission to deliver a copy of the adopted Plan to the Township Board and following their adoption, to the County Planning Commission along with this Resolution as certification of the adoption of the Plan,

**Be it also resolved** that this Resolution be published inside the back cover of each copy of the **Charter Township of Chocoday Comprehensive Plan** to certify that all maps, charts and descriptive and explanatory matter therein are a part of the Plan as so signified by the

signature of the Chairperson of the Charter Township of Chocolay Planning Commission on this Resolution.”

Bill Sanders asks if there is support. Supported by Estelle DeVooght. Mark Wyckoff notes there is some mistake on the fourth paragraph, second line. Should say “draft plan”.

Bill Sanders called a Roll Call Vote. Estelle DeVooght, “I vote for it. Yes.”. Bill Sanders, “Is an aye.” Mike LaPointe, “It’s an aye.” Scott Emerson, “Aye.” Tom Shaw, “Aye.”

Vote for Plan: Aye: 5. Opposed: 0.

**VII. PUBLIC COMMENT**

Cathy Peterson stated that this was a “cut and dry” situation and that nothing had changed.

John Smith clarified his statements that he in no way implied a “clean sweep” of the Board was needed. His suggestion was that rotation of positions in the future should be considered. He wanted to make it “crystal clear” his comments were not directed at any Board member in particular. It was a general observation only. He additionally wanted to make “crystal clear” that while the legal requirements for publicizing the meetings had been met, he felt there should be a greater effort to get the word out and get people involved.

**VIII. COMMISSIONER COMMENT**

Tom Shaw wanted to encourage more people to become more involved in the process and to attend meetings.

Bill Sanders wanted to clarify that it has been 14 years since on this Board. Thanked other Planning Commissioners here and ones not here. He appreciates being able to serve.

Mike LaPointe thanked the services of Mark Wyckoff in assisting in development of this Plan.

**IX. ADJOURNMENT**

Bill Sanders adjourned the meeting at 8:47 p.m.

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Estelle DeVooght,  
Commission Secretary

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Debra Heinzelman, Recorder



# Charter Township of Chocolay Planning Commission

Monday, August 8, 2005  
7:30 P.M.

Present: Mike LaPointe, Estelle DeVooght, Scott Emerson, Ken Tabor, Bill Sanders and Steve Kinnunen

Absent: Tom Shaw

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo (Recording Secretary)

## I. PUBLIC HEARINGS

### 1. Private Road #20- River Mist Trail

Meeting began at 7:30 p.m. wherein Bill Sanders explained what the public hearings all entail and asked Dennis Stachewicz to explain the request regarding private road #20. Mr. Sanders stated to the public gathered that anyone may speak and please state their name and address for the record.

Don Balmer of 101 Forest Road stated that his property abuts the property where the proposed road would be. Mr. Balmer explained that it was his understanding that this property was flood land and would not be granted a permit for septic system by the health department. He went on to say that if this flood land were land filled, what would happen to the homes downstream?

John Renfrew of 234 Riverside Road asked if variances would be granted to the flood plane and would there be set backs from the river bank.

It was at this time that Bill Sanders pointed out that he should have allowed the applicant to begin the public hearings with his own statement regarding his request and apologized for the inconvenience.

Stu Bennett of 1860 Altamont Street, Marquette stated that an architect had developed the four proposed lots and they had to have set back from the river. Stu agreed with Mr. Balmer that he was correct in his statement regarding building on these lots but he is not asking for a variance to build homes, he is asking for permission to create a private road. He pointed out that a cul-de-sac will adhere to the county requirements.

John Carlson of 274 Riverside Road commented on the fact that a survey was just conducted in July of 2005 wherein footage was changed to 66 feet.

Rod Smith of 286 Riverside Road stated that he had been assured by the real estate agent that he bought his home from that no one would build on these proposed lots because the health department would not allow any building there as they must have approval for septic fields and this is a flood area.

Gerald Waite of 278 Riverside Road stated that he and his wife have been in contact with Mr. Bennett and Mr. Buzzo and have been happy with the results of their conversations and the ability to resolve any confusion. However, he went on to ask why this would be a private road versus a public road, does the township master plan stipulate any particular use for this area? He pointed out dust and dirt generated from the road, many homes have bedrooms that face what would be the road thus the nuisance of lights and the fact that these lots are in low land and they flood.

Mary (name and address not recorded) Riverside Road built her home in 1964. She states that the road is a race track as it is now and adding more homes to the area would make it even busier. She doesn't want the white pines destroyed. Applicants are putting the "cart before the horse."

Joel McLaughlin of 282 Riverside addressed the Planning Commission by reading a citation, and then went on to say that some of the affected homes would now have three roads

surrounding their homes. If this private road is permitted, it will have a negative impact on Riverside Road. He asked if the Township were willing to provide compensation for the intrusion into their privacy and decreasing the value of their homes.

Don Hurst of 100 Forest Road asked if a private road requires ingress and egress for the fire department to have access to any proposed homes built. Another thought is why not sell the parcels of land to the people who have their back yards adjacent to the property to protect their homes and privacy.

Brian (name and address not recorded) Riverside, lot 14 – speed limit issue, adding traffic, more dogs barking in the neighborhood

**2. Conditional Use #73 – Silver Creek School**

Bill Sanders asked Dennis Stachewicz to address this issue. Dennis advised that the Faith Assembly of God has requested the Planning Commission to review a conditional use to operate a church, school and day care in an R-3 District under the terms of the zoning ordinance.

Bill Sanders advised those in attendance at this Planning Commission meeting that they may address the members about anything at this time as Public Hearings was still open. There were no questions or comments, thus Public Hearings was closed.

**II. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order – Tom Shaw listed as absent.

**III. APPROVAL OF THE MINUTES OF AUGUST 4, 2005 MEETING**

These minutes were inadvertently placed on the Agenda when not available. Will be made available for the next meeting.

**IV. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Mike LaPointe Motioned and Scott Emerson Seconded to adjust the evening agenda to move the private road request to continue to be heard. Aye 6, any 0. Amendment to agenda approved.

**V. PUBLIC COMMENT**

**VI. NEW BUSINESS**

**A. Consideration – Private Road #20**

Stu Bennett advised that this road is the size it is because they are following the township ordinance. They have cut as few trees as possible and are trying to leave buffers. Property owners may purchase the lots behind their property. It is impossible to price a lot at this time because they need the private road first. The question has been asked why this road is not a public road versus a private road. It is his impression that the County does not want another public road to maintain, i.e.: plowing, sanding, etc.

The question regarding fire protection – this will be a cul-de-sac, therefore, allowing clearance for the fire department.

Larry Buzzo of P.O. Box 114, Big Bay, MI advised that with the initial survey of the property, they were careful to ensure 2500 feet to make allowances for septic fields, etc. They had the lots lined up with the existing lots and made it a priority to offer these lots to those who already own property abutting these lots. He stated this is a residential area and that he and Mr. Bennett are trying to accommodate the neighbors.

Bill Sanders now addressed the Planning Commission members and asked them if they had any comments, questions or concerns. Mr. Stachewicz stated that people were getting a head of themselves and that this request was *only* for a private road at this time. Potential builders on these lots would have to apply for a septic field, etc., later.

Mike LaPointe asked Dennis Stachewicz exactly where is the flood plane on the map which demonstrated the property in question. An existing building within the flood plane was identified.

Estelle DeVooght asked if there was a colored map available for review making it easier to mark the flood plane.

Bill Sanders stated that this is a private road request but it is for the purpose of building and that the requirements for a floodplain according to the DEQ and health department have not changed.

At this time there was discussion between members and the public regarding easements, stakes, monuments, markers that have been moved due to flood waters, set backs, lighting issues, question whether there actually is room per lot to build a home. Stu Bennett stated that the cul-de-sac has to be in the easement to be a Marquette County Road of which Bill Sanders asked Dennis Stachewicz asked is there is a construction requirement for a cul-de-sac. Mr. Stachewicz advised the Planning Commission that they may waive the construction requirement for a cul-de-sac but an easement must be provided. He also stated they have waived the requirement to construct before.

After much discussion, it was decided that there were many obstacles to overcome before homes could be built and that the Planning Commission should vote on the private road matter as that is what is being presented at this time, not what could happen in the future.

Dennis Stachewicz asked the chair, Bill Sanders, if he could lay out what conditions would have to be met which Mr. Sanders agreed should be read:

- 1) The applicants shall allow access to township vehicles as well as other public/private utility companies to provide services; and
- 2) A covenant shall be established on the deeds for any parcels created off from the private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed; and
- 3) The applicants shall pay for and install a road sign identifying the approved name of the private road at the intersection with Riverside Road. The name of the road shall be subject to approval by the Director of Planning And Community Development pending review by the Marquette County Central Dispatch; and
- 4) The applicants shall construct the southern curve on the private road in accordance with the comments provided by the Marquette County Road Commission; and
- 5) The applicants shall obtain a driveway permit from the Marquette County Road Commission; and
- 6) The applicants are required to provide certification from a surveyor/engineer that the private road standards of the Zoning ordinance have been achieved at the conclusion of construction; and
- 7) A zoning compliance permit shall not be issued until all of the above conditions are met; and
- 8) Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown; and
- 9) The applicants shall comply with the conditions and requirements of all other agency regulations; and
- 10) The applicants shall obtain Marquette County Health Department review of well and septic considerations for the proposed lots prior to road construction.

Bill Sanders asked if the above helped at all – the lighting issue came up and was added to the conditions.

Scott Emerson Moved, Ken Tabor Seconded that after review of Private Road Request #20, the standards of Section 402.D of Ordinance 34; and the STAFF/FILE REVIEW – SITE DATA AND ANALYSIS, and subsequently finding compliance with the standards for approval of the private road request, the Planning Commission recommends approval to the Township Board with the following conditions (in this case the word “applicants” means Stu Bennett and Larry Buzzo):

- 1) The applicants shall allow access to township vehicles as well as other public/private utility companies to provide services; and



- 2) A covenant shall be established on the deeds for any parcels created off from the private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed; and
- 3) The applicants shall pay for and install a road sign identifying the approved name of the private road at the intersection with Riverside Road. The name of the road shall be subject to approval by the Director of Planning And Community Development pending review by the Marquette County Central Dispatch; and
- 4) The applicants shall construct the southern curve on the private road in accordance with the comments provided by the Marquette County Road Commission; and
- 5) The applicants shall obtain a driveway permit from the Marquette County Road Commission; and
- 6) The applicants are required to provide certification from a surveyor/engineer that the private road standards of the Zoning ordinance have been achieved at the conclusion of construction; and
- 7) A zoning compliance permit shall not be issued until all of the above conditions are met; and
- 8) Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown; and
- 9) The applicants shall comply with the conditions and requirements of all other agency regulations; and
- 10) The applicants shall obtain Marquette County Health Department review of well and septic considerations for any proposed lots prior to road construction and
- 11) A covenant shall be on the deeds for any parcels created off from the private road mandating that all outside lights be downwardly directed to prevent light trespass on adjacent property.

Bill Sanders – any discussions? Like I said, all we are trying to do is respect the owner of that property and hopefully these conditions will alleviate the impact on the neighbors.  
Aye 4, Nay 2. Motion Approved.

Bill Sanders asked Dennis Stachewicz if there were any mechanisms that could be used to keep people in that neighborhood apprised of developments. A listing was then signed by those in attendance who wish to be kept apprised of the situation and requested notification from the assessor.

Bill Sanders told the public in attendance that the Planning Commission meets every second Tuesday of the month and that the Zoning Board of Appeals meets every fourth Thursday of month. The public is encouraged to attend these meetings, thus apprised of developments in Chocolay Township.

A break was called at this time to allow residents in attendance to sign the listing regarding the private road issue and leave the building.

Meeting reconvened at 8:43 p.m.

## **B. Consideration – Conditional Use #73**

Estelle DeVooght asked about the church being a daycare center.

Preston Tippen of 465 Silver Creek, #5, was in attendance at this meeting as the representative of the church. He advised that the daycare would care for children from infants to older children; whatever they were able to staff.

Estelle DeVooght asked if this daycare center would be open to the public or only available to members of the church. Mr. Preston advised the daycare would be open to the public. This will be a licensed daycare center.

Ken Tabor Moved, Bill Sanders Second, that after review of Conditional Use request #73, the STAFF/FILE REVIEW – SITE DATA AND ANALYSIS, section 204 of the Zoning Ordinance and subsequently finding compliance with the standards for approval of the request found in section 701 of the Zoning Ordinance, the Planning Commission approves Conditional Use request #73 with the following conditions:

1. The permit shall be subject to the property being rezoned from PL to R-3; and

2. The hours of operation for outdoor activity shall be limited to the hours of operation for the adjacent Township Recreating Area (Dawn to Dusk); and
  3. The permit shall be subject to review one year from the date of approval; and
  4. The applicant shall obtain a Zoning Compliance permit from the Zoning Administrator.
- Aye 6, Nay 0. Motion approved.

### **C. Consideration – Extension of Preliminary Plat for Elderwood subdivision**

Bill Sanders explained that he would continue to chair the meeting; however, his employer was now involved with Mr. Elder. The Planning Commission members had no problem with keeping Mr. Sanders as chair.

Sam Elder of 125 E. Main Street explained that the former engineering firm that had been hired for the preliminary plat to the Elderwood subdivision had problems, thus Mr. Elder had lost time in preparation of this plat. He stated he has been working with people to develop the plat.

Mike LaPointe asked why the cul-de-sac's in this subdivision are not connected. Mr. Elder replied was to save the white pines located off of Ortman Road. He stated that people liked a quiet neighborhood. Talk of access to the subdivision was had via one access road; problems for the county to plow, sewer system is found in Old Ewing Park, any residence built would have township septic so they would have to build their own per home.

Bill Sanders remarked that he was not happy with the cul-de-sacs and that it puts out more traffic on the primary roads.

Mr. Elder remarked that he doubted he would be granted any further openings as Cherry Creek is busy enough as it is.

Scott Emerson suggested bike paths which would make it safe for children.

Dennis Stachewicz asked Sam Elder when to expect another set of plans and who was going to review the final plans? Someone needs to be appointed as quality control and review the plans.

Steve Kinnunen Moved and Ken Tabor Supported, to recommend that the Township Board approve a 1 year extension to the preliminary plat approval for the Elderwood Subdivision with the condition that a 30 foot easement for non-motorized use be established on the preliminary plat and the allow the Director of Planning and Community Development to have final approval of the revised plat drawings.

Bill Sanders clarified that the subdivision is called Elderwood and not Ewing.

Aye 6, Nay 0. Motion Approved.

### **D. Discussion – Comments on West Branch Comprehensive Plan**

Dennis Stachewicz the West Branch Comprehensive Plan with the members. There was discussion about West Branch promoting highway corridor development and the inability to determine consistency with the Chocolay Township Comprehensive Plan because of no future land use or zoning map.

Steve Kinnunen remarked that with the base closed, they are in an infancy stage and he asked about their landfill.

Dennis Stachewicz stated he would compose a letter to West Branch that would reflect the Planning Commission discussion.

### **E. Discussion – MDOT Enhancement Grant for Harvey Corridor**

Dennis Stachewicz stated that he met with MDOT and they want to help with the Harvey corridor to do some improvements in accordance with the recommendations in the new

Comprehensive Plan. They will pick up 20% of the cost with the township picking up 20%. All of this has to go before the Township Board to be approved.

Dennis Stachewicz asked the Planning Commission to create a wish list of ways to improve the corridor. Discussion was had regarding the possible corridor improvements.

**VII. OLD BUSINESS**

**A. Discussion – Firearms Ordinance**

Mr. Stachewicz suggested that the Planning Commissioners review the model ordinances he has provided and discuss at the next meeting. Options to be considered would be distance and zoning. The Planning Commission formed a consensus that using the distance model provided by the MTA would be the most appropriate.

**VIII. PLANNING DIRECTOR’S REPORT**

**IX. PUBLIC COMMENT**

**X. COMMISSION COMMENT**

**XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Supervisor to DNR
- B. Correspondence – Planning Commission to Supervisor Re: Tot Lot and Township Owned Signs
- C. Information – Marquette City Planning Commission Minutes 06/21/05 and 07/05/05
- D. Publication – *Planning and Zoning News*

**XII. ADJOURNMENT.** Bill Sanders adjourned the meeting at 9:45 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, September 12, 2005  
7:30 P.M.

Present: Estelle DeVooght, Scott Emerson, Ken Tabor, Bill Sanders and Steve Kinnunen

Absent: Tom Shaw and Mike LaPointe

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo  
(Recording Secretary)

**I. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order – Tom Shaw and Mike LaPointe as listed as absent.

Tom Murray introduced to the Planning Commission Members. He is to replace Lee Snooks who has retired.

**II. APPROVAL OF THE MINUTES OF AUGUST 4, 2005 MEETING and AUGUST 8, 2005 MEETING.**

Estelle DeVooght moved to Approve the Minutes of August 4, 2005 with Scott Emerson supporting. Aye 5, Nay 0. Motion Approved.

Scott Emerson moved to Approve the Minutes of August 8, 2005 with Ken Tabor supporting. Aye 5, Nay 0. Motion Approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Bill Sanders moved to Approve the Agenda of September 13, 2005, Scott Emerson supporting. Aye 5, Nay 0. Motion Approved.

**IV. PUBLIC COMMENT – None.**

**V. OLD BUSINESS**

A. Discussion – Firearms Ordinance. Estelle DeVooght stated that the people of the Township are against this. Bill Sanders stated that it is a subject that needs to be reviewed. Dennis Stachewicz asked Estelle DeVooght if it was her thought to keep the ordinance as it is. Steve Kinnunen asked about illegal discharge of a firearm within certain residential areas.

Dennis Stachewicz asked if a questionnaire would be in line for this subject and listed a few questions, i.e.: map of restricted zones, notification of zones in the local newspaper, have a special work session where residents may attend with their input and get a clear consensus on what the people would want.

Estelle DeVooght asked Dennis Stachewicz if he thought a lot of people in the Township are interested in this subject? Dennis replied that there are several people who would like to be able to use firearms within the Township.

Steve Kinnunen pointed out that only one person was asking about the firearms ordinance.

Scott Emerson asked why bring up a problem?

Dennis Stachewicz advised that a complaint was lodged re: Gutchee Gumme Campground.

Ken Tabor thought this request was making a big deal out of nothing.

Dennis Stachewicz asked the Planning Commission Members if they would be interested in him writing a letter to the Board stating this subject has been researched and does not warrant further time or money.

Tom Murray mentioned whether the issue was safety related or noise related

Estelle DeVooght thought writing a letter to the Board was a good idea.

Steve Kinnunen pointed out that it is okay at this time to shoot on state land under certain conditions.

Bill Sanders pointed out that this issue was passed to the Planning Commission from the Zoning Board of Appeals. Is it time to send this on to the Board?

Dennis Stachewicz suggested that the Board be advised that the comprehensive plan has taken up much time in preparation. The firearms issue has now been reviewed and does not warrant further investigation.

It was agreed, Aye 5, Nay 0 that Dennis Stachewicz would apprise the Board in writing regarding the firearm ordinance.

- B. Discussion – Township Owned signs. Bill Sanders discussed with Dennis Stachewicz that the smaller signs of 2 feet x 4 feet a good idea. Dennis Stachewicz advised that the building materials have been researched and are relatively cheap. He asked the Planning Commission if a sign should be posted at/near Silver Creek Road of which it was decided it was not necessary.

Steve Kinnunen Moved, Ken Tabor Seconded, that the Charter Township of Chocoday Planning Commission recommends that the Charter Township of Chocoday Board consider purchasing and install four Township “Welcome” signs and two Township “Municipal Complex” signs in accordance with the following:

1. Sign design should be the same as presented to the Planning Commission at their September 12, 2005 meeting; and
2. Signs should be placed at the locations indicated on the map titled “Location of Proposed Township Owned Signs.” With the understanding that the corresponding road agencies may require an adjustment to the placement based on their permitting process; and
3. Recommended size of signs are 2 feet x 4 feet for the “Welcome” signs and 4 feet x 8 feet for the “Municipal Complex” signs.

Aye 5, Nay 0. Motion Approved.

## **VI. NEW BUSINESS**

A. Discussion – Joint Recreation Survey with the City of Marquette. Dennis Stachewicz told the Planning Commission Members about the progress being made in the Joint Recreating Survey with the City of Marquette. The PC members discussed this briefly and how it would impact the Township.

## **VII. PLANNING DIRECTOR’S REPORT**

Dennis Stachewicz again introduced Tom Murray who will be working on community development. Dennis also advised that Chocoday Township only received five (5) comprehensive plans and intended on requesting more. Dennis Stachewicz also advised that the Planning Commission would no longer accept hand drawn site plans and not complete plans. The ordinance states that site planed must be legitimate.

## **VIII. PUBLIC COMMENT - None**

## **IX. COMMISSION COMMENT –**

## **X. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Correspondence – Planning Commission to Holmes
- B. Correspondence – Stachewicz to Hiawatha Trails
- C. Correspondence – Yelle to Planning Commission

- D. Correspondence – Yelle to ZBA
- E. Information – Marquette Township Planning Commission Minutes 6/06/05, 6/25/05, 7/13/05, 7/19/05 and 8/10/05
- F. Publication – *Planning and Zoning News*

**XI ADJOURNMENT.** Bill Sanders adjourned the meeting at 8:04 p.m.

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Estelle DeVoght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, October 10, 2005  
7:30 P.M.

Present: Estelle DeVooght, Bill Sanders, Mike LaPointe. Tom Shaw and Steve Kinnunen

Absent: Ken Tabor and Scott Emerson

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Community Development), Lori DeShambo (Recording Secretary)

**I. PUBLIC HEARINGS**

**A. Private Road #21 – Keough – Springwood Trail.**

There was no one wishing to address the Planning Commission.

**II. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order by Bill Sanders at 7:30 p.m. Ken Tabor and Scott Emerson were noted as being absent.

**III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 12, 2005 MEETING**

It was suggested that the following comment of Scott Emerson (Item V.A. Discussion – Firearms Ordinance) be stricken from the minutes because it is not an accurate statement of what he said: *Scott Emerson asked why bring up a problem?*

Estelle DeVooght Moved, Tom Shaw Second, to approve the minutes with the above referenced change. Aye 5, Nay 0. Motion approved.

**IV. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Bill Sanders asked to add a discussion regarding the 2006 Planning and Community Development Department budget recommendations under New Business.

Bill Sanders Moved, Mike LaPointe Second, to add 2006 budget recommendations to the agenda. Aye 5, Nay 0. Motion approved.

**V. PUBLIC COMMENT**

Mary Pat Linch of 367 Lakewood Lane asked about the development on Kawbawgam Road. Dennis Stachewicz advised that if the property that Ms. Linch is concerned about is property of Dr. English, he will have to come before the Planning Commission and he has not submitted any plans yet.

**VI. OLD BUSINESS – None**

**VII. NEW BUSINESS**

**A. Consideration – Preliminary Review of Springwood Site Condominium**

Eric Keough has requested approval for a site condominium and associated road located off Autumn Trail.

Dennis Stachewicz presented a staff analysis regarding the proposal. He stated that staff have several concerns. He said that the major concern is developing another cul-de-sac into the Wintergreen Trail area. He said this would increase the number of lots served by one access point to greater than twenty. He also referenced correspondence from the Township Fire and Police Departments.

Mr. Stachewicz also said the 100 year flood area is a concern and the proposed Unit #7 appears to be located in the flood area (Zone X). He reminded Planning Commissioners that the Comprehensive Plan discourages any development within designated flood areas.

Mr. Stachewicz indicated that the proposed Unit 1 did not appear to meet the minimum lot size requirements of the Zoning Ordinance.

Another concern of staff was with regards to ownership. Dennis said they would need something more than a letter from Dana Varvil to Eric Keough.

Mr. Stachewicz said the Assessor reviewed the boundaries and it appears that there may be a conflict with the ownership of the railroad right of way. He said there are no records indicating that adjoining property owners were deeded the property.

Planning Commissioners were given possible solutions by Mr. Stachewicz that included reconfiguring or eliminating Unit #7, connecting the proposed road to M-28, reconfigure or eliminate Unit #1, provide proof of ownership to the railroad grade, and provide a purchase agreement to indicate ownership interest in the entire property.

Eric Keough stated that there will only be five of his units served by a new cul-de-sac and he believes that Fire Department has good access to the subdivision. He also said he feels the FEMA map is flawed because Unit #7 has a higher elevation than other units.

Dennis Stachewicz suggested contacting Sheila Meyer of the DEQ at K.I. Sawyer regarding the floodplains. He said the Comprehensive Plan made an effort not to allow building like this anymore. What happened if Unit #7 floods, then floods to other property owners.

The abandoned railroad grade right of way is questionable – it runs all the way to Skandia. Eric Keough had a deed for property but not sure if the document is legal. Mr. Varvil has a deed for right of way for ½ of rail road, however, not sure if the deed is legal.

Glenn Van Neste, project planner, suggested they submit a letter of map amendment to FEMA in order to overcome the flood concerns for Unit #7.

Glenn stated it would be too expensive to build a road to 5 units. They could use the PUD process to approve Unit #1.

Estelle DeVooght asked at this time if the Planning Commission had any overlay maps of the Township to review. Dennis Stachewicz stated the map in the packet is the flood overlay map.

Estelle DeVooght advised Mr. Stachewicz that the Planning Commission in the past had gone directly to the site as Mr. Varvil wanted to sell this property before and it was under water. She also asked if the railroad grade is not available, how much of this is going to change.

Much discussion was had between Planning Commission members, Dennis Stachewicz, Eric Keough, and Glenn Van Neste regarding flood plains, railroad right of way, lot sizes, road access, highway usage, and adherence to the new Comprehensive Plan.

Bill Sanders asked Dennis Stachewicz what would happen if the PC were to approve this request tonight. Mr. Stachewicz stated the proposal would go to the Chocolay Township Board, if the Board okays then to other reviewers, back to the Planning Commission, and then to the Chocolay Township Board for a final approval.

Bill Sanders stated that the 1975 survey needs to be looked at because the proposed Unit #1 may be a lot of record.

It was stated that Attorney Graybill is working on the railroad issue which is possibly owned by Mr. Varvil.



Mike LaPointe Moved, Bill Sanders Second, that the Planning Commission recommends approval of the Preliminary Site Plan for the proposed Springwood site condominium and forwards it to the Township Board with the following conditions:

- 1) Unit #7 be reconfigured for in accordance with the new road location and a letter of map amendment be submitted to FEMA with a copy of an approval provided to staff; and
- 2) Unit #1 be reconfigured to meet the requirements of the Chocolay Township Zoning Ordinance or be eliminated, unless it can be determined to be a lot of record; and
- 3) Springwood Trail be required to connect to State Highway M-28 in order to protect the safety of future residents of the proposed condominium provided that the Michigan Department of Transportation would grant a permit; and
- 4) The developer shall submit a revised site plan to the Director of Planning and Community Development for review and approval in accordance with section 525(B) of the zoning ordinance and of the Planning Commission conditions prior to presenting the revised plan to the Township Board; and
- 5) The developer shall submit a signed copy of a purchase agreement or other legally binding document, to be reviewed and approved by the Chocolay Township Attorney that proves his interest in the property; and
- 6) The developer shall submit a copy of the deed which shows ownership to the centerline of the abandoned railroad grade; and
- 7) That the development comply with the submittal requirements of Section 525 of Zoning Ordinance 60 and Condominium Act 59 for the final Condominium Plans; and
- 8) If it can be determined that the developer owns the entire railroad grade, ½ of the grade shall be dedicated to general common element for non-motorized trail use.

The issue of legal deeds and documents was discussed. Mr. Stachewicz suggested that the Township Attorney review this matter as well as Attorney Graybill.

It was later agreed to eliminate item #6 and add to #5 – after *legal binding document* and before *to be review and approved by the Chocolay Township Attorney that proves his interest in the property: and documentation showing ownership to centerline of the abandoned railroad grade.*

Mike LaPointe restated the motion. Bill Sanders second.

Aye 4, Nay 1. Motion approved.

#### **B. Consideration – Private Road Application #21**

It was discussed and decided that a revised plan be drawn showing the road, having the Department of Transportation involved and have the applicant submit the changed site plan to the Director of Planning and Community Development who will ensure the changes referenced above have been made. He will then forward the application to the Township Board.

Bill Sanders Moved, Mike LaPointe Second, that after review of Private Road Request #21; the standards of Section 402.D of Ordinance 34; the and STAFF/FILE REVIEW – SITE DATA AND ANALYSIS, and subsequently finding compliance with the standards for approval of the private road request, the Planning Commission recommends approval to the Township Board with the following conditions (in this case the word “applicant” means Eric Keough):

- 1) Springwood Lane shall connect directly to M-28; and
- 2) The applicant shall allow access to township vehicles as well as other public/private utility companies to provide services; and
- 3) A covenant shall be established on the deeds for any parcel created off from the private road identifying the private road status and which reference the Declaration of Private Road Easement, which shall be amended to reflect the approved site plan for the Springwood Site Condominium and must be fully executed and reflected in the Master Deed for the Springwood Site Condominium; and

- 4) The applicants shall pay for and install a road sign identifying the approved name of the private road at the intersection with Autumn Trail and M-28;
- 5) The applicant shall obtain a driveway permit with MDOT as required
- 6) The applicants are required to provide certification for a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of the construction, and
- 7) Site Condominium approval is required for the creation of individual parcels off from the road and may require the modification of the lots of Springwood Site Condominium; and
- 8) The applicants shall comply with the conditions and requirements of all other agency regulations; and
- 9) The applicants are encouraged to obtain Marquette County Health Department review of well and septic considerations for the proposed lots prior to road construction; and
- 10) A Zoning Compliance permit shall not be issued until all of the above conditions are met; and
- 11) The developer shall submit a revised site plan to the Director of Planning and Community Development for approval prior to presenting to the Township Board.

Aye 4, Nay 1. Motion approved.

**C. Consideration – Arbor Day Mini Grant.**

Mike LaPointe Moved, Estelle DeVooght Second, that the Chocolay Township Planning Commission hereby supports the enhancement of recreational facilities within the Township and, therefore, supports the application of a DNR Arbor Day Grant.

Aye 5, Nay 0. Motion approved.

**D. Consideration -2004 Annual Report**

Mike LaPointe Moved, Bill Sanders Second, to authorize the Director of Planning and Community Development to distribute the Year 2004 (Annual) Report to the Township Board as presented.

Aye 5, nay 0. Motion approved.

**E. Consideration – 2006 Budget Recommendation**

Dennis Stachewicz highlighted the proposed changes to the 2006 Planning and Community Development Department budget recommendations. He said he was proposing an increase of \$10 per meeting for Planning Commissioners and significant monies in Capital Improvements for consulting help with an updated Zoning Ordinance and upgrading the GIS system.

Estelle DeVooght asked what the \$3,000 in the current budget was for under Professional Services. Mr. Stachewicz said that money is used to cover additional unforeseen consulting costs.

Mr. Stachewicz believes the Zoning Administrator needs to be budgeted for more hours per week as he does not have enough time to meet the increasing number of zoning issues.

Bill Sanders Moved, Tom Shaw Second, to authorize the Director of Planning and Community Development to write a letter of support from the Planning Commission regarding the 2006 budget proposals.

Aye 5, Nay 0. Motion approved.

**VIII. PLANNING DIRECTORS’S REPORT**

Dennis Stachewicz advised that the legal site plan for the Walt Racine property has been located and his daughter is inquiring about opening a drive through coffee shop adjacent to his property.

**IX. PUBLIC COMMENT**

**X. COMMISSIONER COMMENT**

**XI. INFORMATIONAL ITEMS AND CORRESPONDENCE**

The next Planning Commission meeting is on October 31, 2005. There will not be a meeting in November.

The new restaurant in the Township has a "Pot Roast" sign on its roof. There is a very large hole in the driveway going to the Boy Scouts building that needs attention. Mr. Stachewicz is to look into these issues.

**XII. ADJOURNMENT**

Bill Sanders adjourned the meeting at 9:17 p.m.

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Estelle DeVoght, Commission Secretary

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Lori DeShambo, Recording Secretary

**Charter Township of Chocolay  
Planning Commission**

Monday, October 31, 2005  
7:30 P.M.

Present: Estelle DeVooght, Bill Sanders, Mike LaPointe, Tom Shaw, and Ken Tabor

Absent: Steve Kinnunen and Scott Emerson

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Community Development),  
Ginger Maki (Recording Secretary)

**I. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order by Bill Sanders at 7:30 p.m.

**II. APPROVAL OF THE MINUTES OF THE OCTOBER 10, 2005 MEETING**

Mike LaPointe noted on page 3, the 9<sup>th</sup> paragraph, the motion should read, “*Mike LaPointe Moved, Bill Sanders Second, that the Planning Commission recommends approval of the Preliminary Site Plan for the proposed Springwood site condominium and forwards it to the Township Board...*”

Mike LaPointe also noted on page 4, the 3<sup>rd</sup> paragraph, the motion should read, “*Mike LaPointe restated the motion. Bill Sanders Second.*”

Ken Tabor Moved, Bill Sanders Second, to approve the minutes with the above referenced changes. Aye 5, Nay 0. Motion approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

No additional items were added to the agenda.

Ken Tabor Moved, Mike LaPointe Second, to approve the agenda as presented.

**IV. PUBLIC COMMENT**

There was no public comment.

**V. OLD BUSINESS**

There was no old business for discussion.

**VI. NEW BUSINESS**

**A. Presentation – Central Lake Superior Watershed Partnership Report**

Larry Gould presented a report from the Central Lake Superior Watershed Partnership (CLSWP) as it pertained to Chocolay Township. He highlighted the areas in which the Partnership assisted Chocolay Township

Of interest, in 2005 the Chocolay Watershed was selected by the DEQ and the EPA as a 319 Watershed Project Success Story. The CLSWP has received a grant from the EPA for the new program to monitor many sites in the Upper Peninsula. The CLSWP will continue to assist the Chocolay Watershed Citizen Advisor Council who continue to identify areas of concern, comment on draft management plans and suggest areas for public education efforts.

The CLSWP also developed the Lake Superior Shoreviewer website ([superiorwatersheds.org](http://superiorwatersheds.org)), which gives a user-friendly oblique aerial view of the entire Lake Superior shoreline of Chocolay Township.

Lastly, the CLSWP conducted the Earthkeeper Household Hazardous Waste Collection with local churches. They also assisted with the sediment trap maintenance on Chocolay River upstream of Chocolay Township by providing environmental benefits downstream. The Partnership will continue to implement other watershed improvement throughout the watershed with indirect benefits for Chocolay Township.

Mike LaPointe questioned whether the M-28 access site is still going to be a possible work site? Larry noted that it would be included on the spring list barring any problems with the property owners.

Mike LaPointe also questioned the whether there was a grant received to collect hazardous wastes from business, as he noted he heard something on TV6 regarding this issue. Larry noted the CLSWP has applied for a grant to collect mercury from dentist offices. Carl Lindquist did meet with the Dentist Associations regarding this and the collection process was approved.

Mike LaPointe commented that he did review the website with the aerial view of the Chocolay Township shoreline.

Bill Sanders questioned whether not the CLSWP needed help or support from Chocolay Township to implement any of the plans for the upcoming year? Larry noted that due to less staff that the Chocolay Watershed Council may need more local support to help things along in the township.

Dennis Stachewicz noted that \$5000.00 has been budgeted for the CLSWP in the coming year and will be reviewed at the next Board meeting in November.

## **B. Consideration – Annual Road Rankings**

The Planning Commission reviewed the Annual Road Rankings list.

Dennis Stachewicz noted the addition of #14 (Wildwood/Woodvale) to the list, as the road is in very bad shape starting at Ortman Road to the “s” curve toward Woodvale. It seems to be deteriorating quickly. He also noted that #17 (Co. Rd. 454) is on the list and the County Road Commission’s cost is extremely high and Chocolay would cover a certain percentage while West Branch would cover their portion of the cost.

Larry Gould questioned whether or not Co. Road 545 was considered a primary county road and if so, the share of 50% is only for secondary roads. He also noted that Cherry Creek had no local match. Tom Shaw requested Dennis Stachewicz investigate the cost for Chocolay Township, as this may change the ranking of this road.

Dennis Stachewicz noted that #2 on the list (Terrace west of US 41) would be the next realistic project for the township.

Bill Sanders Moved, Ken Tabor Second, to approve the staff’s recommendations for road rankings and pass it on to the Township Board for consideration. Aye 5, Nay 0. Motion approved.

## **VII. PLANNING DIRECTOR’S REPORT**

Dennis Stachewicz reported that he met with Dr. English’s architect/representative on the proposed development on Kawbawgam Road. The proposal was not felt appropriate to bring to the Planning Commission for review at this time.

The Township Board will review the Budget next Monday. Unfortunately, the supervisor did not recommend a \$10.00 raise for the Planning Commission at this time.

Randy Yelle will be addressing the “Pot Roast” sign.

The Boy Scouts called regarding a pot hole and they were given the phone number for MDOT and encouraged to call them so they can come out and investigate.

**VIII. PUBLIC COMMENT**

There was no public comment.

**IX. COMMISSIONER COMMENT**

Estelle DeVooght noted that she was upset regarding the rezoning for Van Neste and Keough at the last meeting. She felt it was unfair to hand it over to the staff. She stated this is the purpose of the Planning Commission and it should be hashed out at the meeting. Bill Sanders disagreed and felt the Planning Commission did their job regarding the zoning for Van Neste and Keough.

Bill Sanders noted that the Planning Commission should start looking at some of the key priorities for the next five years in the Comprehensive Plan for Chocolay Township. One of the items that would need reviewing is the private road requirements. The Planning Commission agreed.

**X. INFORMATIONAL ITEMS AND CORRESPONDENCE**

**A. Information – Marquette Township Planning Commission**

There was no comment regarding the minutes.

**B. Publication – *Planning and Zoning News***

There was no comment regarding the publication.

The next Planning Commission meeting is scheduled for Monday, December 5, 2005. There will be no meeting in November.

**XII. ADJOURNMENT**

Bill Sanders adjourned the meeting at 8:20 p.m.

Respectfully submitted:

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Estelle DeVooght, Commission Secretary

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Ginger Maki, Recording

**Charter Township of Chocolay  
Planning Commission**

Monday, December 5, 2005  
7:30 P.M.

Present: Estelle DeVooght, Bill Sanders, Tom Shaw, Ken Tabor and Scott Emerson

Absent: Mike LaPointe and Steve Kinnunen

Staff: Dennis M. Stachewicz, Jr. (Director of Planning and Research), Lori DeShambo (Recording Secretary)

**I. MEETING CALLED TO ORDER/ROLL CALL**

Meeting called to order at 7:30 by Bill Sanders.

**II. APPROVAL OF THE MINUTES OF THE OCTOBER 31, 2005 MEETING**

Motion by Ken Tabor, Seconded by Estelle DeVooght to approve the minutes of the October 31, 2005 meeting. Aye 5, Nay 0. Motion approved.

**III. APPROVAL OF AGENDA/ADDITIONAL ITEMS FOR AGENDA**

Motion by Scott Emerson, Seconded by Ken Tabor for approval of the agenda for the December 5<sup>th</sup>, 2005 agenda. Aye 5, Nay 0. Motion approved.

**IV. PUBLIC COMMENT**

Mark Maki - 370 Karen Road, voiced his concerns over the following issues:

- A. Proposed PUD – Dr. English property – he has not been provided with enough information/township paperwork – he states that the English property can not be a PUD.
- B. Lakenen signs on M-28 – Still in violation, nothing being don.
- C. Waselesky junk yard
- D. He has submitted a Freedom of Information Act request which is being ignored.
- E. He was told by Michele Wietek of the Zoning Board of Appeals that she “thought” he was not allowed to attend township meetings.

Public Comment closed.

**V. OLD BUSINESS**

There was no old business for discussion.

**VI. NEW BUSINESS**

**A. Discussion – proposed PUD – Dr. English Property.**

A lengthy discussion was held between Dr. English, Glenn Van Neste (surveyor), Richard Graybill (attorney), Jim Clark, Dennis Stachewicz and the Planning Commission. This discussion was called a preliminary meeting at to what the developer will need to do to achieve its goals. The development team was at this meeting to present their concept of what this new development would all entail and looked to the Commissioners for their input.

Many issues were discussed as to the formation of a “clustered” style subdivision off of Kawbawgam road.

The Planning Commission made it quite clear that there were many things that needed to be accomplished before the project could even be presented to the Commission for a PUD permit.

Mark Maki - 370 Karen Road, wanted it stated that the developer must be rezoned before applying for a PUD.

Many drawings, sketches, aerial views and stages of development were provided to the Planning Commission. Mr. Van Neste was quite thorough when explaining the development concept.

Scott Emerson and Bill Sanders voiced their opinions that they liked what they initially saw in the preliminary development stages and final outcome.

Dr. English pointed out that this preliminary plan is very close to what the Township wants per the comprehensive plan.

Dennis Stachewicz advised the Planning Commissioners what the next steps in the process would be.

Dr. English and his planning team offered conditions for the potential rezoning of the property including a promise to subsequently rezone the property to PUD. Mr. Stachewicz advised the Planning Commission that he would discuss that matter with the Township Attorney.

#### **B. Discussion – Comprehensive Plan Implementation**

Dennis Stachewicz referred to his November 28, 2005 memo where he has listed items taken from the Comprehensive Plan that the Commissioners should begin working on. It was decided that a few of the items on this list could be dovetailed into one project. It was suggested that consideration be given to form a Recreation Committee again.

Between Mr. Stachewicz and the Planning Commission, the following six items were decided to begin working on:

1. Update the Township Zoning Ordinance
2. Adopt Access Management Regulations for the US-41/M-28 Corridor
3. Develop a Township Greenspace and Trails Plan
4. Develop and Ordinance Amendment to Require Public Roads in New Developments of a Certain Density
5. Create and Distribute Commercial Development Guidelines
6. Revise the Subdivision Ordinance

#### **C. Consideration – Support Letter for MDOT/Township Enhancement Grant**

Dennis Stachewicz discussed with the Commissioners the need for a letter of Support to be sent regarding MDOT/Township Corridor Enhancement Grant.

Ken Tabor Motioned with Tom Shaw Seconding that a letter be sent. Aye 5, Nay 0. Motion approved.

William Sanders signed this letter at the meeting.

#### **D. Consideration – 2006 Planning/Zoning Fees Recommendation**

Dennis Stachewicz did a study regarding the cost of providing zoning/planning applications review services over the past year and found that the fees were lower than cost. He provided the Planning Commission with a proposed listing of fee increases.

The Planning Commission listened as Mr. Stachewicz pointed out the increase to run an ad in the local newspaper, the cost of mailing, the labor cost for mass mailing, the comprehensive plan cost. Scott Emerson was excused from the meeting to attend work.



Mr. Stachewicz stated it looked like a huge increase but there had been no increases in some fees for years.

Mark Maki - 370 Karen Road, spoke up at this time and stated that if the fees are increased, the Planning Commissioners should be ashamed of themselves. The fees will have tripled in three years if you take Mr. Stachewicz's suggestion. He said he did not raise any zoning or planning fees for 20 years.

Bill Sanders pointed out that increases are state wide.

Tom Shaw wanted to know how do these fees compare to other township fees?

Ken Tabor Motioned and Tom Shaw seconded that the Charter Township of Choccolay Planning Commission recommends that the Charter Township of Choccolay Board adopt the 2006 Recommended Zoning and planning Fees as presented by staff. Aye 4, Nay 0. Motion approved.

## **VII. PLANNING DIRECTORS'S REPORT**

Mr. Stachewicz had nothing for the Commissioners at this time other than the fact that he will check with other townships regarding their fees and begin work on the list of 6 items from the Comprehensive Plan. He referred to the information handouts; item A which is the meeting dates for 2006 and it was agreed that the dates presented are fine.

## **VIII. PUBLIC COMMENT**

Mark Maki again stated the fees should not be increased. He referred to keeping the Comprehensive Plan current and that the Township wasted money to update this.

## **IX. COMMISSIONER COMMENT**

There were no Commissioner comments.

## **X. INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Information – 2006 Township Meeting Dates (Handout)
- B. Information – MDEQ Biological Survey of Choccolay Tributaries
- C. Information – Marquette City Planning Commission Minutes 10/18/05  
and 11/01/05
- D. Correspondence – Mark Maki to Planning Commission

## **XI. ADJOURMENT**

Bill Sanders adjourned the meeting at 9:33 p.m.

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Estelle DeVooght, Commission Secretary

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Lori DeShambo, Recording Secretary