

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, January 15, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:01 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Andy Smith (Vice Secretary), Kendell Milton, Don Rhein (Board)

Members Absent: Jon Kangas (due to accepting employment as Township Manager)

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Milton and seconded by Rhein to approve the agenda as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

December 18, 2017

Motion by Meister, and seconded by Milton, to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Scott Emerson, 119 Lakewood Lane – Is a physician involved in the community for 40 years. He has heard of many complaints regarding fireworks. Feels an increase in the number of days that fireworks are allowed will lead to more complaints. Also feels it will lead to more potential fires, danger, and liability to the Township. Also referred to the adverse effects that impulse noise has on a person's health. Should follow the Police chief recommendation and follow the State law.

Tom Noren, 169 W. Main – Has been an UP doctor since the mid 70's. Stated his concerns regarding the negative effect fireworks have on the birds and other wildlife in Chocolay Township. Also applauded Chocolay Township on the continued efforts to enhance the natural splendor around us, such as the Bayou Nature Preserve.

Joe Holman III (and Anthem), 210 Riverside – has a service dog and the fireworks have a negative effect on pets and vets. Should follow the State law as when it is planned, it is easier for them to adjust to. Should respect pets and vets.

Marla Buckmaster, 519 Lakewood Lane – read the letter in the Planning Commission packet from Bill and Marsha Karas, 195 Lakewood Lane. Also agrees with them.

Tim Hunt, 2361 US 41 S – is a veterinarian in Chocoday Township and stated that dogs don't get rid of the fear of fireworks and with the increased number of days, it would have a negative effect on them.

Ruth Ziel, 734 Lakewood Lane – has lived in Chocoday since 1990, feels the fireworks already are more than the allowed thirty days. Can't always tell where they are coming from to report them to the authorities. Also fears the fireworks would have a negative effect on the land values.

Dr. Daniel Arnold, 111 Lakewood Lane – has lived in Chocoday since 1979, Chocoday is a bedroom community, people live here for the peace and quiet. Don't make fireworks easier and for more days, stick to the State law. He would restrict it more than the State law if he could.

Mary Pat Linck, 367 Lakewood Lane – has lived here since 1972, the state ordinance is more than enough time. Fireworks go off most of July. Looks forward to the end of July as it is a relief when they die down. Asking for problems we don't need, adhering to State law is the best way to go.

Jude Catallo, 119 Lakewood Lane – according to the Chocoday procedures and bylaws, Article 4, Section 6, everyone on Planning Commission shall vote unless a financial conflict causes it to be unethical. Urged Mr. Mahaney not to contribute discussion or vote regarding fireworks, as they have been sold at a business his family owns.

Cindy Baker, 123 Ridgewood Drive – can't add more than what has already been said, emailed, or phoned in. Obvious that somebody that stands to gain financially can or try to pass this through.

Public comment was closed at 7:30 pm

V. PUBLIC HEARINGS

- A. Proposed Noise Ordinance (deferred to Item VIII.A)
- B. Proposed Mixed Use Corridor (deferred to Item VIII.B)

VI. PRESENTATIONS

None

VII. NEW BUSINESS

A. Election of Planning Commission Officers

Staff Introduction

Throenle stated that each year the Planning Commission must elect new officers as directed by Section VI in the *Planning Commission Procedures and Bylaws*. There will be a Chair, Vice-Chair, Secretary, and Vice-Secretary elected. Don Rhein, who is the Board appointed representative, is eligible to be elected for all officer positions except the Chair.

Commission Election

Motion Number 1

Milton moved, Meister seconded, to elect Mahaney as the Chair of the Planning Commission.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

Motion Number 2

Milton moved, Rhein seconded, to elect Meister as the Vice-Chair of the Planning Commission.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

Motion Number 3

Smith moved, Mahaney seconded, to elect Mullen-Campbell as the Secretary of the Planning Commission.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

Motion Number 4

Rhein moved, Milton seconded, to elect Smith as the Vice-Secretary of the Planning Commission.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

B. Planning Commission Bylaws

Staff Introduction

Staff has reviewed the current Planning Commission bylaws and noted some items need to be revisited, added, or updated for clarification and consistency. See the following for the *Procedures and Bylaws* section:

Article IV Township Planning Commission Meetings

Section 6.

Voting – Every member who shall be present when a question is last stated by the Chair shall vote for or against the motion unless (1) excused by unanimous consent of the Planning Commission members present or (2) the member ~~is financially interested~~ **has a financial interest** in the question. (Amended ~~2-87~~**01-18**)

Article V - Duties of the Executive Committee

Section 1. The Executive Committee, **or their designee**, shall prepare agendas for monthly meetings and make necessary arrangements for special and monthly meetings. (Amended, **01-18**)

Article VIII - Fiscal

The fiscal year of the Chocolay Township Planning Commission shall be January 1 to December 31 of each year.

The Chair, **or their designee**, shall prepare an annual budget to be presented to the Chocolay Township Board for their approval. (Amended ~~7-97~~**, 01-18**)

Article XI Rules of Order

For meetings of the Township Planning Commission, the rules of parliamentary practice comprised in ~~“Roberts Rules of Parliamentary Procedure”~~ **“Robert’s Rules of Order Newly Revised”** shall govern in all cases in which they are not inconsistent with the standing rules and orders of the Chocolay Township Planning Commission and not contrary to any laws of the State of Michigan. (Amended ~~8-02~~**, 01-18**)

Article XIII Agenda and Packet

Materials to be included on the agenda or in the packet for Planning Commission consideration will be accepted from the public **until 12 p.m. on the Tuesday preceding the regular or special meeting of the Commission.**

Correspondence will be accepted from the public **until 12 p.m. on the Tuesday preceding the regular or special meeting of the Commission.** Submitted correspondence must contain the name and address of the submitter to be included in the packet. (Amended **01-18**)

Staff also noted some changes be clarified in the *Public Participation Policy* as well. The following were presented:

II. Public Comment

Public comment is an opportunity for citizens and organization representatives to voice their opinions to the Planning Commission.

1. Individuals wishing to speak must be recognized by the Chairman prior to speaking. Individuals not following this rule are subject to dismissal from the meeting.

2. Individuals must state their name and address for the record. Individuals representing an organization must state their name and the organization they represent for the record.
3. All speakers will be limited to three (3) minutes per person. No person can grant his or her time to another speaker.
4. The Commission Secretary, or designated representative, will be responsible to keep time on speakers and inform the Chairperson when time limits have expired.
5. At the close of public comment, Commission members may address issues raised by speakers during public comment.

Commission Discussion

The commission discussed the proposed changes, including the definition of the Executive Committee and changes to the Public Participation Policy. Commission felt the changes were pretty much straight forward and agreed to make the above changes.

Commission Decision

Meister moved, Rhein seconded, to revise the *Planning Commission Procedures and Bylaws* as revised.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

Milton moved, Rhein seconded, to revise the *Planning Commission Public Participation Policy* as written.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

VIII. UNFINISHED BUSINESS
A. Proposed Noise Ordinance #66

Staff Introduction

Throenle stated the language was approved last month to move this ordinance forward to a public hearing. There was one memo from the Police Chief added and one item of correspondence, from Dr. Emerson that was given to the Commissioners after a misunderstanding about including the document in the packet.

Also discussed with Supervisor Bohjanen a change in the following definition:

Section 3 Definitions

| | |
|------|---|
| Horn | A device in good working order that is capable of emitting sound audible under normal conditions from a distance of not less than 200 feet greater than 50 feet. |
|------|---|

Consider the following change to the following Ordinance as well:

Section 5 Prohibited Noises and Act

(I) Business Operations and Related Activities

i. The carrying on of any business operations, or any related activities in such a manner so as to create any excessive, unnecessary, or unusually loud noise, which disturbs, injures, or endangers the comfort, rest, health, peace or safety of others from the edge of the business property

Public Hearing

Scott Emerson, 119 Lakewood Lane – his understanding that he can't present items to the Commission for Public Hearing? Throenle responded he can but it won't be included in the public minutes. Emerson has read through the ordinance and looks good, and he gave the Commissioners two documents for consideration.

Perry Laing, 625 Lakewood Lane – is going off of the old ordinance and asking for two changes. One being that contractors don't have to get the ok from the Commission to work out of the designated time as they Commission only meets once a month. The second change is allowing an individual, who wants to do their own repairs to their property, to be able to work on their property on the weekend. As it stands, they can only work from 7 a.m. to 9 p.m. weekdays.

Public hearing closed at 8:00 p.m.

Commission Discussion

While the Commission was preparing to discuss Throenle stated that the two issues presented by Laing in the public comment had been covered in a previous Noise Ordinance discussion and are listed in the proposed Ordinance under Section 5, G, i and ii. (These were the public comments regarding Construction time and days allowed)

Mahaney questioned if the language reviewed presented in the proposed Ordinances tonight will go to the Township Board. Throenle stated yes, language determined tonight will to the Board for consideration of adoption as an ordinance.

Meister questioned the 50 feet rule, what is someone owns more than the 50 feet, say 300 feet. Also felt this dealt with mostly commercial properties, not residential.

Milton felt traffic is loud so some noises have to be louder to be considered a problem.

Smith questioned the difference from the existing ordinance and what Dr. Emerson is proposing. Mahaney replied the distance it's allowed to carry if it's a business/commercial property. Throenle also commented that if it's residential, once it crosses the property line it would be a violation.

Throenle also asked to address the public, in doing so he pointed out that whatever

is passed here tonight, does not become law. This is a recommendation from the Planning Commission to the Township Board for the recognized language. The Board has three options:

1. Accept the language as written
2. Modify the language as they see fit
3. Reject the language and send it back to the Planning Commission to modify

The Commission also decided to change the Ordinance language as shown:

(I) Business Operations and ~~Other Premises Related~~ Activities

i. The carrying on of any business operations, or any ~~other related~~ activities ~~upon any premises~~ in such a manner ~~so~~ as to create any excessive, unnecessary, or unusually loud noise, which disturbs, injures, or endangers the comfort, rest, health, peace or safety of others ~~from at a distance of fifty feet or more from~~ the edge of the business property

Commission Decision

Rhein moved, Milton seconded, to send the Noise Ordinance to the Board with the changes we made tonight.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

B. Proposed Mixed Use Corridor

Staff Introduction

Last month, the Commissioners reviewed and revised the proposed Zoning Ordinance language for the Mixed Use Overlay District and approved adding the proposed language to the January 2018 meeting for public hearing.

369 notifications were sent to property owners that were located within 800 feet of the center line of the proposed district. This was to accommodate the proposed 300 feet identified for the district on either side of the center line and the required 500 feet for property owner notification. Five notifications were returned as undeliverable due to address issues. Also one call for expansion of the map that would have to go before the board if the Commission decided to go ahead with that.

Throenle indicated there were two responses from residents; both were positive. One wanted to extend the corridor to be included and the other was happy regarding some changes they want to make to their existing business.

Also, the Public Hearing was listed in the Mining Journal within the time frame in December.

Public Hearing

Mark Maki, 370 Karen Rd – feels the map doesn't go far enough to include the Welcome Center and the Jehovah Witness Hall. They were never designed to be commercial, the Jehovah Witness Hall is currently residential. Maybe they should be removed from the district. This could be a chance for rezoning. He asked when looking at a map online, how can you tell what the overlay district would it be.

Richard Bohjanen, 140 Edgewood Drive – if you choose to add the extra property to the Overlay District, do you have to extend the notifications? Throenle said he would have to take a look at the notification map that was used but doesn't feel it is an issue. It would have to go to the board and notifications could be sent out then.

Public hearing closed at 8:38 p.m.

Commission Discussion

Mahaney and Meister both asked to participate in the discussion but to be recused from the vote due to conflict of interest with both owning property within the corridor. This was voted on and granted by the remaining Commissioners.

Milton moved, and Smith seconded to allow Mahaney to participate in the discussion but be exempt from voting on Public Hearing for *Proposed Mixed Use Corridor*.

Votes: Ayes: 4 Nays: 0 MOTION CARRIED

Milton moved, and Rhein seconded to allow Meister to participate in the discussion but be exempt from voting on Public Hearing for Proposed Mixed Use Corridor.

Votes: Ayes: 4 Nays: 0 MOTION CARRIED

Throenle stated that in following the process here tonight, the Planning Commission could approve the map as presented and send to the Township Board for consideration of adding the additional parcels. Mahaney asked if they would have to hold another public hearing and Throenle stated the language does not affect the map. The language does not identify the individual parcels.

Meister questioned why the one resident wanted to be included in the Overlay District and Throenle stated is was from the stand point he may want to use his property for commercial use in the future and thought now would be the time to address this now versus the future.

Mahaney was wondering why the property was not included and Smith was thinking the same, he thought was included. Throenle stated there were some properties that weren't considered usable during previous discussions. Commission discussed the area being a swampy area, smaller lot sizes and the quantity of commercial driveways this would create on M-28. After discussion they felt comfortable leaving the new proposed area out.

Rhein questioned what would happen if the Jehovah Witness were to ever sell their property. What about potential runoff in the swampy area. Mahaney felt that would be a DEQ issue.

Smith wanted to address Mr. Maki's issue regarding finding the Overlay district online. Throenle said they would be able to select a certain parcel and it would tell you the underlying zoning and would also show that it is in the Overlay and would show you what you can do with the property.

Mahaney questioned the tax bills, if this would put you in a different zone. Throenle stated his understanding is if you were in the Overlay and are currently a R1 you can select to stay in that zone or be commercial. You would revert to the underlying designation in that zone.

Commission Decision

Milton moved, and Rhein seconded that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve the *Zoning Ordinance* language for the proposed Mixed Use Corridor as written to provide the capability of expanding the business presence in the Township business corridor, and to attract additional prospective business owners into the Township.

Votes: Ayes: 4 Nays: 0 MOTION CARRIED
(Mahaney and Meister abstained from voting)

Rhein moved, and Milton seconded that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve location of the proposed overlay district as shown on the Township map as presented.

Votes: Ayes: 4 Nays: 0 MOTION CARRIED
(Mahaney and Meister abstained from voting)

C. Proposed Fireworks Ordinance #65

Staff Introduction

Throenle addressed the audience and asked before they call his office regarding an issue in the Planning Commission packet to please read/research through the material being presented prior to calling. Some of the calls are due to being misinformed regarding the subject at hand.

At the December meeting the Commissioners reviewed language for the proposed *Ordinance 65 Fireworks* and decided to table it for January, as there was a tie vote.

The main discussion was for Section 4, item 2 in the proposed section. There is a memo from the Police Chief and one correspondence item that was received and they are included in the packet.

One call came from a resident in the agricultural forestry district asking if fireworks could be allowed in the larger parcels without permit as they don't disturb anyone.

For Smith, who was absent last month, and the audience, there was one definition added regarding the sky lanterns. Also, language was added in Section 4 Prohibition pertaining to this.

| | |
|-------------|--|
| Sky lantern | An unmanned device with a combustible fuel source that incorporates an open flame in order to make the device airborne |
|-------------|--|

Section 4 Prohibition

No person shall release or cause to be released an untethered sky lantern.

Commission Discussion

Mahaney inquired if the sky lantern was similar to a kite. Throenle answered yes, a heated kite. They can go wherever they want and come down anywhere, not necessarily in the Township. They may still be hot when they come down.

Mahaney stated the intention of the permit was for special occasions but with the letter from the Police Chief they should consider striking it. Meister agreed. Meister also asked if it was removed would it be in line with the State law? Throenle stated yes, it would be except the definition added regarding sky lanterns.

Mullen-Campbell asked how is the public informed regarding this. Throenle stated it would be a combination of the ways including the news, and it will be published in the Mining Journal if it does become ordinance.

Throenle also stated to the audience that they do have the right to call law enforcement regarding fireworks. There were folks who called him regarding this that were unaware of this. We also need a public education process and it is up to him to figure this out. Comments regarding how to make this happen can be sent to him.

Throenle also reminded the public that this does not prohibit all fireworks. This doesn't include the low impact fireworks such as sparklers.

Commission Decision

Milton moved, Rhein seconded, that proposed *Ordinance 65 Fireworks* be presented for public hearing as changed at the February 2018 meeting.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

Mahaney asked about tabling the rest of the Agenda for next month. Meister asked to just get it done. The rest of the Commission agreed to get them done.

D. Zoning Ordinance Updates (formerly Short Term Rentals)

Staff Introduction

From now on these will be known as *Zoning Ordinance Updates*. This change was made to accommodate additional changes, and there are many, that will occur as a result of adding to the *Zoning Ordinance*.

Tonight we are looking to wrap up the discussion related to short term rentals, definitions need to be finalized so the correct language can be added to the *Zoning Ordinance*.

First change proposed is to the Dwelling, Rental section of the ordinance.

Dwelling, Rental

Current

None

Proposed

A dwelling unit providing temporary accommodations for periods of one day or more for a fee.

~~Does not include bed and breakfast, group homes, hospitals, hotels, nursing homes or resorts.~~

This definition does not include bed and breakfasts, group day care facilities, group day care homes, hospitals, hotels, nursing homes or resorts.

The second one is under the Resort section.

Resort

Current

Means any parcel or tract of land under the control of any person wherein buildings or building space are offered for the use of the public or members of an organization, either free of charge or for a fee, for temporary living quarters incident to recreational use for any period less than one month.

Proposed

A tract of land under the control of an owner or owner designee where one or more structures are offered for use of the public or members of an organization either free of charge or for a fee, for the establishment of temporary living quarters for any period less than one month.

A resort ~~has~~ generally offers other amenities that may also be offered to the public (such as restaurants, pools, meeting rooms, and retail stores).

The last one is under the Structure section.

Structure

Means any constructed, erected, or placed material or combination of materials in or upon the ground, including, but not by way or limitation, buildings, mobile homes,

radio towers, sheds, signs, and storage bins, but excluding fences, sidewalks, and paving on streets, driveways, parking areas, and patios excluding uncovered open porches not to exceed four feet above grade and not to encroach into the front yard setback by more than six feet in front of the single family dwelling.

Proposed

Placement of constructed, erected, or placed material or combination of materials in or upon the ground, including, but not by way of limitation – buildings, garages, mobile homes, pole barns, sheds, signs, and towers that will be in use more than six consecutive months.

This definition does not include fences, sidewalks, paving on streets, driveways, and parking areas.

This definition does not include patios and uncovered open porches or decks that do not exceed four feet above grade and do not encroach into the front yard setback by more than six feet in front of the dwelling unit.

Commission Discussion

Milton questioned if Section 6.3 of the Zoning Ordinance regarding the definition of a structure, building codes, occupancy, and habitation needed modification. Throenle stated that there is no language in 6.3 that needs modifying, it outlines the standards for housing. Throenle also stated that 6.3 identifies and clarifies what is a dwelling.

Milton also stated a tent would be above ground but you wouldn't want to live in one for very long. Throenle stated that 6.3 covers key elements, it deals with the square footage of a structure. The square footage has to be 800 square feet and one side has to be at least 20 feet, this prevents single-wide mobile homes from being brought in on properties. And it also has to meet county, federal and state respects of building and fire codes. Milton stated this is what he was wondering.

Meister asked if this would be the end of the definitions Throenle stated yes, once these are approved, they language will be inserted and will come back to the Commissioners for approval. They will then have one more chance to look them over for approval in February and then come for public hearing in March.

Commission Decision

Meister moved, Milton seconded, that the proposed definitions for the *Zoning Ordinance* be accepted as changed.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

E. Planning Commission Priorities

Staff Introduction

At the December meeting the Commissioners established their list of priorities for

2018. Throenle asked for Commissioners to review the list to see if there are any changes that the Commissioners might want to make.

Commission Discussion

Smith had concerns regarding a resident wanting some 600-800 properties that were rezoned in 2008 from R2 to AF district to be relooked at as they are not in compliance. Would really like to see this get looked at as it could lead to potential problems in the AF district.

Meister felt instead of doing a new zoning map, could look at them by acreage size.

Mahaney asked how it would be decided the order these priorities are handled, and who decides this. Throenle stated the list will be sent to the Board and they may decide to get rid of some or all of them. Throenle suggested the Commissioners wait and see, as they can be ranked at a later time.

Mahaney also questioned the fact that there is a priority concerning the corridor and asked if there is more than the Mixed Use that we just decided on. Throenle stated to leave that on there in the event it would come back from the Board for consideration. He stated it could always be checked off later.

Commission Decision

Add a priority to the Priority 1 section to relook at the zoning ordinance structure for property increase.

Milton moved, Meister seconded, to send the Revised 2018 Priorities with the changes, to the Board for recommendations.

Votes: Ayes: 6 Nays: 0 MOTION CARRIED

IX. PUBLIC COMMENT

Perry Laing, 625 Lakewood Lane – couple questions and observations. In regards to the Noise ordinance, as having worked as an audio engineer in broadcasting for several years, is fascinated how you think you will stop noise at 20-100 feet, it's impossible. What are the restricted noises and are they allowed during the allotted times of 7 a.m. and 10 p.m? Weekends? Suggest the fireworks follows the State ordinance. Does the fireworks ordinance cover sparkly fountains and sparklers? Can those be set off any time? Will this new ordinance you discussed here tonight take care of the short term rental concerns? If you put a tether on a sky lantern, it's ok?

Mahaney answered they are currently working on the definitions for the short term rentals, they start with them and they go into the ordinance.

Public comment closed 9:29.

X. COMMISSIONER'S COMMENTS

Rhein – None

Milton – None

Kangas – None (due to employment in Township)

Smith – None

Meister – None

Mullen-Campbell – None

Mahaney – Thanked Throenle for the help during the meeting. He offered congratulations to Jon Kangas, the new Township manager, and said he will be missed on the Planning Commission. He also thanked the public for all the input tonight.

XI. DIRECTOR'S REPORT

Throenle – Planning Director's report from now on will contain the Board update that we send monthly to the Boards so what was in the packet tonight was sent to the Board. Also something buried in the Bylaws that we missed the last couple of years, there is a section stating the Commissioners need an annual Commissioner report, so it will be put together for the next meeting.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board minutes, 12.11.17

B. Minutes – Township Board minutes, 12.18.17

C. Minutes -- Marquette City Planning Commission, 11.21.17

D. Minutes – Marquette City Planning Commission, 12.05.17

E. Minutes – Marquette City Planning Commission, 12.19.17

F. Correspondence -- Karas

G. Correspondence – Mulcahey # 1

H. Correspondence – Mulcahey # 2

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9:31 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MINUTES**

Monday, February 19, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Donna Mullen-Campbell (Secretary), Andy Smith (Vice Secretary) Kendell Milton, Susan Maynard, Don Rhein (Board)

Members Absent: Eric Meister (Vice Chair)

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Milton, and seconded by Rhein, to approve the agenda as revised. (Section V, public hearing deferment was changed from VIII.A to VII.A)

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

January 15, 2018

Motion by Milton, and seconded by Rhein, to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Ryan Soucy, 330 W. Terrace Street – Provided comments regarding removal of West Terrace and West Wright Street from the proposed mixed use district.

Throenle – There were coffee and goodies on the back table for the folks that want them.

Public Comment closed at 7:09

V. PUBLIC HEARINGS

A. Proposed Fireworks Ordinance #65 (deferred to Item VII.A)

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Proposed Fireworks Ordinance # 65

Staff Introduction

Last month the Planning Commission approved proposed *Ordinance 65 Fireworks* with changes, moving the ordinance forward to the public hearing this month. There is one other minor change in the wording in Section 4, as shown below.

Section 4 Prohibition

No person shall ignite, discharge or use consumer fireworks within ~~the~~ Chocolay Township, except during the following times:

Public Hearing

No public comments, closed at 7:13

Commissioner Discussion

Rhein felt the Planning Commission did a fine job on this ordinance. No other comments from the Commission.

Commission Decision

Milton moved, and Rhein seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve Ordinance 65 Fireworks as amended to establish regulations regarding fireworks in the Township.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

B. Zoning Ordinance Updates

Staff Introduction

Staff prepared an extracted Zoning Ordinance with the pages that will be affected by Commissioner decisions. The documents for this process included:

- 1) Extracted pages from the current Zoning Ordinance (VII.B.1) in the packet materials
- 2) Extracted pages from the proposed Zoning Ordinance with the changes

included (VII.B.2) in the packet materials

- 3) A cross-reference summary document (listed as VII.B.3) in the packet materials, that showed the relationship between the two documents and the proposed change for each recommended item.

These are not only related to short term rentals but other district regulations to bring them up to date.

Using the cross-reference sheet (VII.B.3) each of the changes were discussed.

Items on the cross reference sheet, 1 through 14 are the definitions that the Planning Commission has approved over time have been included. There was one minor change to the *Resort* definition to be changed:

| | |
|--------|--|
| Resort | <p><i>A tract of land under the control of an owner or owner designee where one or more structures are offered for use of the public or members of an organization either free of charge or for a fee, for the establishment of temporary living quarters for any period less than one month.</i></p> <p><i>A resort has generally offers other amenities that may also be offered to the public (such as restaurants, pools, meeting rooms, and retail stores).</i></p> |
|--------|--|

Items 15 through 25 were the individual Zoning Districts Regulations.

There were also proposed additions added to the Conditional Uses sections in the Zoning district stating:

Other uses deemed by the Planning Commission to be of the same general character as those permitted and conditional uses

The phrase *Township Comprehensive Plan* has been revised to *Township Master Plan* throughout the document.

There were changes suggested in the Site Plan Review section:

9.1 Application and Review Procedures

(A) Application Procedures

1. An application for Site Plan Review by the Planning Commission shall be submitted at least *twenty one (21) days* prior to the next scheduled Planning Commission meeting to the Planning Director, who will review the application materials with the Zoning Administrator to ensure that the requirements of Section 9.1, are met, then transmit it to the Planning Commission.
2. An application for Site Plan Review shall consist of the following:

- a. A completed application form, as provided by the Township.
- b. Copies of the Site Plan as requested by the Planning Director.
- c. Payment of a fee, in accordance with the *Adopted Fee Schedule*.
- d. A legal description, including the permanent parcel number, of the subject property.
- e. Other materials as may be required by this Section, the Planning Director, the Zoning Administrator or the Planning Commission.

- .
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- .

2. Final Site Plan Review

- a. Final Site Plans shall include the following information.
 - 1) Small scale sketch of properties, streets and use of land within one quarter (1/4) mile of the area.
 - 2) A site plan at a scale not to exceed one (1) inch equals sixty (60) feet (1" = 60'). Additional copies may be requested by the Planning Director.

Commission Discussion

Mahaney questioned where the Adopted Fee Schedule could be found and Throenle stated it is part of the annual budget review and it is posted on the Township website.

Milton would like to see an addition to the Final Site Plan Review, as letter, "h" stating: *Adjacent property owner zoning should be added to the site plan along with the application.*

Mahaney also questioned if it was common to grant extensions on building and Throenle responded that it depends on how far into construction it is.

Smith also stated most other townships require a grading storm water retention plan, it has come up in the last couple site review plans he has been involved with. Chocoy Township is one of the only townships that does not require it. Milton felt this was a drain commissioner issue, but also agreed it should be added. Smith and Manager Kangas both stated they would be willing to help with the language regarding it. Throenle will get together with them and bring back language to the Commission at the March meeting for review.

Mahaney asked if this would be an amendment to the ordinance. Throenle stated yes and will add Milton's request to add letter "h" and if the Commissioners approve, he will bring it back at the next meeting as language for addition in section 9.1.

Commission Decision

Rhein moved, Milton seconded, that the proposed Zoning Ordinance be presented for public hearing as changed at the March 2018 meeting.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

There will be a public hearing on this in the March meeting.

C. Planning Commission Priorities

Staff Introduction

Staff recommended that the Commissioners look at the items under each priority category, and number them in order of importance for consideration.

Commission Discussion

Throenle asked that the priority pertaining to the Recreation plan be moved up to the top area of the list as our Recreation plan expires at the end of the year. The DNR requires we have this submitted in time to apply for DNR grants for next year.

Mahaney asked if this looks at the complete Township or certain projects, Throenle replied it is the complete Township.

Throenle stated, when looking at this with Township staff for the next five years, the DNR will not fund a grant if not identified in the plan. The Recreation plan serves as a guide, the Township doesn't have to do everything on the plan, but if it is not listed on the plan, it will not be considered for grant money.

Milton asked if this is updated every five years, Throenle stated that is the minimum but feels this should be done on an annual basis to see there are any changes to be added. He said the same goes for the Master Plan, staff and the Planning Commission should be checking this on an annual basis as well.

Smith asked if the priorities were set and asked if a Priority 2 could become a Priority 1 at any time. Throenle responded they could, they were decided that they were not the hot button items as the ones in Priority 1 but they can be added to an agenda for a particular meeting. An example would be if some grant money came in, we could move something up. Also noted, these numbers are not set in stone and can be changed at any time.

After input from Staff and discussion the following top six priorities were numbered in order according to priority per the Planning Commission.

Planning Commission Priorities for 2018

Priority 1

1. Complete and adopt language for short term rentals (in progress)
2. Complete and adopt language for US 41 and M-28 Business Corridor Overlay District regulations (in progress)

3. Recreation plan review and update
4. Begin planning for implementation of high priority Master Plan projects
5. Asset Management Plan for Township roadways, sewer and water systems
6. National Flood Insurance Program (NFIP) Community Rating System
 - Consider rewrite of current zoning ordinance
 - Further amend the Zoning Ordinance to address changes in State Legislation
 - Non-conformities regarding properties in the Agriculture / Forestry (AF) district
 - Review existing ordinances

Priority 2

1. Plan for four-season transit facility
 - Further amend the Zoning Ordinance to implement the Zoning Plan of the Master Plan
 - Monthly land use explorations in preparation for amending of the Zoning Ordinance to implement the Zoning Plan of the Master Plan, Zoning Classification, Accessory Homesteading Activities, etc.
 - Reconsider the Accessory Homesteading Activities regulations after evaluating public input

Priority 3

- Consider Firewise zoning regulations
- Reconsider approach to private road regulation

Commission Decision

Mullen-Campbell moved, and Smith seconded, that the priorities for the Planning Commission for 2018 be published as changed.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

D. Planning Commission Bylaws

Staff Introduction

In preparation for the new year, the Commissioners reviewed the *Procedures And*

Bylaws Of the Chocoley Township Planning Commission and the related *Public Participation Policy*, and last month the Commissioners approved the language for both documents.

The documents that were included in the front of the packet are now officially adopted by the Planning Commission. From now on, they will be included in your packet, whether electronic or paper.

There was no further discussion needed on this.

VIII. NEW BUSINESS

A. Mixed Use District Map Amendment

Staff Introduction

The Board reviewed the language and the map, along with the proposed additional properties. The Board approved sending the language forward for a second reading, and approved sending the map without the additional properties forward as well, while sending the proposed additions to the map back to the Planning Commission for consideration.

Staff is recommending that the Commissioners:

1. Determine if the mixed use district map should be amended to reflect the recommended additions.
2. If the answer to the first recommendation is “yes”, Commissioners should review the proposed map changes through Commissioner discussion, and provide any additional revisions, if necessary, to the proposed map amendment.

Throenle stated this is just strictly for the map as the languages have already been reviewed by the Board but they felt the map needed more notification to residents.

Commission Discussion

Milton felt they decided there were too many highway accesses there and Throenle commented there is an access management section in the ordinance that determines this. Manager Kangas commented it's its own separate overlay district that covers the US 41 and M-28 corridor, and the US 41 Corridor Advisory is looking into. In the ordinance it is known as the Section 5.3, the US 41- M-28 Overlay District.

Commission Decision

Smith moved, Rhein seconded, that the mixed use district map be amended to include the identified (green) parcels, and be presented for public hearing as changed at the March 2018 meeting.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

Rhein moved, Maynard seconded, to remove from the mixed use overlay map the ten parcels around W. Terrace.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

B. Planning Commission Annual Report

Staff Introduction

Please review the attached document as it is written. Staff has put together a summary of the activities with the intent of keeping the document brief. Commissioners, however, can decide if the document should be expanded.

2017 PLANNING COMMISSION ANNUAL REPORT

Planning Commission Activities and Requests

The Planning Commission had a busy year. Each meeting throughout the year was related in some way to the proposed mixed use overlay district or the short term rental discussion. The Planning Commission completed the following activities and requests in 2017:

- Made recommendations for a future design for the Silver Creek Recreation Area
- Completed work on *Ordinance 62, Animal Control*
- Completed work on *Ordinance 66, Noise*
- Completed draft work on *Ordinance 65, Fireworks*
- Spent a considerable amount of time in relation to short term rentals, and prepared a set of draft definitions for consideration
- Reviewed and completed work on language for a proposed mixed use overlay district
- Reviewed and approved a rezoning request for the proposed casino project
- Reviewed and approved a contractor yard conditional use permit
- Reviewed and approved a conditional use permit for a day care / preschool
- Reviewed and approved site plans for the proposed casino project

- Discussed the necessity of rewriting the *Zoning Ordinance*
- Approved a National Flood Insurance Community Rating System project
- Reviewed and approved the site plan and conditional use permit for a proposed campground
- Reviewed and approved the site plan for proposed storage units
- Reviewed and approved a checklist for conditional use permits

Planning Director Activities

In the early part of 2017, Molly Wetters, an intern from Northern Michigan University, assisted the Planning Director in establishing a document and web presence branding for the Township. The Planning Director has adopted this format for the primary documents for the Township. She also established the base outline for a recreation brochure that will be further developed in 2018. Later in the year, Joe Lawry assisted the Planning Director, and developed two sets of interactive documents (an interactive history of the Township, and an interactive recreation directory) for the Township website

In addition to preparing Planning Commission packets, the Planning Director:

- Attended training sessions on wind energy, the 21st Century Infrastructure Report, marijuana statutes, job development for local communities, training of youth in career technical education, climate adaptation, broadband, disaster planning and entrepreneurship in the County
- Participated in a week-long FEMA training session related to flood plain management
- Attended the Small Town and Rural Development Conference

Commission Discussion

Mahaney questioned what was gathered from the training on wind energy. Throenle answered that seemed to be contentions on both sides regarding wind energy. There are many aspects such as size, density, noise, impact on wildlife, etc. Some people view it as an aesthetic problem and some see it as a way to earn money with their property. Solar also seems to be changing with technology.

Commission Decision

Mullen-Campbell moved, Rhein seconded, that the 2017 Planning Commission Annual Report be forwarded to the Board as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IX. PUBLIC COMMENT

Ryan Soucy, 330 W. Terrace – Thank you for listening to my comments, you probably don't hear that enough. Thank you for making the consideration for me.

Public comment closed 8:36 pm.

X. COMMISSIONER'S COMMENTS

Rhein – Welcome to Susan, hope you found it interesting and thanks for joining our team

Milton – None

Maynard – Thanks Don, ready for the quick quiz...not.

Mahaney – Thank you Ryan for coming to meeting and speaking about your concerns, nice job on packet Dale

Meister – Absent

Smith – None

Mullen-Campbell - None

XI. DIRECTORS REPORT

The report that is included in your packet is taken from the monthly Board update that all staff submits to the Township Board. We are looking at taking a different direction. We are looking at adding this as a newsletter on the Township website. Throenle's report would be in the web report, will advise in the future if this in fact how it will be. The concept is to provide information to the public as a whole, keeping them informed. Hopefully this addresses some communication issues that there seems to be in the Township.

The Zoning ordinance was brought up by the Supervisor at the Board meeting and there was a motion made and passed to form a committee that will look at not only the Zoning ordinance but the rest of the ordinances. It will be made up of two Board members, the Planning/Zoning administrator, the Manager, Department of Public Works, and the Supervisor. They are also asking for two volunteers from the Planning Commission to be added. This would not be an open meeting.

These would be recommendations that would come back to the Planning Commission for consideration, more of a direction.

Throenle is hoping this committee comes back with recommendations for the Zoning ordinance as there are budgetary issues if it is not touched this year.

Please advise the Manager if you are interested to be on this committee.

Throenle will be attending a NFIP/FEMA conference in June, the goal is to learn how to set up the community rating system.

Throenle will also be attending a conference this week on storm water, this will also be related to flood plain management. With the combination of the two conferences the hope is to help us on a path for the flood plain. Throenle stated FEMA is looking at mapping all of the lakeshores for the Great Lakes to include them into their flood plain maps, and he would like to see the impact how it would affect the Lake Superior shoreline, particularly M-28 & properties on Lakewood Lane.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes –Township Board minutes, 01.08.18
- B. Minutes – Marquette City Planning Commission, 01.09.18
- C. Minutes – Marquette City Planning Commission, 01.16.18
- D. Correspondence – Hendrickson
- E. Correspondence – Evans
- F. Correspondence – Henning

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 8:45 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, March 19, 2018

I. MEETING CALLED TO ORDER BY: Donna Mullen-Campbell at 7:00 p.m.

ROLL CALL

Members Present: Donna Mullen-Campbell (Secretary), Kendell Milton, Susan Maynard, Don Rhein (Board)

Members Absent: Tom Mahaney (Chair), Eric Meister (Vice Chair), Andy Smith (Vice Secretary)

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Milton and seconded by Rhein to approve the agenda as written.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

III. MINUTES

February 19, 2017

Motion by Maynard, and seconded by Mullen-Campbell, to approve the minutes as changed.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

There was no public comment.

V. PUBLIC HEARINGS

- A. Mixed Use District Map Amendment (deferred to Item VII.A)
- B. Zoning Ordinance Updates (deferred to Item VII.B)

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Mixed Use District Map Amendment

Throenle stated that last month, the Commissioners reviewed and revised the proposed Mixed Use Overlay District map, and moved the map forward to a public hearing at the tonight's meeting.

He reminded the Commissioners they reviewed and approved the map with the recommendation of removing ten parcels on West Wright Street and Terrace Street west of US 41 South, and adding fourteen parcels on the north side of M-28 to extend the district from the intersection of US 41 South and M-28 to Chocolay River Trail.

He stated one hundred notifications were sent to property owners within 500 feet of the proposed changes; forty-eight were sent to those affected by the West Terrace Street removal, and fifty-two were sent to those affected by the additions along the north side of M-28.

Throenle presented the map and discussed the map and the district options with the audience concerning the existing parcels and the proposed addition.

Public Hearing

Matt Hellman, 111 Chocolay River Trail – thanked Throenle for the presentation, doesn't want the proposed additions to go multi-use, wants them to remain residential, worried about blighted properties. Has no objections to the removal of the ones proposed for removal on the map.

Derek Anderson, 116 Chocolay River Trail – felt the district needed to remain consistent with the Master Plan. He felt any new zoning should occur after the Township follows through on recommendations relative to commercial development design guidelines, particularly in the Harvey commercial center.

Phil Johnson, 125 Chocolay River Trail – part of the Chocolay River Association, grew up in a neighborhood off of Grove Street with the commercial development in his backyard. Feels even though Throenle talked about a 100 foot setback from the flood plain and Silver Creek, he would still be able to see beyond the 100 feet. Opposed to this in his backyard, feels it will decrease the land values.

Patricia Hellman, 111 Chocolay River Trail – heard talk of the Master Plan as a vision, feels it shouldn't be blindly followed. They (people of Chocolay River Trail) are the people of the community the Planning Commission represents, they don't want this, and hoped the Planning Commission would listen. Moved here as it was a small community and residential. Talked of fixing businesses that we have before moving forward.

John Sorenson, 115 Chocolay River Trail – wife went to Northern, took them 35 years to come back here and have a camp, mailing address is by Grand Rapids.

Wanted a place in Traverse City, just went there a few weeks ago and it's a zoo, doesn't want that to happen here. Traverse City used to resemble what Chocolay is now.

Brian Dixon, 123 Chocolay River Trail – concerned about the smaller properties being changed to mixed use as they may have business such as a small engine repair and could be environmentally damaging.

Garry Koehn, 119 Chocolay River Trail – had been coming here for 44 years, researched many aspects before choosing a place to live. Moved here in 2012 as he felt it was a quiet neighborhood with a good quality of life. Suggested building a park or using the wetlands to make something similar to the Bayou area so the whole community can benefit. Feels development will mess with Mother Nature.

Cindy Anderson, 101,103,105 Chocolay River Trail – currently lives in an apartment in Marquette Township, wants to build on her property someday. Likes quiet and being away from commercial traffic, would possibly reconsider building if the mixed use was passed. Is opposed and feels would affect Silver Creek and land values.

Karl Shunk Jr, 119 Wintergreen Trail – has lived in Harvey for 40 years, grew up hunting and fishing wants the same for his kids. Didn't buy a house in Marquette Township, wanted trees and space between neighbors, this is why he chose Chocolay. Believes it shouldn't be about millennials, they may never come. We work hard and should be able to come home to clean air and elbow room.

Matt Calcaterra, 170 E. Main – bought his house on Chocolay River 30 years ago, is opposed the change to mixed use supports what people have said here tonight. Was concerned about notices only going out to people within the 500 feet of this proposed change, some people may not even be aware of the changes.

Dean Wegleitner, 126 Chocolay River Trail – moved from Montana 10 years ago. Lives on Chocolay River Trail because of the seclusion and is tucked away from the bigger city of Marquette. Was a small town kid, likes Harvey how it is. Hopes the kids and grandkids can enjoy it someday as well. Harvey is all about being a Yooper.

Mike Dayton, 114 Chocolay River Trail – agrees with everyone here. Concerned about the impact on property near the creek, could impact the water quality and the wells in the area.

Matt Gephart, 121 Chocolay River Trail – closest to a millennial that you will get in this room. Opposes for the same reasons that have been said. Wonders if any possibility for the businesses that are currently closed in Harvey, can they change to mixed use?

Jennifer Bruggink, 673 Lakewood Lane – not from the neighborhood, drives into Marquette regularly and sees the empty, blighted buildings on US 41, asks that you do whatever you can to encourage development there before opening the Township up to more commercial development.

Eric Rose, 107 Chocolay River Trail – opposed, feels there is plenty of commercial property in the community. Appears to have a higher ratio against than for.

Alex Petrin, 136 Wintergreen Trail – he is a millennial, new to the area, chose Harvey intentionally, didn't want the proximity to the big box stores and travel on the strip corridor. Chose for the access to the trails, is a good mix of wilderness, fun, exercise, and air.

Marla Buckmaster, 519 Lakewood Lane – lived here since 1971, has seen many changes in the Township, especially within the last year. Doesn't feel the Master Plan has considered what the casino will do to the Township. Feels that any development will add to what the casino will do.

Public hearing closed at 8:30.

Commission Discussion

Milton advised that the Township has responsibility to all the people that live here, Commissioners have to think of the future on many aspects such as water, fire protection, and sewer. Feels these need to be in place before more commercial can be added. The Master Plan doesn't address the need for water and sewer. The commercial overlay is the first step in realizing the problem. There are also building codes and those would also affect mixed use.

Maynard commented there are many issues ahead in the future, but the issue in front of us is about today. Decisions are made with amount of information available.

Commission Decision

Rhein moved, Mullen-Campbell seconded, that the Planning Commission would go ahead with vote.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

Rhein moved, Maynard seconded, to remove the small section on the proposed map of West Terrace(10 properties) and keep the green area (14 properties) M-28 out of the mixed use.

Vote: Ayes: 3 Nays: 1 (Milton) MOTION CARRIED

Throenle commented that the Planning Commission recommendation will now be forwarded to the Township Board, and the Board will consider the map and decide whether or not to follow the recommendation of the Planning Commission. He invited the public to attend the Board meeting on April 9, 2018 at 5:30 and make public comments then as well. He also told the audience they could send emails or a letter that would be included in the Board packet. Throenle stated that the Board has three options with this recommendation: 1) they can accept it as presented, 2) modify it, or 3) reject it and send it back to the Planning Commission. When asked, she stated there is no way to predict the Board decision.

B. Zoning Ordinance Updates

Throenle said last month the Commissioners reviewed and revised the proposed *Zoning Ordinance* language updates, and moved the language forward to a public hearing at the March meeting.

He added that the Commissioners reviewed and approved the language with a recommendation to include two additional items in Section 9.1.2 *Final Site Plan Review*. He said staff added those sections after the meeting to address adjacent property zoning and storm water management. He stated both sections were added (9.1.2.o and 9.1.2.p, respectively) prior to publishing the document for public review for the public hearing.

Public Hearing

Jennifer Bruggink, 673 Lakewood Lane – has rentals next door on the east and the west, both used as short and long term rentals for the last ten years. There is a huge difference in long versus short term rentals and doesn't believe they should be considered the same. Have called the police when there have been parties from the short term rentals and don't usually have to talk to the long term renters. There isn't always an owner to call, they may not live here or in this time zone.

Laurie Krzymowski, 741 Lakewood Lane – has young children, property lines are close, has a neighbor wanting to rent home, but waiting to see what is permitted. Concerned could be rented to a sexual predator. Also concerned about insurance coverage of short term rentals.

Stephanie Gencheff, 597 Lakewood Lane – against short term rentals. Reminded the Planning Commission of the survey of all on Lakewood Lane residents where most people were opposed. Felt by omitting long and short term rentals and putting them together as rentals is sneaky. Thinks short term rentals should be classified as their own as 30 days or less and not allow them in residential areas. She also questioned the mixed use district.

Perry Laing, 625 Lakewood Lane – felt it would be easier to evict a short term renter there for only a few days rather than a few months, the eviction process can be a long process and could take months. By not defining short from long term rentals, as a landlord it would be harder to challenge a renter in a long term rental as opposed to a short term. There are more people in the Township, not just Lakewood Lane, that may want to have a short term rental. Suggests again that any issues should be brought to the authorities. Feels you should be able to the property owner to maintain their property and the environment of the property in a congenial manner and not cause angst to the neighbors in the process.

Public hearing closed at 8:55 pm.

Commission Discussion

Maynard commented that it seemed all talk was about short term rentals and not the language of the zoning ordinance. Throenle explained the ordinance itself had language changes to address overall concept of rentals as a whole, and the definitions were completed before she became a Commissioner. He stated most of the definition language was completed in relation to short term rentals. There are other changes within the proposed ordinance that have evolved over several months that are also included. He said doing it all at once saves from having multiple public hearings.

Commission Decision

Milton moved, Rhein seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the proposed Zoning Ordinance language as presented be forwarded to the Township Board for approval.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

C. Planning Commission Priorities

At the last meeting, the Commissioners revised the 2018 *Planning Commission Priorities*, and established the order of importance for each section of priorities. Throenle presented a final draft of the priorities for Commissioner approval.

Commission Discussion

Mullen-Campbell felt they looked good.

Commission Decision

Maynard moved, Mullen-Campbell seconded, that the 2018 Planning Commission Priorities be published as written.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

VIII. NEW BUSINESS

A. Recreation Plan Review and Update

Throenle pointed out that the Township *Recreation & Natural Resource Conservation Plan* has been mentioned in several meetings and will expire at the end of the year. This plan, which is required to apply for Michigan Department of Natural Resource (MDNR) grants, must be submitted by the end of the year to the DNR for the Township to be eligible for MDNR grants in 2019.

Throenle requested the Commissioners direct staff as to how the Commissioners would prefer to review and update the document. Suggested methods presented were:

1. Review each section, and make recommendations through several meetings.
2. Direct staff to write a draft version of the document, and present the document for review at future meetings.
3. Decide on a different method of developing and reviewing the document.

Commission Discussion

Commissioners questioned Throenle about what had been done in the past. Throenle replied that past practice was to write a complete plan and present it to the Commission for review.

Commission Decision

Maynard moved, Rhein seconded, that the Planning Commission choose option #2 to update the Recreation & Natural Resource Conservation Plan, which directs staff to write a draft version of the document, and present the document for review at future meetings

Vote: Ayes: 4 Nays: 0

MOTION CARRIED

IX. PUBLIC COMMENT

Jennifer Bruggink, 673 Lakewood Lane – as she reads the zoning language changes, it changes the definition of a rental dwelling, meaning any dwelling that is rented. Now the language for the intent of the single family residential district did not change. You are recommending that any kind of rental dwelling be allowed in the single family district. You have not made a distinction to the Township about kind of a rental dwelling is permitted, you have said any kind.

Public comment closed at 9:10 pm.

X. COMMISSIONER’S COMMENTS

Rhein – it has been a long meeting, feels the Planning Commission has done the Township well, keep moving forward. We have the whole community to think of. Likes the new tablets.

Milton – even vacant land can be rented.

Maynard – great to see so many people here and hear so many voices both in support and criticism of some decisions that were made or to be made. Hope the fervor keeps up.

Mullen-Campbell – thank you to Throenle for the information given to the public before the first public comment. She felt it gave direction to the Planning Commission tonight.

XI. DIRECTOR’S REPORT

From this point forward, there will be not be a director’s report as we will be using the Township newsletter. This will give the Commissioners the information that is presented to the Board.

XII. TABLET TRAINING

This was postponed until April due to three Commissioner’s absence.

XIII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes –Township Board minutes, 02.12.18
- B. Township newsletter – March, 2018
- C. Correspondence – Conklin
- D. Correspondence – Harding
- E. Correspondence – Stevenson

XIV. ADJOURNMENT

Mullen-Campbell adjourned the meeting at 9:14 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, April 16, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Andy Smith (Vice Secretary), Susan Maynard, Kendell Milton, Don Rhein (Board)

Members Absent: None

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), Brad Johnson (DPW Foreman), Suzanne Sundell (Community Development), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein and seconded by Meister to approve the agenda as changed. (The tablet training was moved up in the Agenda)

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

III. MINUTES

March 19, 2018

Motion by Milton, and seconded by Rhein, to approve the minutes as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

None

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. TABLET TRAINING

A recess was called, the tablets were handed out, Sundell explained usage and answered questions.

IX. NEW BUSINESS

A. Asset Management Plan

Throenle reminded the Commissioners that Asset Management is one of the Planning Commission priorities for 2018. Township Manager, Jon Kangas, presented an overview of the proposed maintenance plan for the Township roads, which was included in the packet. Kangas reminded them this plan is tentative and can be re-prioritized as necessary.

Kangas stated that following this plan, for the first year, would allow the Township to preserve a good percentage of the roads that were the most recently paved to get as much done as the Township can for the money.

Mahaney noted that some of the roads are connected to Sands Township. He inquired if Sands Township could be asked to contribute. Kangas stated this is technically a County Road Commission road but without funding they can't always keep them up. We could check with the County Road Commission if Sands Township would have any interest in doing a joint project with us.

Meister asked if the Township checked into interest rates, getting bonded and using the revenue of the millage to pay back the loan. Mahaney agreed that it could help get more done and keep residents happy. This would also save on supply costs as they rise annually. Kangas stated this could be presented to the Board as an option.

Kangas stated he would check with the County Road Commission regarding this, but asked to do the first phase, crack sealing, for 2018. This would give them time to get a bid package together for the 2019 season. The Planning Commission had no objections but would like Kangas to explore the bond idea as well.

Maynard asked about gravel as some areas are going back to this. Kangas stated there are some roads in the Township that would be good candidates.

Smith asked who was in charge of deciding the plan and Kangas stated he and DPW Foreman Johnson were, with input from the Marquette County Road Commission. Johnson stated the County Road Commission will help with the addition of ditches along roads planned for maintenance, if they are notified a year prior.

Mahaney made the recommendation for Manager Kangas to investigate the bond process to present to the Board and continue with the first year project of crack sealing.

Throenle stated the next three Agenda items are basically discussion related. This will be a Planning Commission thinking session to establish direction.

B. Master Plan / Recreation Plan

The Recreation Plan has to be re-written by the end of this year. The DNR requires the Recreation Plan to be updated every five years. At the last meeting the Commissioners directed staff to update the plan for submittal to the Michigan DNR and present a draft document to the Commissioners for review and comment.

When looking at the current plan in preparation for this activity, staff has found a direct interaction with the Township *Master Plan* under the *Community Description* section in the recreation plan. In this section, there is a description of the fourteen character areas identified in the *Master Plan*.

This raises a point of discussion for the Commissioners. The recreation plan in the past has been written with two topics in mind: 1) develop a vision of recreation for the Township for the next five years, and 2) write the plan to be consistent with the Township vision in the *Master Plan*.

The current recreation plan was adopted and submitted to the DNR in 2014, and the current *Master Plan* was adopted in 2015. Throenle stated there are three options:

1. Keep the zoning as we have it now.
2. Character zoning as currently in the Master Plan.
3. Develop a hybrid of both, somewhere in between.

Chapter 7 in the Master Plan is where all these areas are defined.

Throenle stated there have currently been issues with the language in the Master Plan. The Marquette County Planning Commission references our Master Plan when we submit anything for approval on our zoning ordinance. If the plan does not match up with the language, they recommend to not go with it. We are being held, by the County, to the fourteen character areas because they are in the plan.

Throenle reminded the Commissioners the importance of the Recreation Plan. The Township is able to write a variety of DNR grants but it needs a revised Master Plan on file, one that fits with the plans in the Recreation Plan.

Meister stated he felt the Recreation Plans was pretty current, and asked if the current zoning was in conflict, could it just be modified to fit in with the character areas. Throenle stated it was not but he was putting it out for discussion to tie it together to make sense.

C. Non-Conforming Properties

Over a long period of time, numerous references, presentations and public comment have been made at Planning Commission meetings in regards to the number of non-conforming parcels that exist in the Township. Issues for property owners and their neighbors related to those non-conformances is how to place structures on those

properties, what available uses they can do on those properties (especially in the AF district), and what will happen to those properties in the future.

As indicated at a previous meeting, there are a large number of AF properties (42%) that are non-conforming, yet they have “full” agriculture capability on their property. Conversely, some AF properties that are smaller lot sizes (one reference is 50 feet wide) cannot meet minimum setbacks of 30 feet to build on their property, even though zoning setbacks on those properties prior to 2008 would have given them that capability.

Throenle suggested they discuss this by districts, starting with the AF and R1 districts. They are the largest and AF seems to have the most issues. Smith agreed.

Throenle discussed with the Commissioners issues some residents were having splitting lots in the AF district. They would like to split for their family’s future but with the size requirements, it is hard to do. Also have people questioning the size of the property for horses.

Smith asked if there are townships that have ordinances written according to size? Throenle stated he didn’t know that answer but would be willing to look into it. Rhein agreed, he would like to know as well, it would help base their decisions.

Motion by Rhein, seconded by Meister, to look at R1 and AF districts to redefine them better to suit the time, this includes the Master Plan and Recreation Plan.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

D. Addition to Township Ordinances

Staff recently had a conversation with the Township Police Chief regarding the enforcement of the Township ordinances. One issue in particular would be if there could be an addition to all ordinances similar to the Ordinance 49 False Alarm ordinance pertaining to a billing procedure.

The purpose for this procedure would be to bill those property owners where multiple substantiated calls occur throughout a calendar year and where tickets have been issued on the property, but those receiving the tickets do not show up in court. As the Chief indicated, the only recourse from the court is to issue a warrant; however, if the ticket was issued to an individual from out-of-town, that warrant may never be served as that person may not come back to the area.

The current ordinance states if a resident gets a ticket, gets the warrant and doesn’t show up in court, it is currently added to your taxes. So the Chief is suggesting that if the ticket is issued to someone from out-of-town, the property owner be responsible for the payment if it is not collected.

Rhein and Maynard can see both sides, would want the money collected but not sure about holding the property owner responsible for someone else's business. Maynard felt maybe under a business situation (like a rental) it would be ok but not sure about a personal situation. Throenle stated it could happen when you have multiple people owning a home, like a trust, are all people who own the house responsible?

Mahaney asked about the legal aspect of it, if the property owner refuses to pay it, because they didn't do it, are they still responsible? Feels the Township attorney should be contacted regarding this. Meister also recommended talking to the attorney.

X. PUBLIC COMMENT

None

XI. COMMISSIONER COMMENT

Rhein – None

Milton – None

Maynard – None

Meister – None

Smith – None

Mullen-Campbell – Would have rather chaired this month's meeting than last month.

Mahaney - None

XII. DIRECTOR'S REPORT

One more item for consideration, under the direction of the Township Board, Throenle was asked to present the idea of opting in to the Marijuana laws. The Board is looking for a recommendation from the Planning Commission to see if it is something to looking into. Throenle also reminded the Commission of a memo he received from the Township Police Chief stating he was against opting in for safety reasons. Throenle also stated he was personally against it for moral reasons and can't see it as viable.

By not opting in, the Township would have to do nothing as they are currently not opted in. If they want to opt in, they would have to establish guidelines as there are five aspects related to marijuana: growing, processing, testing, transporting, and selling.

Supervisor Bohjanen feels there are medical benefits to using marijuana, however, the medical card isn't the same. He feels the processing, for pharmaceutical purposes, would be the most useful, but if the Township has to opt in for all of it, he is against it. Throenle stated you can opt in and have guidelines. It would be the Planning Commission responsible for the ordinance.

Smith asked if this was different from the people currently growing marijuana in the

Township. Supervisor Bohjanen answered that there is no one growing legally in the Township as the Township would need to be opted in.

Mahaney asked why this wasn't in the packet, feels they need more information. Kangas stated it was discussed at the Township Board meeting, but because Throenle put the Planning Commission packet together before going to a conference, it did not make it to this packet. Rhein and Maynard suggested tabling this for the next month.

XIII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A.** Minutes – Township Board draft minutes, 03.12.18
- B.** Minutes – Township Zoning Board of Appeals draft minutes, 03.22.18
- C.** Township Newsletter – April, 2018
- D.** Minutes – City of Marquette Planning Commission, 02.20.18
- E.** Minutes – City of Marquette Planning Commission, 03.06.18

XIV. ADJOURNMENT

Mahaney adjourned the meeting at 9:15 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell



Planning Commission
Charter Township of Chocolay

5010 US 41 South
Marquette, MI 49855
Phone: 906-249-1448 Fax: 906-249-1313

There are no minutes for the meeting on May 21, 2018.

The meeting was cancelled.

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, June 18, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Andy Smith (Vice Secretary) Kendell Milton, Susan Maynard, Don Rhein (Board)

Members Absent: none

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein, and seconded by Milton, to approve the agenda as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

III. MINUTES

April 16, 2018

Motion by Meister, and seconded by Rhein, to approve the minutes as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Jackie Calcaterra, 170 E, Main St. – Walks/bikes the Iron Ore Heritage Trail several times a week in the summer and winter. She is concerned about the dust, noise, and speed from the ATVs, even if there is a speed limit sign. Would like to keep Harvey peaceful.

Tony Marusich, 422 Lakewood Lane – Walks the trail. There are hundreds of miles of trails for the ATVs, doesn't see the point for them to come through a residential neighborhood. Concerned with the noise, dust, and for little children walking or riding their bikes on the trail.

Carol Fulsher, Administrator for the Iron Ore Heritage Trail – She announced on Facebook that the ATV trail would be on the Agenda, as this is what she thought. Wants to make it clear they have a lease with the State of Michigan, since 2012, to manage the portion of the Heritage Trail discussed. It is to be non-motorized but the snowmobiles

have a compromise from the home owners for it to be non-motorized from April 1 to November 30. The Iron Ore Heritage trail is being managed as non-motorized under a director's order and that is how they plan to keep it. If ATVs wanted it lifted, they would have to go through them and they have no intentions of lifting the director's order. They put thousands of dollars in Chocolay on the trail. They added a trail to Lion's field, trail markers, kiosks, signs, clean up, cut the grass, etc. They put counters up last year and there were 5000 people using it in July last year, more than the counters in Negaunee and Negaunee Township.

Deborah Mulcahey, 633 Lakewood Lane – Members of the Board are paid by the Township to represent the citizens of this community. Asked them to excuse themselves from discussions and voting on an issue if they have conflict or perceive conflict. Followed with additional comments regarding short term rentals.

Public comments closed at 7:13

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Master Plan Update – Chapter 7 Future Land Use Plan

Staff Introduction

Staff has reviewed Chapter 7 of the Master Plan, 2015 Edition with the intent of looking at proposed revisions of Township zoning districts that were approved in 2015. No action has taken place on this section of the plan, so the question remains as to the "next steps" for this chapter.

Staff has concluded that the proposed districts outlined in the *Master Plan, 2015 Edition* were an attempt to: a) develop consistency within the zoning districts, b) address the WFR language for river front properties, and c) address the need for undeveloped space within the Chocolay River floodplain.

Commissioner Discussion

There was extensive discussion of the zoning and changing of zoning within the Master Plan. Areas of discussion were:

1. Proposed zoning districts outlined in section 7 of the current Master Plan.
2. Non-conforming parcels in the Agriculture / Forestry district (AF)
3. Consideration of reducing minimum acreage size in AF to ten acres
4. Consideration for additional language to accommodate larger parcels in R-1 and WFR (five acres or more) to permit limited additional activities on those parcels (such as horses or other agriculture activities)

Commission Decision

The Commission asked Throenle to have additional maps showing the implementation of the discussion for the next meeting.

B. Master Plan Update – Chapter 8 Project Priorities

Staff Introduction

Staff has reviewed a portion of Chapter 8 of the Master Plan, 2015 Edition with the intent of looking at projects identified for action, either through the Planning Commission, Township staff, or others.

After review of the Chapter 8 language in the Master Plan, 2015 Edition, Staff recommended the following for Commissioner action:

- 1) Review the priorities to determine the direction necessary to implement the proposed projects. Staff asked the Commissioners to consider the following when reviewing the projects:
 - a. Is the project still considered a viable project for consideration or should it be removed?
 - b. If the project is still considered viable, should it be revised?
 - c. Are other projects missing from consideration that should be included (such as National Flood Insurance planning consideration)?

Commissioner Discussion

Commissioners took on the task of prioritizing the first part of Chapter 8 in the Master Plan, Economic Development. There was much discussion with differing view points but the Commissioners were able to agree on a tentative order in which to move forward.

Throenle also asked the Commissioners to look at the rest of the priority sections and come up with a ranking for the next meeting, which would help move the process along.

IX. PUBLIC COMMENT

Tony Harry, 6369 US 41 South – There’s a professional horse place next door, check with them on the amount of property needed for 1, 2, or 3 horses.

Public comment closed at 9:04

X. COMMISSIONER’S COMMENTS

Rhein – Great effort tonight

Milton - None

Maynard – None

Meister – Notices the three beach accesses are now closed due to the stairs being damaged in the storm. Anything the Township could do to gain access to at least one?

Township Manager Jon Kangas commented that MDOT has made this decision due to the repeated expense to fix them in the spring or after storms. If the Township were able to get any kind of state funding, we would be have to fund the repairs.

Smith – How is the grant/bond funding for the roads coming? Did the Township look into it at all?

Township Manager Jon Kangas stated he has not finished the research on fees, interest rates, etc. He is hoping to have something for the Commission for the next meeting.

Mullen-Campbell – None

Mahaney – None

XI. DIRECTOR’S REPORT

There’s a joint meeting of the Township Board and the Planning Commission on July 16, 2018. Everyone is required to be there at 5:30 for the Joint Meeting and then the Planning Commission meeting will follow at 7:00. Agenda to be determined.

July 21, 2018 there is an event, Harvey Daze, to be held at the Silver Creek Recreation Area. It will start at 10:00 a.m. There will be music, a car show, disc golf tournament, food trucks, fire department will be there, and kids races. It is being hosted by the America’s Best Value Inn with the concept being to get the neighborhood and the Township together. Also, looking for volunteers for the dunk tank.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board, 04.19.18
- B. Minutes – Township Board – draft, 05.14.18
- C. Township Newsletter – May, 2018
- D. Township Newsletter – June, 2018
- E. Minutes – City of Marquette Planning Commission, 04.03.18
- F. Minutes – City of Marquette Planning Commission, 05.01.18
- G. Minutes – City of Marquette Planning Commission, 06.05.18
- H. Correspondence – Emerson

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9:13 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, July 16, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:38 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Andy Smith (Vice Secretary) Kendell Milton, Susan Maynard, Don Rhein (Board)

Members Absent: none

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant).

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein and seconded by Mullen-Campbell to approve the agenda as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

III. MINUTES

June 18, 2018

Motion by Milton and seconded by Rhein, to approve the minutes as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Mark Maki, 370 Karen Road – First comment was regarding the Master Plan and the multi-use ordinance. Questioned why the north side of M28, which is in the Master Plan, didn't get supported. Will question these comments in writing, but stated he has been told information he requested has been sent to his Township email, but said he doesn't look at email delivered to that account. Also questioned why some businesses in the Township are excluded from being able to have an apartment attached to their business. Feels this language should be put in all commercial zones. Expressed concerns for the sign at Lakenenland, feels it is oversized per the Zoning Ordinance.

Public comments closed at 8:43

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Master Plan Update – Chapter 8 Project Priorities

Staff Introduction

The review of the Master Plan, Chapter 8 began last month with the Commission prioritizing the *Economic Development* section. The prioritizing of Chapter 8 will continue with the *Energy Infrastructure* section and continue on until complete.

Commissioner Discussion

The Commissioners worked on Chapter 8 to prioritize by category and were able to complete most of this chapter, leaving two categories for the next meeting. After discussion the following priorities were decided upon.

Commissioner Decision

Motion by Meister and seconded by Rhein, to table the remaining work on the Chapter 8 priorities until the August meeting.

Vote: Ayes: 7

Nays: 0

MOTION CARRIED

Chapter 8: PLAN IMPLEMENTATION - PROJECT PRIORITIES AND TIMELINE

Note: The following sections were extracted from Chapter 8 of the Chocoday Township Master Plan, 2015.

This is a multi-year, adaptable document that each department, commission, and board should use to guide their activities and justify their budget proposals.

As part of the Annual Report, all departments in Chocoday Township should assess and summarize progress toward the outcomes and targeted strategies of this plan which are intended to achieve greater community sustainability and resilience. In particular, staff, commissions, and elected officials should maintain consistency with the guiding principles of Chapter 2 and policies of Chapter 7. Actions should be prioritized based on the Priority Decision Criteria. Staff should report progress made toward the administrative, regulatory, and capital projects detailed in Chapter 7: Strategic Plan for Community Resilience.

Township decision makers can decide on benchmarks to help evaluate progress toward Township goals. The following are examples:

- Number of businesses with profiles contained in the Township database and online business directory
- Number of entrepreneurial referrals resulting in assistance
- Number of businesses attending the annual “meet and greet” event
- Number of prime development properties with profiles contained in an online directory
- Amount of private funds invested in the restoration of vacant, blighted, or underutilized properties
- Number of businesses associated with local food system support
- Number of businesses associated with “green” or “clean” technology industries
- Number of promotional or educational documents distributed
- Number of interns involved in local government activities
- Number of employees/Board/Commission members involved in mentoring activities
- Number of employees/Board/Commission members attending educational and training programs
- Number of collaborations involved in local projects
- Amount of grant funds leveraged for local or collaborative projects
- Number of volunteers involved in supporting projects

Included in this section are priority implementation matrices for the capital projects of the Township Master Plan and Recreation Plan. These projects are evaluated against the Priority Decision Criteria that are detailed in Chapter 2: Foundation of the Plan - Community Values. Also included are approximate costs if known. The resulting score indicates the priority of that project, and will impact timeline for implementation. However, if opportunities for funding or project partners arise in the time since the creation of this implementation plan, project scores may change, and priorities may shift.

The following acronyms are contained in the priority implementation matrix.

| | | |
|-----------------------|---|---|
| Cost | ST – staff time TBD – to be determined | |
| Participants | 4H – 4H Clubs A – Assessor ART – Arts Interest Group C – Community Development Coordinator CABA – Chocoday Area Business Association CCGG – Chocoday Community Garden Group CCSL – Chocoday Co-ed Softball League CGC – Chocoday Garden Club CH – Local churches CRC – County Road Commission CS – Professional consultant or specialist CTY – County DEQ – Department of Environmental Quality CUPPAD – Central Upper Peninsula Planning and Development Regional Commission DNR – Department of Natural Resources DU – Ducks Unlimited DPW – Department of Public Works H – History Interest Group HD – County Health Department IOHT – Iron Ore Heritage Trail KBIC – Keweenaw Bay Indian Community LB – Local Business LC – Lion’s Club LF – Local farmers and farm organizations LG – Other local governments LL – Little League LSCP – Lake Superior Community Partnership | MAPS – Marquette Area Public Schools MCVB – Marquette County Convention Visitors Bureau MDOT – Michigan Department of Transportation MEO – Michigan Energy Options MFC – Marquette Food Co-op and U.P. Food Exchange MSUE – MSU Extension NC – Nature Conservancy NCT – North Country Trail NMU – Northern Michigan University OG – Other grant sources PUB – Public PZ – Planning / Zoning Administrator RU – Regional utility providers S – Scouting SOM – State of Michigan SSA – Superiorland Soccer Association SWP – Superior Watershed Partnership TM – Township Manager TS – Township staff TU – Trout Unlimited U – Other universities UPDG – UP Disc Golf Association UPLC – UP Land Conservancy UPREC – MSU Upper Peninsula Research and Extension Center UPW – UP Whitetails V – Volunteer |
| Funding source | D – Donations (materials or in-kind) G – grant P – Private commercial TB – Township budget UF – user fees | |

MASTER PLAN CAPITAL PROJECTS PRIORITIES AND TIMELINE

Note: Extracted from Chapter 8 Plan Implementation – Status column added

Score Legend **High priority (30 or over)** **Medium priority (20 to 29)**

Status Legend **N – Not started** **IP – In progress** **C -- Completed**

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-----------------------------|------------------------------|--|------|---|----------------|--|-----------|
| Economic Development | X | ED-3.11 – Create and distribute wayfinding signs and maps to assist visitors in locating local natural, cultural, entertainment, recreational, and business attractions. | TBD | ART, C, CABA, CH, CRC, H, IOHT, LB, LSCP, MCVB, MDOT, NCT, PZ | D, P, TB | 23 | IP |
| | X | ED-3.7 – Find ways to celebrate community by implementing art projects and aesthetic enhancements along both Iron Ore Heritage Trail routes. | TBD | 4H, ART, C, CABA, CGC, CH, CS, CUPPAD, H, IOHT, KBIC, LB, MAPS, MDOT, OG, PUB, PZ, S, V | D, G | 18 | IP |
| | 1 | ED-2.8 – Explore opportunities for collaborations in planning and funding projects associated with inter-connected issues such as disaster mitigation, responses to climate change, tourism, and recreation. | TBD | C, CD, CS, CTY, CUPPAD, DEQ, DNR, DU, FEMA, HD, IOHT, KBIC, LB, LC, LG, LSCP, MCVB, MSUE, NMU, NRCS, OG, PUB, PZ, RU, SOM, SWP, TU, U | D, G, TB | 34 | N |
| | 2 | ED-2.7 – Explore opportunities for collaborations in planning and funding projects associated with connected assets such as trails, watersheds, prime habitats, and transportation corridors. | TBD | C, CD, CRC, CS, CTY, CUPPAD, DEQ, DNR, DU, H, HD, IOHT, LG, MDOT, NC, NCT, NRCS, OG, PUB, PZ, SWP, TU, UPLC, UPW | D, G, TB | 35 | N |
| | 3 | ED-3.12 – Partner with the Marquette Country Convention and Visitor’s Bureau in regional promotion opportunities . | TBD | ART, C, CABA, H, IOHT, LG, LSCP, MCVB, NCT, NMU, PZ | TB | 23 | N |
| | 4 | ED 1.15 – Partner in efforts to perform feasibility studies and obtain funds for the creation of small business incubators to improve the success of small business start-ups and assist in local job creation. | TBD | C, CABA, CS, CUPPAD, LB, LSCP, NMU, PZ, U, USDA | D, G, P, TB | 24 | N |
| | 5 | ED-3.10 – Promote agritourism within the Township. | TBD | 4H, C, CCGG, LF, LSCP, MCVB, MFC, UPREC, V | D, TB | 25 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-----------------------|------------------------------|--|------|--|----------------|-------|--------|
| Economic Development | 6 | ED-3.9 – Pursue the possibility of creating a community gathering space for year round entertainment in the Village of Harvey near the Corning Street intersection. | TBD | ART, C, CABA, CGC, CS, CUPPAD, DPW, IOHT, KBIC, LB, OG, PUB, PZ, S, TM, V | D, G, TB | 16 | N |
| | 7 | ED-3.8 – Continue to improve participation in the Adopt-a-Tree program for the trees and shrubs planted in the right-of-way along US-41/M-28. | None | C, CABA, CGC, CH, LB, PUB, PZ, S, V | D | 26 | N |
| Energy Infrastructure | X | EN-4: Participate in any regional planning initiative to anticipate the probable effects of various energy scenarios which could impact the economy, municipal services, transportation systems, land use patterns, housing, and basic sustenance. | TBD | CRC, CS, CTY, CUPPAD, FEMA, KBIC, LB, LG, MDOT, MEO, NMU, OG, PUB, PZ, RU, SWP | D, G, TB | 36 | IP |
| | X | EN-5.1: To support near-term conservation, continue to identify and implement energy conservation measures for public facilities such as programmable thermostats, occupancy sensors, power management for electronic equipment and behavioral measures. | TBD | CS, DPW, LB, MEO, RU, TM | G, TB | 22 | IP |
| | Eliminate | EN-5.5: Explore community solar or wind installations as a viable option for properties that lack solar orientation, or people that lack property ownership or available funds for private systems. In this way, costs and benefits are shared among multiple owners, and economies of scale are realized. A typical business plan could be developed in partnership with adjacent jurisdictions. | TBD | C, CH, CS, CTY, CUPPAD, KBIC, LF, LG, LSCL, MAPS, MEO, NMU, OG, PUB, PZ, RU, SOM, SWP, TM, U | G, P, UF | 35 | N |
| | 1 | EN-5.9: Consider purchasing back-up generators that run on diverse fuel resources. | TBD | DPW, FEMA, KBIC, LB, TM | G, TB | 20 | N |
| | 2 | EN-5.4: Incorporate long-term strategies for new methods of energy generation for use on Township properties , such as cogeneration, solar, biomass, hydropower, wind, and geothermal installations. | TBD | CS, DPW, LB, MEO, NMU, OG, RU, TM, U | G, TB | 31 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---------------------------------|------------------------------|--|------|---|----------------|-------|--------|
| Energy Infrastructure | 3 | EN-5.6: Ensure that all public facilities serve as a positive demonstration model for conservation, efficiency, and even renewable energy generation. These model energy projects could be implemented in partnership with energy businesses for promotional purposes. | TBD | CS, DPW, FD, LB, MEO, OG, PD, RU, TM | D, G, P, TB | 31 | N |
| | 4 | EN-5.2: To support mid-term efficiency retrofits, continue to identify and implement energy measures for public facilities as identified in the Comprehensive Technical Energy Analysis Report , such as insulated water heater pipes, and energy efficient lighting, appliances, electronics, and water heating systems. Consider also the demand controlled ventilation for the HVAC system at Township Hall and a gas-fired radiant tube heater for the Township storage garage. | TBD | CS, DPW, LB, RU, TM | G, TB | 23 | N |
| | 5 | EN-5.7: Look for alternative paving materials that are not as subject to energy supply and cost disruptions. | TBD | CRC, CUPPAD, CS, LB, LG, MDOT, OG, TM | G, P, TB | 25 | N |
| | 6 | EN-5.8: Incorporate permaculture principles to reduce landscaping maintenance and provide water catchment for irrigation, etc. on Township properties. | TBD | CD, CGC, CS, DEQ, DPW, MSUE, NMU, NRCS, PUB, PZ, SWP, TM, V | D, TB | 27 | N |
| | 7 | EN-5.3: Transition fleet vehicles to more energy efficient models as they are replaced, or consider using alternative forms of transportation for enforcement and public works activities (solar electric vehicles, motorcycles, biodiesel, etc.) | TBD | DPW, FD, LB, OG, PD, TM | G, TB | 22 | N |
| Community Fiscal Sustainability | 1A | FC-5.2 – Providing infrastructure (roadways, water supply) by issuing bonds for public improvements – moved PS 18.3 to here | TBD | CRC, DPW, PUB, TM | G, TB, UF | 25 | N |
| | 1B | PS-18.3 – Establish a hydrant system in the Village of Harvey for consistent water supply to the commercial district and higher populated residential areas. This might be implemented in conjunction with a public water supply system. | TBD | CS, DEQ, DPW, FD, FEMA, TM, USDA | G, TB | 24 | N |
| | 2 | FC-5.1 – Commissioning a development study (see LU-2) which would explore the feasibility of establishing a Corridor Improvement District to enable alternate funding mechanisms such as lease or rental income, revenues from a tax increment financing plan, and proceeds from a special assessment | TBD | C, CABA, CS, CUPPAD, DEQ, HD, IOHT, LB, LSCP, MDOT, OG, PUB, PZ, TM | D, G, TB | 21 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---------------------------------|------------------------------|---|------|---|----------------|-------|--------|
| Community Fiscal Sustainability | 3 | FC-5.3 – Targeted placemaking or aesthetic enhancement projects | TBD | 4H, ART, C, CABA, CGC, CH, CS, CUPPAD, DPW, H, IOHT, LB, LSCP, MDOT, NMU, OG, PUB, PZ, S, TM, U, V | D, G, TB | 14 | N |
| Food Systems | X | FS-1.8 – Consider leasing Township-owned land to non-profit or community partners to support the local food system where appropriate, such as implementing projects to train new farmers, engage children and youth in growing their own food, or establish and maintain public food forests or gardens, etc. | TBD | 4H, CCGG, CD, CGC, CH, HD, KBIC, LF, MAPS, MFC, MSUE, NMU, NRCS, OG, PUB, PZ, S, TM, UPREC, USDA, V | D, G | 39 | IP |
| | 1 | FS-1.4 – Support appropriate projects, facilities, and partnerships that increase production capacity and lengthen the growing season within the community, such as community gardens or farms, public food forests and u-pick areas, edible landscaping in public areas, community hoop houses, and hydroponic or aquaculture facilities. | TBD | 4H, CCGG, CD, CH, HD, KBIC, LF, MAPS, MFC, MSUE, NMU, NRCS, OG, PUB, PZ, S, UPREC, USDA | D, G | 38 | N |
| | 2 | FS-1.5 – Support appropriate projects, facilities, and partnerships that enhance diverse local food processing and distribution options , such as community kitchen incubators and community food processing facilities. | TBD | C, CH, CS, CUPPAD, HD, LB, LF, LG, LSCP, MAPS, MFC, NMU, OG, PZ, U, USDA | D, G, P | 35 | N |
| | 3 | FS-1.7 – Support projects that inspire healthy eating and active living , such as projects that link healthy food sources to the trail system or public transit, locate healthy food sources near neighborhoods, or encourage the planting of self-sustaining edible food sources, such as berry bushes, along the public trail system. | TBD | 4H, C, CABA, CCGG, CD, CGC, CH, CS, HD, IOHT, KBIC, LB, LF, MAPS, MFC, NMU, NRCS, OG, PUB, PZ, S, USDA, V | D, G | 37 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---------------------------------|------------------------------|--|------|--|----------------|-------|--------|
| Food Systems | 4 | FS-1.6 – Ensure that municipally sponsored projects and facilities are a demonstration of sustainable agriculture practices that promote long-term environmental stewardship and minimize potential nuisance impacts, such as organic farming or permaculture. Ensure projects and facilities are consistent with Generally Accepted Agricultural and Management Practices as defined by the State of Michigan. | TBD | C, CCGG, CD, CS, DPW, LF, MFC, MSUE, NMU, NRCS, OG, PUB, PZ, U, UPREC, USDA | D, G, TB | 34 | N |
| General Strategies | X | GN-7: Collaborate in regional planning initiatives that benefit multiple jurisdictions such as: regional strategic growth plan, regional energy plan, regional watershed plan, regional public transportation plan, regional recreation plan, disaster or risk management/mitigation plan. | TBD | C, CD, CRC, CS, CTY, CUPPAD, DEQ, DNR, DU, FEMA, HD, IOHT, KBIC, LG, LSCP, MDOT, MEO, MSUE, NC, NCT, NMU, NRCS, OG, PZ, RU, SOM, SWP, TU, U, UPLC, UPW | D, G, TB | 35 | IP |
| Future Land Use and Development | X | LU-11: Update and maintain land use Geographic Information Systems (GIS software) to facilitate collaborative planning and data sharing. | TBD | C, PZ | TB | 16 | IP |
| | Eliminate | LU-10: Hire a team of consultants to create a development plan to enhance the utilization of the primary business and residential areas in the Village of Harvey. | TBD | C, CABA, CS, CUPPAD, DEQ, HD, IOHT, LB, LSCP, MDOT, OG, PUB, PZ, TM | D, G, TB | 21 | N |
| Natural Systems | X | NS-10: Work with appropriate agencies to encourage homeowners to remove infrastructure that hardens shorelines and other artificial river channeling devices to reduce problems for downstream development and impact sediments. | TBD | C, CD, CS, DEQ, DNR, DU, FEMA, NRCS, OG, PUB, PZ, SPW, TU | D, G | 17 | IP |
| | 1 | NS-11: Consider collaborating with other jurisdictions and agencies to implement projects to improve the watershed , such as sediment traps, managed stream crossings, cattle exclusions, culvert replacement, tree planting, stream restoration, stream monitoring and maintenance, and water testing. | TBD | C, CD, CS, CTY, DEQ, DNR, DU, FEMA, LG, NC, NRCS, OG, PUB, PZ, S, SPW, TU, UPLC | D, G | 27 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---|--|---|--------------|---|----------------|-------|--------|
| Public Safety, Emergency, and Health Services | X | PS-15 – Implement the state-wide record management system in the police department to facilitate data sharing. | TBD | OG, PD | G | 30 | C |
| | X | PS-18.2 – Purchase a dedicated truck designed to fight wildland fires . | TBD | DNR, FD, FEMA, KBIC, OG | G, TB | 28 | C |
| | X | PS-18.5 – Keep turn-out gear up-to-date by replacing a percentage of gear each year. | TBD | FD, FEMA, KBIC, OG | G, TB | 26 | C |
| | X | PS-18.1 – Purchase dash cameras to facilitate in-house review of incidents for training purposes. | TBD | KBIC, OG, PD | G, TB | 22 | C |
| | X | PS-16.1 – Continue to purchase or update E-Citation software to allow greater efficiency and safety for officers when issuing citations. | TBD | KBIC, OG, PD | G, TB | 19 | C |
| | X | PS-18.4 – Establish supplemental water supplies for firefighting in underserved areas of the Township (such as Green Garden or Shot Point) by implementing dry hydrants connected to underground storage tanks. | TBD | CS, DEQ, DPW, FD, FEMA, NRCS, TM, USDA | G, TB | 26 | IP |
| | X | PS-16.2 – Continue to replace the in-car laptop computers and cameras with more space-efficient and technologically advanced models. | TBD | KBIC, OG, PD | G, TB | 24 | IP |
| | Eliminated | PS-14 – Consider creating a fireground training facility to provide realistic training for area departments in suppressing various types of fires and extrication from vehicles. | TBD | CTY, DPW, FD, FEMA, KBIC, LG, OG, PZ, TM, V | D, G, TB | 24 | N |
| | Eliminated | PS-17.1 – Utilize vehicles that offer greater fuel efficiency . This might include alternative types of vehicles such as bicycles or motorcycles when appropriate. | TBD | DPW, FD, LB, OG, PD, TM | TB | 23 | N |
| | 1 – new | Implement fire number system | TBD | TBD | TBD | | N |
| | 2 | PS-1.6 – Work with the County Road Commission to provide and maintain better drainage systems for roadways to prepare for anticipated climate variability which may include increased incidents of flash flooding. | TBD | CRC, FEMA, SWP, TM | G, P, TB | 23 | N |
| 3 | PS-1.5 – Purchase a GPS unit to assist in quickly locating structures | TBD | C, DPW, KBIC | G, TB | 10 | N | |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---|------------------------------|---|------|--|----------------|-------|--------|
| Public Safety, Emergency, and Health Services | 4 | PS-17.2 – Work with neighborhood watch groups to facilitate more targeted patrols. | TBD | CH, KBIC, OG, PD, PZ | D, G | 32 | N |
| | Moved to FC 5.2 | PS-18.3 – Establish a hydrant system in the Village of Harvey for consistent water supply to the commercial district and higher populated residential areas. This might be implemented in conjunction with a public water supply system. | TBD | CS, DEQ, DPW, FD, FEMA, TM, USDA | G, TB | 24 | N |
| Community Transportation | X | TC-2.6 – The Township will collaborate with Sands Township on a possible secondary access road connecting neighborhoods along Ortman Road west of Cherry Creek School with those along Silver Creek Road west of Township Hall. | TBD | CRC, CS, CTY, LG, PZ, TM | TB | 27 | C |
| | X | TC-5.1 – In collaboration with the appropriate road agency, the Township will seek opportunities to design or reconfigure roadways and public easements to accommodate multiple user groups (such as youth and the aging population) utilizing appropriate Complete Streets techniques such as parallel shared-use paths or wide shoulders, sharrows or bicycle lanes, mid-block crossings, bus pull-outs, safety medians, traffic calming techniques, marked crosswalks, curb ramps, bicycle parking facilities, longer crossing times, smoother surfaces, and handicapped accessible facilities. See Appendix I for possible projects. | TBD | CRC, CS, CUPPAD, HD, IOHT, LB, MDOT, OG, PZ | D, G, TB | 31 | IP |
| | X | TC-5.9 – Identify funding and locations to install electric vehicle charging stations throughout the community on public and private property. Investigate methods to fund the electricity costs through a solar or wind installation, non-profit agency, or through user fees. | TBD | C, CH, CS, DPW, KBIC, LB, MEO, OG, PZ, RU | D, G, P, UF | 27 | IP |
| | | TC-5.10 – Collaborate in any regional initiative to bring passenger rail transportation to the area. | TBD | C, CS, CTY, CUPPAD, LG, PZ, SOM | G, P | 30 | N |
| | | TC-5.5 – Enhance the usability of multi-modal pathways by installing appropriate lighting, bike racks, benches, safety markings across driveways and through parking lots, and wayfinding signage for area businesses and attractions. | TBD | ART, C, CABA, DPW, IOHT, LB, MDOT, OG, PUB, PZ, S, TM, V | D G, TB | 28 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|--------------------------|------------------------------|--|------|---|----------------|-----------|----------|
| Community Transportation | | TC-5.8 – To mitigate rising energy costs that threaten the reliability and affordability of transportation, coordinate planning for a community ride-share system or car-sharing program for area residents. This could be either a public/private project or private for-profit or non-profit venture, but should involve adjacent jurisdictions as well. | TBD | C, CH, CS, CTY, LB, LG, OG, PUB, PZ | P, UF | 28 | N |
| | | TC-5.6 – Enhance the usability of multi-modal pathways by improving thermal comfort through the use of vegetation or other barriers or screens to control the impact of wind, sun, and drifting snow. | TBD | 4H, C, CABA, CD, CGC, CH, CS, DNR, HD, IOHT, LB, MDOT, OG, PUB, PZ, S, SWP, V | D, G, TB | 27 | N |
| | | TC-5.7 – Enhance the usability of multi-modal pathways by establishing funding and a plan for maintenance for the alternative business route for the Iron Ore Heritage Trail through Harvey (east and west side of the highway corridor) and the connectors on Silver Creek and Cherry Creek Roads. This includes repair cracks and bumps, keep walkways clear of objects and debris, maintain adequate drainage, provide for winter snow removal or snow pack for critical paths based on user input on preferred modes of winter travel (walking, fat tire biking, kicksledding, skiing, etc.). | TBD | C, CABA, DPW, LB, LG, PUB, TM | D, TB | 27 | N |
| | | TC-2.3 – The Township will pursue innovative funding mechanisms to construct the new connector or access roads , such as TIF funding, developer contributions, and special assessments. | TBD | CRC, CS, LB, SOM, PUB, PZ, TM | P, T, TB, UF | 26 | N |
| | | TC-5.2 – The Township will work with ALTRAN and MarqTran to seek funding to construct a four-season transit station in Chocolay Township, with the Township to assume ongoing maintenance costs. The project may involve a property purchase or easement ideally in Harvey adjacent to US-41/M-28 near Silver Creek Road or CR 551 (Cherry Creek Road). | TBD | CRC, CS, DPW, IOHT, LB, MDOT, OG, PZ, TM | D, G, TB | 26 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-------------------------------------|------------------------------|--|------|--|----------------|-----------|-----------|
| Community Transportation | | TC-5.4 – Work with local community organizations, MarqTran, MDOT and local businesses to construct additional transit shelters in locations such as the Silver Creek Recreation Area and Family Dollar Store. Determine optimal locations by surveying residents regarding needs and willingness to pay. Explore the feasibility of cost-sharing with private transit organizations who can also utilize the stops. | TBD | C, CABA, CH, CRC, CS, LB, MDOT, OG, PUB, PZ, S, V | D, G, TB | 26 | N |
| | | TC-2.4 – Possible new road connections that provide multiple access routes into residential subdivisions, businesses, and other activity centers are depicted in Appendix G. | TBD | CRC, CS, LB, SOM, PUB, PZ, TM | P, T, TB, UF | 25 | N |
| | | TC-5.3 – Work with local community organizations, MarqTran, MDOT and local businesses to improve the accessibility, usability, and attractiveness of the existing bus stops (near Krist Oil gas station and Park and Ride facility at Jack's IGA). | TBD | ART, C, CABA, CGC, CH, LB, MDOT, OG, PUB, PZ, S, V | D, G, TB | 25 | N |
| | | TC-2.5 – The Township will appoint an official or staff member to negotiate the necessary land purchase to relocate the driveway into Township Hall further from the intersection of US-41/M-28 and Silver Creek Road. | TBD | CRC, CS, DPW, TS, PUB | TB | 12 | N |
| Water and Wastewater Infrastructure | X | WW-1.4 – Assess the adequacy of Chocolay Township's reserve capacity through the Marquette Wastewater Treatment Plant in relation to a potential need to expand the system to accommodate future development or redevelopment or address increasing health concerns from failing private septic systems. | TBD | CS, DEQ, DPW, HD, TM, USDA | G, TB | 22 | C |
| | X | WW-1.1 – Obtain an engineering analysis to identify and evaluate options for replacement of obsolete equipment and prioritization of replacement work | TBD | CS, DEQ, DPW, TM, USDA | G, TB | 15 | IP |
| | | WW-2.1 – Collaborate in studies to determine the adequacy of area aquifers and groundwater sources in relation to domestic, agricultural, and fire suppression needs in the years to come, particularly if there are changing regulations, contamination concerns, or increasing demands leading to supply concerns. | TBD | CS, CTY, CUPPAD, DEQ, DPW, HD, LG, NRCS, OG, PZ, SPW, TM, USDA | G, TB | 33 | N |
| | | WW-1.2 – Obtain a professional analysis of energy system improvements including fiscal impact | TBD | CS, DPW, MEO, RU, TM, USDA | G, TB | 22 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-------------------------------------|------------------------------|--|------|------------------------|----------------|-----------|----------|
| Water and Wastewater Infrastructure | | WW-2.2 – Include ancillary costs such as road repaving in a cost/benefit analysis comparing the costs of wells and fire insurance vs. the monthly system user fees. | TBD | CRC, CS, DPW, TM | G, TB | 21 | N |
| | | WW-1.3 – Identify funding opportunities to facilitate necessary improvements and determine phasing of the projects | TBD | CS, DEQ, DPW, TM, USDA | G, TB | 19 | N |

VIII. NEW BUSINESS

None

IX. PUBLIC COMMENT

Cheryl Sherony, 1781 M-28 E. – Had questions regarding the sewer expansion project on M-28 regarding the widening of the highway, the lift stations, etc. Township Manager Jon Kangas answered what he could but informed her until they have final confirmation of the project, nothing is set in stone.

Jennifer Bruggink, 673 Lakewood Lane – Has been a way for a while, not sure where short term rentals stand. Was recently in California visiting and saw many articles in the papers pertaining to short term rentals in Lake Tahoe, Nevada regarding noise, garbage, and the changes to character of neighborhoods they had on a community. Asked when dealing with the short term rental topic, to research how other communities have and are dealing with them before inventing another wheel.

X. COMMISSIONER’S COMMENTS

Rhein – Accomplished quite a bit with the joint meeting, felt it was good direction to follow, looking forward to working with the Planning Commission to get them accomplished.

Milton - None

Maynard – Appreciates the comments from the public, nice to see people engaged on many side of issues. great having audience input

Mahaney – Agrees with Maynard, good to have public comment, good or bad. Thanked the Commissioners, Board, and Throenle for the good meeting.

Meister – None

Smith – This will be my last meeting, moving to Marquette Township.

Mullen-Campbell – Thanks to the audience for coming and for the input.

XI. DIRECTOR’S REPORT

Comments are in the packet and there are not further comments for tonight.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board – draft. 06.11.18

B. Township Newsletter – July, 2018

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 8.53 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, August 20, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Kendell Milton, Susan Maynard, Don Rhein (Board)

Members Absent: Andy Smith (Vice Secretary)

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager), and Lisa Perry (Administrative Assistant).

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein and seconded by Maynard to approve the agenda as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

July 16, 2018

Motion by Rhein and seconded by Maynard, to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Dalia Pavalkyte, 1943 M-28 – Has lived here for 4-1/2 years. Neighbor is a short term rental, new people every week, and is concerned they don't know the rules. Loud music, kids screaming...has confronted them but it repeats every week....what should she do? What rules are there for this?

Deborah Mulcahey, 633 Lakewood Lane – Confused why short term rentals are under new business on the agenda. Doesn't want short term rentals in all of Chocolay Township, particularly residential areas. Confused on maps for the overlay, especially the area of M-28 & Kawbawgam. What is the flood area? Have it explained? Encouraged the Township to get transportation shelters not only in existing areas (Krist Oil and grocery store), but maybe some on M-28. Glad to see issues with Firewise being addressed. Asked the Planning Commission to be progressive in protecting the welfare and safety of the rural community.

Stephanie Gencheff, 597 Lakewood Lane – Is very disappointed in the decision to allow short term rentals in residential zones. Wants her neighbor to be a resident. Feels it's for the short term rentals on M-28 as they have more area, Lakewood Lane residents have smaller properties and are on top of each other. Also feels that the "owner occupied" rentals are fine as the "landlord" also lives on the properties to monitor them.

Elizabeth Delene, 232 Kawbawgam – Wants to know what she can do regarding noise and garbage from the casino. She presented a tape of the noise around her house and pictures showing the garbage littered. She had trees as a buffer, but came home one day and those were cut beyond the easement. Had new windows and new shades installed due to the noise and lights; they don't help. Wants to know who to call regarding these issues. Has called the casino to no avail.

Nancy Rife, 202 Wanda Drive – Has lived there for 32 years and has seen many changes. Has concerns with her house being rezoned as commercial, wondering how she would be able to sell it in the future as it borders the parking lot of the casino. Doesn't understand the rezoning process for this.

Bill Karas, 195 Lakewood Lane – Has owned the property since 1975, had left the area for work and rents his house which has a 12 page lease document. Has a long term rental (tee pees) to the east and a short term rental to the west of his house. There is a difference between the two rentals. Feels long term rentals are fine but the short term rentals should be regulated. There should be permits, rental policies and if the policies are broken there should be fines. Thanked the people that serve on the Planning Commission and the Township Board.

Public comments closed at 7:18

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Master Plan Update – Chapter 8 Project Priorities

Staff Introduction

The review of the Master Plan, Chapter 8 continued this month with the Commission prioritizing the *Community Transportation* and *Water and Wastewater Infrastructure* sections.

Commissioner Discussion

The Commissioners discussed the two remaining sections of Chapter 8 and were able to complete the prioritizing process. After discussion the following priorities were decided upon.

Chapter 8: PLAN IMPLEMENTATION - PROJECT PRIORITIES AND TIMELINE

Note: The following sections were extracted from Chapter 8 of the Chocolay Township Master Plan, 2015.

This is a multi-year, adaptable document that each department, commission, and board should use to guide their activities and justify their budget proposals.

As part of the Annual Report, all departments in Chocolay Township should assess and summarize progress toward the outcomes and targeted strategies of this plan which are intended to achieve greater community sustainability and resilience. In particular, staff, commissions, and elected officials should maintain consistency with the guiding principles of Chapter 2 and policies of Chapter 7. Actions should be prioritized based on the Priority Decision Criteria. Staff should report progress made toward the administrative, regulatory, and capital projects detailed in Chapter 7: Strategic Plan for Community Resilience.

Township decision makers can decide on benchmarks to help evaluate progress toward Township goals. The following are examples:

- Number of businesses with profiles contained in the Township database and online business directory
- Number of entrepreneurial referrals resulting in assistance
- Number of businesses attending the annual “meet and greet” event
- Number of prime development properties with profiles contained in an online directory
- Amount of private funds invested in the restoration of vacant, blighted, or underutilized properties
- Number of businesses associated with local food system support
- Number of businesses associated with “green” or “clean” technology industries
- Number of promotional or educational documents distributed
- Number of interns involved in local government activities
- Number of employees/Board/Commission members involved in mentoring activities
- Number of employees/Board/Commission members attending educational and training programs
- Number of collaborations involved in local projects
- Amount of grant funds leveraged for local or collaborative projects
- Number of volunteers involved in supporting projects

Included in this section are priority implementation matrices for the capital projects of the Township Master Plan and Recreation Plan. These projects are evaluated against the Priority Decision Criteria that are detailed in Chapter 2: Foundation of the Plan - Community Values. Also included are approximate costs if known. The resulting score indicates the priority of that project, and will impact timeline for implementation. However, if opportunities for funding or project partners arise in the time since the creation of this implementation plan, project scores may change, and priorities may shift.

The following acronyms are contained in the priority implementation matrix.

| | | |
|-----------------------|---|--|
| Cost | ST – staff time TBD – to be determined | |
| Participants | 4H – 4H Clubs A – Assessor ART – Arts Interest Group C – Community Development Coordinator CABA – Chocolay Area Business Association CCGG – Chocolay Community Garden Group CCSL – Chocolay Co-ed Softball League CGC – Chocolay Garden Club CH – Local churches CRC – County Road Commission CS – Professional consultant or specialist CTY – County DEQ – Department of Environmental Quality CUPPAD – Central Upper Peninsula Planning and Development Regional Commission DNR – Department of Natural Resources DU – Ducks Unlimited DPW – Department of Public Works H – History Interest Group HD – County Health Department IOHT – Iron Ore Heritage Trail KBIC – Keweenaw Bay Indian Community LB – Local Business LC – Lion’s Club LF – Local farmers and farm organizations LG – Other local governments LL – Little League LSCP – Lake Superior Community Partnership | MAPS – Marquette Area Public Schools MCVB – Marquette Country Convention Visitors Bureau MDOT – Michigan Department of Transportation MEO – Michigan Energy Options MFC – Marquette Food Co-op and U.P. Food Exchange MSUE – MSU Extension NC – Nature Conservancy NCT – North Country Trail NMU – Northern Michigan University OG – Other grant sources PUB – Public PZ – Planning / Zoning Administrator RU – Regional utility providers S – Scouting SOM – State of Michigan SSA – Superiorland Soccer Association SWP – Superior Watershed Partnership TM – Township Manager TS – Township staff TU – Trout Unlimited U – Other universities UPDG – UP Disc Golf Association UPLC – UP Land Conservancy UPREC – MSU Upper Peninsula Research and Extension Center UPW – UP Whitetails V – Volunteer |
| Funding source | D – Donations (materials or in-kind) G – grant P – Private commercial TB – Township budget UF – user fees | |

MASTER PLAN CAPITAL PROJECTS PRIORITIES AND TIMELINE

Note: Extracted from Chapter 8 Plan Implementation – Status column added

Score Legend **High priority (30 or over)** **Medium priority (20 to 29)**

Status Legend **N – Not started** **IP – In progress** **C -- Completed**

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|---------------------------------|------------------------------|---|------|---|----------------|-----------|-----------|
| Community Transportation | X | TC-2.6 – The Township will collaborate with Sands Township on a possible secondary access road connecting neighborhoods along Ortman Road west of Cherry Creek School with those along Silver Creek Road west of Township Hall. | TBD | CRC, CS, CTY, LG, PZ, TM | TB | 27 | C |
| | X | TC-5.1 – In collaboration with the appropriate road agency, the Township will seek opportunities to design or reconfigure roadways and public easements to accommodate multiple user groups (such as youth and the aging population) utilizing appropriate Complete Streets techniques such as parallel shared-use paths or wide shoulders, sharrows or bicycle lanes, mid-block crossings, bus pull-outs, safety medians, traffic calming techniques, marked crosswalks, curb ramps, bicycle parking facilities, longer crossing times, smoother surfaces, and handicapped accessible facilities. See Appendix I for possible projects. | TBD | CRC, CS, CUPPAD, HD, IOHT, LB, MDOT, OG, PZ | D, G, TB | 31 | IP |
| | X | TC-5.9 – Identify funding and locations to install electric vehicle charging stations throughout the community on public and private property. Investigate methods to fund the electricity costs through a solar or wind installation, non-profit agency, or through user fees. | TBD | C, CH, CS, DPW, KBIC, LB, MEO, OG, PZ, RU | D, G, P, UF | 27 | IP |
| | 1* | TC-5.2 – The Township will work with ALTRAN and MarqTran to seek funding to construct a four-season transit station in Chocolay Township, with the Township to assume ongoing maintenance costs. The project may involve a property purchase or easement ideally in Harvey adjacent to US-41/M-28 near Silver Creek Road or CR 551 (Cherry Creek Road). | TBD | CRC, CS, DPW, IOHT, LB, MDOT, OG, PZ, TM | D, G, TB | 26 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|--------------------------|------------------------------|--|------|--|----------------|-------|--------|
| Community Transportation | 1* | TC-5.3 – Work with local community organizations, MarqTran, MDOT and local businesses to improve the accessibility, usability, and attractiveness of the existing bus stops (near Krist Oil gas station and Park and Ride facility at Jack’s IGA). | TBD | ART, C, CABA, CGC, CH, LB, MDOT, OG, PUB, PZ, S, V | D, G, TB | 25 | N |
| | 1* | TC-5.4 – Work with local community organizations, MarqTran, MDOT and local businesses to construct additional transit shelters in locations such as the Silver Creek Recreation Area and Family Dollar Store. Determine optimal locations by surveying residents regarding needs and willingness to pay. Explore the feasibility of cost-sharing with private transit organizations who can also utilize the stops. | TBD | C, CABA, CH, CRC, CS, LB, MDOT, OG, PUB, PZ, S, V | D, G, TB | 26 | N |
| | 2 | TC-5.7 – Enhance the usability of multi-modal pathways by establishing funding and a plan for maintenance for the alternative business route for the Iron Ore Heritage Trail through Harvey (east and west side of the highway corridor) and the connectors on Silver Creek and Cherry Creek Roads. This includes repair cracks and bumps, keep walkways clear of objects and debris, maintain adequate drainage, provide for winter snow removal or snow pack for critical paths based on user input on preferred modes of winter travel (walking, fat tire biking, kicksledding, skiing, etc.). | TBD | C, CABA, DPW, LB, LG, PUB, TM | D, TB | 27 | N |
| | 3 | TC-5.5 – Enhance the usability of multi-modal pathways by installing appropriate lighting, bike racks, benches, safety markings across driveways and through parking lots, and wayfinding signage for area businesses and attractions. | TBD | ART, C, CABA, DPW, IOHT, LB, MDOT, OG, PUB, PZ, S, TM, V | D G, TB | 28 | N |
| | 4 | TC-5.8 – To mitigate rising energy costs that threaten the reliability and affordability of transportation, coordinate planning for a community ride-share system or car-sharing program for area residents. This could be either a public/private project or private for-profit or non-profit venture, but should involve adjacent jurisdictions as well. | TBD | C, CH, CS, CTY, LB, LG, OG, PUB, PZ | P, UF | 28 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-------------------------------------|------------------------------|---|------|-------------------------------|----------------|-------|--------|
| Community Transportation | 5 | TC-2.5 – The Township will appoint an official or staff member to negotiate the necessary land purchase to relocate the driveway into Township Hall further from the intersection of US-41/M-28 and Silver Creek Road. | TBD | CRC, CS, DPW, TS, PUB | TB | 12 | N |
| | 6* | TC-2.3 – The Township will pursue innovative funding mechanisms to construct the new connector or access roads , such as TIF funding, developer contributions, and special assessments. | TBD | CRC, CS, LB, SOM, PUB, PZ, TM | P, T, TB, UF | 26 | N |
| | 6* | TC-2.4 – Possible new road connections that provide multiple access routes into residential subdivisions, businesses, and other activity centers are depicted in Appendix G. | TBD | CRC, CS, LB, SOM, PUB, PZ, TM | P, T, TB, UF | 25 | N |
| Water and Wastewater Infrastructure | X | WW-1.4 – Assess the adequacy of Chocolay Township’s reserve capacity through the Marquette Wastewater Treatment Plant in relation to a potential need to expand the system to accommodate future development or redevelopment or address increasing health concerns from failing private septic systems. | TBD | CS, DEQ, DPW, HD, TM, USDA | G, TB | 22 | C |
| | X | WW-1.1 – Obtain an engineering analysis to identify and evaluate options for replacement of obsolete equipment and prioritization of replacement work | TBD | CS, DEQ, DPW, TM, USDA | G, TB | 15 | IP |
| | 1 | WW-1.3 – Identify funding opportunities to facilitate necessary improvements and determine phasing of the projects | TBD | CS, DEQ, DPW, TM, USDA | G, TB | 19 | N |

| Site | Planning Commission Priority | Project Description | Cost | Participants | Funding Source | Score | Status |
|-------------------------------------|------------------------------|---|------|--|----------------|-------|--------|
| Water and Wastewater Infrastructure | 2 | WW-2.1 – Collaborate in studies to determine the adequacy of area aquifers and groundwater sources in relation to domestic, agricultural, and fire suppression needs in the years to come, particularly if there are changing regulations, contamination concerns, or increasing demands leading to supply concerns. | TBD | CS, CTY, CUPPAD, DEQ, DPW, HD, LG, NRCS, OG, PZ, SPW, TM, USDA | G, TB | 33 | N |
| | 3 | WW-2.2 – Include ancillary costs such as road repaving in a cost/benefit analysis comparing the costs of wells and fire insurance vs. the monthly system user fees. | TBD | CRC, CS, DPW, TM | G, TB | 21 | N |
| | 4 | WW-1.2 – Obtain a professional analysis of energy system improvements including fiscal impact | TBD | CS, DPW, MEO, RU, TM, USDA | G, TB | 22 | N |

*Combined into a single priority

Township Manager, Jon Kangas, gave a brief synopsis regarding the Asset Management Plan which pertains to the *Water and Wastewater Infrastructure* sections of Chapter 8 in the Master Plan. Also advised the Planning Commission they will be getting a copy of the Asset Management Plan for review.

VIII. NEW BUSINESS

A. Fire Number Consideration

Staff Introduction

Recently staff presented a list of Planning Department projects to the Board for 2018 through 2019. One project discussed was to review and update the *Master Plan*, and one of the programs to be added to the plan was the *Firewise* program from the National Fire Protection Association that will provide protection measures for properties in the Township.

Over the years, conversations concerning fire numbers for properties in the Township have occurred. These conversations have led to many interesting discussions, all of which involve concern for Township residents and related fire safety for their properties.

Commission Discussion

Staff has discussed this with the fire chief who is very supportive of this idea. The Chief feels this would help with a quicker response time to a fire in an area that has many homes on one road/lane or in a more rural area.

Commissioners asked who would be required to have these and it was discussed that the residents in the less dense areas such as the AF districts and more remote areas of the Township would require this. Not as much need in the more dense areas such as Harvey.

Also asked was if it could be done with the Township ordinance. Staff felt it would be beneficial to be in the ordinance as it would address the properties without addresses and would address issues of the consistency of size, placement, reflection, etc.

Staff would research how other townships around the area approach and pay for this kind of number system. Would also check how fire insurance would play into this for the Township.

Commission Decision

Mullen-Campbell moved, Rhein seconded, that the Planning Department continue researching the use of fire numbers in the Township, and report the findings at a future Planning Commission meeting.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

B. Rezoning Considerations

Staff Introduction

There are three existing commercial areas that would be eligible for the overlay district:

- 1) Intersection of US 41 South and County Road 480 – two parcels
- 2) US 41 South near Beaver Grove – six parcels
- 3) Intersection of M-28 and Kawbawgam Road – currently three parcels

Additionally, the *Master Plan* recommendation is to expand the commercial properties at the intersection of M-28 and Kawbawgam Road to include an additional fifteen parcels. This expansion would change two Multi-Family Residential (MFR) parcels and thirteen Residential (R-1) parcels to Commercial (C).

Waterfront Rezoning

There are two additional sections of the Township that would be affected by rezoning.

One section, located on the south side of Kawbawgam Road, is twenty-seven parcels currently zoned WFR that does not have waterfront access. These parcels have been identified in the *Master Plan* to be rezoned to R-1.

The other section, located along the Chocoday River stretching from Harvey south, is currently zoned as R-1. This area, also identified in the *Master Plan*, affects 128 parcels. Primarily, this rezoning also coordinates with the FEMA flood plain mapping for the area.

Commission Discussion

Commissioners discussed the pros and cons. The intent is not to expand the overlay district but to cover the commercial properties that are already there. Also discussed if there was financial obligation to the property owner, which there is not as they are already being assessed as a commercial property.

This is also cleaning up some areas to match the future planning map that is in the current Master Plan.

The following was decided upon by the Commission.

Commission Decision

- 1) Meister moved, Milton seconded, that the overlay district map and language be expanded to include the current Township commercial areas – two parcels at the intersection of US 41 South and County Road 480, six parcels on US 41 South near Beaver Grove, and three parcels located at the intersection of M-28 and Kawbawgam Road, and to move the consideration to a public hearing.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

- 2) Rhein moved, Milton seconded, that the zoning for two parcels located on the East side intersection of M-28 and Kawbawgam Road be changed from Residential (R-1) to Commercial (C), and add them to the Mixed Use and to move the consideration to a public hearing.

Vote: Ayes: 5 Nays: 1 (Mahaney) MOTION CARRIED

- 3) Maynard moved, Rhein seconded, that the zoning for twenty-seven parcels located along the south side of Kawbawgam Road be changed from Waterfront (WFR) to Residential (R-1) to be consistent with the Master Plan, and to move the consideration to a public hearing.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

- 4) Maynard moved, Mullen-Campbell seconded, that the zoning for one hundred sixteen parcels located along the Chocoday River be changed from Residential

(R-1) to Waterfront (WFR) to be consistent with the Master Plan, and to move the consideration to a public hearing.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

C. Zoning Ordinance Updates – Rental Language

Staff Introduction

At the June, 2018 Township Board meeting, the Board approved a portion of the zoning ordinance updates; however, they did not approve the rental language that was included in the proposed ordinance. They voted to send the language back to the Planning Commission for further consideration.

At the August 2018 Township Board meeting the Supervisor put together a list of considerations from the Board in regards to rentals for the Planning Commission to look at and are included in the packet tonight.

Commission Discussion

Staff reviewed the recommendations and presented them to the Commission for consideration for required updates to the *Zoning Ordinance*. Staff asked for revisions to language to clear up the conflicts found.

The Commissioners reviewed the Board recommendations and the following were agreed upon.

RENTAL CONSIDERATIONS CHECKLIST

PLANNING COMMISSION RECOMMENDATIONS

Review of Board Recommendations

| Commissioner Direction | Board Recommendation | Idea | Commissioner Suggestions |
|---|----------------------|---|---|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Register with Township | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Yes | Require a surety deposit from renters (to property owner) | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Establish number of occupants in unit | No decision at this point, vote was tie, put in for future discussion. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | No | Require a guest registry, present copy to township office periodically | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | No | Require off street parking and maximum number of vehicles on site | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Post rules for refuse disposal (day of collection, provision of tags, and secure storage beyond collection day) | Include beach trash and recyclables Have the rental owner agree to give to renter; synopsis document written by the Township |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Post synopsis of Outdoor burning ordinance | Have the rental owner agree to give to renter; synopsis document written by the Township |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Post synopsis of Noise ordinance | Have the rental owner agree to give to renter; synopsis document written by the Township |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Post synopsis of Fireworks Ordinance | Have the rental owner agree to give to renter; synopsis document written by the Township |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Post synopsis of pet rules | Have the rental owner agree to give to renter; synopsis document written by the Township |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Fines for infractions to be the ultimate responsibility of owner or agent | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Owner or agent must have local availability to deal with problems in a timely manner | |

| Commissioner Direction | Board Recommendation | Idea | Commissioner Suggestions |
|---|----------------------|---|--------------------------|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Consider all rentals together | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Minimum fee for registration | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Yes | Renewal time frame /no renewal if too many violations | |

PLANNING COMMISSION RECOMMENDATIONS

Additional Considerations

| Consideration | Suggestions |
|--|--|
| Inspections for fire | No paid fire personnel; future consideration |
| Add these additional synopsis of Ordinances for distribution:#22 - Vehicle parking, #55 – Vehicle storage, #57 – Bikes and Snowmobiles, & #61 - Firearms | All Commissioners agreed |
| Add to Zoning Ordinance or have separate Rental Ordinance | All Commissioner agreed to have a separate ordinance |

IX. PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Has a problem with some of the maps marked “other flood areas”. Why does FEMA feel some of these areas on M-28 are flood areas, they are 40 feet above flood area. Questioned why they are expanding the commercial area on Kawbawgam when it is clearly a “spot zoned” area, why not just expand the “spot zoned” area? Also questioned why the Planning Commission is approving a police ordinance, should be civil infractions which are easier to deal with.

Stephanie Gencheff, 597 Lakewood Lane – Agrees with everything the previous speaker said. Doesn't feel Chocolay should allow short term rentals in residential areas.

Dalia Pavalkyte, 1943 M-28 – Questioned what the rules were about drones, had one overhead a few weeks ago. Also asked who registers violations of rentals? Who to call when witnessing bad behavior on the beach.

Dale Throenle, Chocolay Township Staff – Advised Pavalkyte to call the Police/911 if you see anything dangerous or encroaching on your property.

X. COMMISSIONER'S COMMENTS

Rhein – Felt the meeting was very productive & accomplished quite a bit on different scenarios.

Milton – Thank you Dale for your presentation

Maynard – Thanked the lady for the subject of drones and would like to give that some thought. She hears the concerns regarding the short term rentals and feels the points from the evening are clear, concise, enforceable, serious, and believes they are good rules for rentals of all kinds.

Mahaney – Agrees with the other Commissioners, good meeting, good start on the different business that is put in front of them

Meister – Made good progress tonight

Mullen-Campbell – It was a good, productive meeting. Would also like to congratulate Township Manager, Jon Kangas on his appointment to the Governor's transportation committee.

XI. DIRECTOR'S REPORT

Generally comments are online in the Newsletter. He has a conflict with the September 17, 2018 meeting. He presented a couple of options – could prepare a packet and still have the meeting or change the meeting date to September 24, 2018. Commissioners decided to change the date to September 24, 2018.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board - 07.09.18

B. Minutes – Township Board 07.16.18

- C. Minutes – Township Board – draft, 08.06.18
- D. Township Newsletter – July, 2018
- E. Minutes – Marquette City Planning Commission, 06.05.18
- F. Minutes – Marquette City Planning Commission, 06.19.18
- G. Correspondence – Ezo

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9.07 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, September 24, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Cory Bushong, Susan Maynard, Don Rhein (Board)

Members Absent: Kendell Milton

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager) and Lisa Perry (Administrative Assistant)

The Commission welcomed Cory Bushong as the newest member of the Planning Commission. Cory is fulfilling the remainder of Andy Smith's term. The Commission discussed the position of Vice Secretary, the position Smith held for 2018.

Motion by Rhein, seconded by Mullen-Campbell, to approve Cory Bushong as Vice Secretary for the remainder of the term.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein, and seconded by Maynard to approve the agenda as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

August 20, 2018

Motion by Meister, and seconded by Rhein, to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Had a number of issues and concerns. Does not like that the communications from citizens and residents is at the end of the agenda. Has repeatedly shared in writing and spoken over the years that she does not support short term rentals throughout the community. Shared her concerns of parking on the Township right of way. Hopes the Township will flush out many concepts pertaining to the Rental Ordinance including permit/registration issues, violations, and fees. Also questioned the changes to the residential characteristics. Stated the Commission had done many good things and not to put it behind, asked the Commission to be responsible for taking credit on the good things they have done without destroying the

Township going forward. Invited the Commission to walk the Lakewood Lane area to see the implications of allowing short term rentals.

Judy Smith, 320 Kawbawgam – Has done a short term rental with her home for one year but does not do it anymore as she lives there now. Wanted to share the positive side of short term rentals. Has met some really good people from all over the world. Neighbors helped keep an eye on her place. The people that stayed took her suggestions and enjoyed Marquette. Always rented through AirBNB where there are rules to abide by. She also has rules renters had to follow.

Public comment closed at 7:12 pm.

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Rezoning Considerations

Staff Introduction

Last month, several rezoning considerations were brought to the Planning Commission for consideration. All were approved as presented except for the properties located at the intersection of M-28 and Kawbawgam Road.

Additionally, the commercial properties in this area were to be considered for addition into the mixed use overlay district.

However, when the motion was made, the properties on the east side of Kawbawgam Road were incorrectly identified in the motion as residential. The motion made, as identified in the minutes from the August 20 meeting, was:

“Rhein moved, Milton seconded, that the zoning for two parcels located on the East side intersection of M-28 and Kawbawgam Road be changed from Residential (R-1) to Commercial (C), and add them to the Mixed Use and to move the consideration to a public hearing.”

Unfortunately, staff did not catch the error until the minutes were prepared for the meeting.

Commissioner Discussion

The Commission discussed their intentions of the vote and decided to rescind the vote from the August 20, 2018 meeting and amend the previous motion.

Commission Decision

- 1) *Maynard moved, Rhein seconded, to rescind the motion made on August 20, 2018 that recommended rezoning two parcels on the east side of M-28 and*

Kawbawgam Road from Residential (R-1) to Commercial (C), and adding them to the Mixed Use and to move the consideration to a public hearing.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

- 2) *Maynard moved, Meister seconded, that the zoning for two parcels located east of the intersection of M-28 and Kawbawgam Road be changed from Multi-Family Residential (MFR) to Commercial (C) to be consistent with the Master Plan, add them to the consideration for the Mixed Use Overlay district for the commercial properties located at the intersection of M-28 and Kawbawgam Road, and to move the consideration to a public hearing.*

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

B. Master Plan Update – Chapter 8 Project Priorities Final Review

Staff Introduction

Over the last three meetings the Commission reviewed Chapter 8 of the Master Plan, 2015 Edition to establish priorities in each of the categories in the section and the final draft was presented for review. Throenle gave Bushong a brief overview.

Commissioner Discussion

Commissioners confirmed they had read through the draft and made the motion to accept.

Commission Decision

Meister moved, Rhein seconded, that the revised priorities in Chapter 8 of the Master Plan be accepted as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

C. Rental Considerations

Staff Introduction

At the August 2018 Township Board meeting, the Supervisor put together a list of considerations from the Board in regards to rentals for the Planning Commission to look at. Those suggestions, along with additional comments from Max Engle, Mark Maki, and Don Rhein were forwarded to the Planning Commission for consideration.

The Supervisor has also requested the Planning Commission look at the language in Section 3.1 of the Zoning Ordinance. He is asking the Planning Commissioner's consideration on revising the language to clear up the conflicts found in the section.

At last month's meeting, the Commissioners looked at the recommendations from the Board, and developed a table of criteria for consideration for rentals in the Township. That updated checklist is attached.

Based on the review of the checklist and additional recommendations, staff has

prepared three additional documents for consideration:

- 1) A draft of a Township Information document
- 2) A draft Rental Property Permit
- 3) Rental definitions for consideration to be changed in the Township Zoning Ordinance

Staff also asked the Commissioners do the following prior to the meeting:

- 1) Review the Rental Considerations Checklist to determine if changes are required
- 2) Review the draft outline of the Township Information document to determine if changes or additions should be included
- 3) Review the draft Rental Property Permit to determine if additional criteria should be added to the document
- 4) Review the proposed definitions for the Township Zoning Ordinance to determine if changes or additions are required

Throenle attended a combined conference of the Michigan Municipal League and the Michigan Association of Planners. He explained one of the presenters had software that showed how many short term rentals were within a certain jurisdiction and it showed from 150 websites (ex. AirBNB, etc) there were 30 rentals officially listed in Chocolay Township. Throenle said a spokesperson for the Michigan Municipal League stated emphatically that she believes after the November election the State lame duck session will pull the short term rental proposals out from committee and consider them for vote before January.

Commissioner Discussion/Decision

First item discussed was the Rental Considerations Checklist. The section regarding "Require a surety deposit from renters (to property owner)" is listed in this packet as a "yes" from the Planning Commissioners, however, in the minutes from the August meeting the Commissioners had voted "no" and it was an oversight in the September packet.

In August the Commission also voted on another section of the Rental Considerations list that resulted in a tie vote (3-3). It was the section pertaining to "Establishing number of occupants in the unit". The Commission felt this was too difficult to enforce from the Township's standpoint and should be a landlord/rental issue. The Board recommended it but after a lengthy discussion of the pros and cons the Commission voted (5-1) not to recommend this. Rhein was the single "Nay" vote and his concerns were pertaining to the septic systems handling the extra volume. Throenle stated this is where the individual ordinances (noise, fireworks, trash, etc) come in to play to help with the issue of too many people.

Maynard asked to refresh her memory why the Commission said no to the requirement of off street packing and the maximum vehicles on site. Meister stated

this is covered in the parking ordinance. Throenle confirmed this and the fact that the parking ordinance applies to the whole Township.

Meister moved, Maynard seconded, that the Rental Considerations checklist be accepted as revised.

Vote: Ayes: 5 Nays: 1 MOTION CARRIED

A draft document outline containing different aspects of the community and summary of ordinances was presented to the Commission to discuss. The intended audience for this document is for the community as a whole but also for the landlords of rental properties to extract out information that pertains to their property and that can be given to their renters. The document contains items for renters such as a summary of the ordinances, recycle information, and recreation information. The document would also include information for residents of Chocolay Township regarding Zoning and Building permits.

Throenle noted that this document can always be updated if the need arises.

The Commission requested the addition of the Township website address in the document for easier access to the website for additional information. Meister also suggested adding a disclaimer in the document to read the whole ordinance for the summarized ordinances.

Mullen-Campbell moved, Maynard seconded, that the draft outline of the Township Information document be accepted as revised and be kept loose for changes.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

Throenle also presented a draft document that the landlord would have to have on file with the Township. This document would act as a permit/registration and would require a fee. There were some suggestions regarding violations and other additions to the document but nothing was finalized. When the whole process of rentals is done, this will be the last document to finish up. Having this application on file will help four Township departments: Police, Zoning, Fire and Assessing as they will know if it's an owner or a rental property. No motion was made as this document is a work in progress.

The Commission also discussed proposed definitions to the Zoning Ordinance Section II (34-18-02) for Property Rentals. It was discussed to change all languages that stated "Rental Dwelling" be changed to "Registered Rental Dwelling" throughout the ordinance.

Maynard moved, Rhein seconded, that the proposed definitions for the Zoning Ordinance be accepted as presented.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

Final item in this section is a recommendation from the Commissioners on what they would like to see in the "Rental Ordinance". There is no document at this point, this

will be a discussion item and will move forward from there but Throenle feels this should be a separate ordinance as it would be easier to enforce.

Throenle did ask the Commissioners to include how many penalties before a property is removed from rental consideration. He also asked if they are removed how should it be done? He is requesting something done in stages with so many occurrences and the rental is finished. The amount of the fines would have to be set as well and he suggested an annual registration so the property records can be kept up to date.

The Commission asked if this would be enforceable for long term rentals as well as short term rentals and Throenle stated yes it would be as it would be its own ordinance. The Police Chief is asking for this specifically as he is looking at mobile home parks where there are repeated calls to specific addresses and the owners would get the message that this can't and won't be tolerated.

The Commission also felt in the instance of an apartment building, it should be by unit as it would not be fair for all units to be punished for the one to two bad renters.

The Commission also discussed many aspects of enforcement, penalties, fees, and appeals process. They also felt there should be some some sort of system, where some penalties should be worse than others. Throenle felt they had a good start and Commissioners decided to move forward on the ordinance document.

D. Non-Conforming Parcels and Zoning Updates

Staff Introduction

Over a long period of time, numerous references, presentations and public comment have been made at Planning Commission meetings in regards to the number of non-conforming parcels that exist in the Township. Issues for property owners and their neighbors related to those non-conformances is how to place structures on those properties, what available uses they can do on those properties (especially in the AF district), and what will happen to those properties in the future.

Staff has completed an analysis of parcels in the Township to determine the level of non-conformance across the districts. Staff used the chart found in section 6.1 of the Township *Zoning Ordinance* that specifies the minimum lot size and lot width in each zoning district as the base elements for the analysis.

The parcel analysis was based on three criteria:

- 1) Comparison of parcel lot size to the minimum lot size in each district to determine parcels not conforming to the minimum lot size
- 2) Comparison of parcel lot width to the minimum lot width in each district to determine parcels not conforming to the minimum lot width
- 3) Determination of parcels not meeting both the minimum lot size and the minimum lot width.

The parcel data was extracted from the Township Assessing database. Record

counts include all parcels listed on the database.

Properties excluded from the comparisons included:

- Parcels not containing a zoning value (some parcels have a blank on the database)
- Parcels having a value of zero in the acreage field (value was used for minimum lot size)
- Parcels having a value of zero in the frontage field (value was used for minimum lot width)

Additionally, properties in the R-1 district were evaluated to determine which parcels were connected to the sewer system to meet the criteria for lot size for those parcels connected to the system. Staff also compared the zoning ordinances from 1997 and 2008 to determine how zoning districts were modified to the current zoning standards.

Staff set up two “what-if” scenarios. Scenario one was to change the minimum acreage in the Agriculture Forestry (AF) district to 10 acres to determine how the change would affect the non-conformance in lot size in that district. Scenario two was to change the minimum lot width in the Residential (R-1) and Waterfront (WFR) districts from 125 feet to 100 feet to determine how the change would affect the non-conformance in lot width in those districts.

Staff asked the Commissioners to decide if the Planning Department should take further action on this item.

Commissioner Discussion

In past meetings the Commission had discussed changing the AF district minimum from 20 acre parcels to 10 acres for the ease of splitting the lots, making it easier for the property owner to pass the property onto the next generation. This conversation had Throenle thinking if the AF properties were a problem what other zoning districts are affected by similar situations.

Commission Decision

It was suggested by the Commission to concentrate on the AF district as there are more non-conforming properties than conforming. Meister gave some history toward the end of the discussion. He stated that during Planning Director Jennifer Thum’s time with the Township there was a sub-committee that had made maps to bring back the RR2 zoning district with five acre parcels. Meister suggested the maps may still be around.

The Commission felt this was good to keep pursuing to get the number of non-conforming lots down in the AF district.

VIII. NEW BUSINESS

A. Proposed Public Hearing Dates for Rezoning Requests

Staff Introduction

Several motions were made and approved during the last meeting regarding rezoning possibilities within the Township. There are four separate rezoning issues to be addressed at public hearing as a result. They are:

- 1) Expanding the mixed use overlay district to existing commercial properties at the intersection of US 41 South and County Road 480, US 41 South near Beaver Grove, and three parcels at the intersection of M-28 and Kawbawgam Road
- 2) Changing two parcels located at the intersection of M-28 and Kawbawgam Road from Multi-Family Residential (MFR) to Commercial (C), and adding those properties into the mixed use overlay district consideration
- 3) Rezoning 27 properties along the south side of Kawbawgam Road from Waterfront (WFR) to Residential (R-1)
- 4) Rezoning 116 parcels along the Chocolay River from R-1 to WFR.

Staff suggested numbers one and two go to the Planning Commission for public hearing in October in order to go to the Board for the First Reading at the November 12 meeting and numbers three and four go to the Planning Commission for public hearing in November in order to go to the Board for the First Reading at the December 10 meeting.

Commissioner Discussion

None

Commission Decision

Rhein moved, Mullen-Campbell seconded, that the Planning Department proceed with the public hearing schedule as presented.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IX. PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Gave a history of Lakewood Lane on why there are a high percentage of non-conforming lots in Chocolay Township. She has not verified Throenle's comments from this evening regarding short term rentals but if there are only 30 short term rentals out of the 3000+ properties in Chocolay Township, which is less than 1%, how much time and energy has been spent on the issue of short term rentals? There is something known as the State of Michigan's Public Nuisance Statue, it works very well to deal with problems the Commission would deal with. Does the Planning Commission really want to go through leases and ordinances? Maybe ask the Planner to pull ordinances from around Michigan and tweak them. Why work so hard to deal with this? Maybe have a percent allowed for "green space"? Feels short term rentals comes down to the issue of money, not the community but instead money for the property owner.

Judy Smith, 320 Kawbawgam – Money from short term renting did benefit her, but she doesn't make much money. It benefitted her by allowing her to put in new windows and get a new vehicle. Would have never been able to do that without renting. Loves sharing her house with people. Grew up here and would rent all the time when she came back home...how many more rentals now than before? In regards to the penalties discussed tonight, maybe give a warning first then give a fine. Where does renting just a room in your house come into this?

Jill Bradford, 555 Little Lake Road – She was on the committee mentioned earlier by Eric Meister, has a recollection of the committee and may have some notes, would be willing to talk to the Commission about it. In regards to the penalties for rentals, you have to be careful as she had a coworker who made it her pastime to call the police on her neighbors, not saying we have people in the community like that but they could make it a game. Landlords deserve an appeals process as you can't always control who is in your house. Feels the Nuisance laws takes care of people that are around.

Public comment closed at 8:58 pm.

X. COMMISSIONER'S COMMENTS

Rhein – Felt there was significant progress even though we don't always agree.

Milton – Absent

Maynard – Keep on moving.

Meister – None

Bushong - None

Mullen-Campbell – Keep learning. Up for renewal in December, will keep going for another two years.

Mahaney – Great meeting, glad to have Cory on board.

XI. DIRECTOR'S REPORT

Welcomed Cory Bushong to the Planning Commission.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board, 09.10.18

B. Township Newsletter – September, 2018

C. Minutes – Marquette City Planning Commission, 07.10.18

D. Minutes – Marquette City Planning Commission, 07.24.18

E. Minutes – Marquette City Planning Commission, 08.14.18

F. Minutes – Marquette City Planning Commission, 08.21.18

G. Correspondence – Mining Journal letter and responses regarding rentals in Chocoday Township

H. Correspondence - Mulcahey

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9:00 pm.

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, October 15, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:01 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Cory Bushong (Vice Secretary), Susan Maynard, Don Rhein (Board)

Members Absent: Kendell Milton

Staff Present: Dale Throenle (Planning Director / Zoning Administrator), Richard Bohjanen (Township Supervisor), and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein, and seconded by Maynard to approve the agenda as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

September 24, 2018 Planning Commission meeting

Motion by Meister, and seconded by Mullen-Campbell to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Stephanie Gencheff, 597 Lakewood Lane – stated this was her third time to defend the short term rental petition. She referenced Dr. Bohjanen's letter in the *Mining Journal* regarding 87% respondents on the survey, which Bohjanen said represents the people who were undecided or were in favor of short term rentals. She has a neighbor at 633 Lakewood Lane who could not be at the meeting but wanted it mentioned that since the house next to her changed from a short term rental to a long term rental there have been no issues. Gencheff requested not to lump together long and short term rentals as they are not the same.

Deborah Mulcahey, 633 Lakewood Lane – She lives at 633 Lakewood Lane so the person that Stephanie was talking about lives at a different address. She had concerns regarding the recreation plan. She did not want a negative impact from work already done or lose any future grants because of perceptions of what is allowed in Chocolay

Township. She wanted language included in the revised recreation plan that would not allow overnight parking of any vehicles in park and recreation areas or to be used as temporary or long term storage for commercial vehicles. She wanted no camping in these areas unless designated as a campground, and she wanted signage added to these areas designating this. She felt some areas are often not inviting or unusable. She said she discussed with this with the Planner, Police Chief, and Manager. She said the Township needs to think about impact of receiving present and future trust fund money. She said she can verify with the State of Michigan Administrators with the trust fund program.

Dustin Hennessey, 101/103 Juliet Street – Spoke on the proposed rental regulations, and asked what is the difference between a rental or resident who is not following the ordinances, and he felt there is no difference. He asked why the Township should place additional regulations on someone bringing business to the Township. He asked what the registration fee would be for, as there are not any inspections associated with rentals in Chocolay. He stated he already pays higher taxes for having a non-homestead place in the Township which should be considered his fee. He is also against the proposed commercial rezoning that is on the agenda. He owns the residential property that presently connects the existing commercial and residential areas and would never sign off to have it changed to commercial, as it is a residential area.

Ryan Anderson, 225 Jean Street – His property connects along the back of the property being discussed. He was speaking for himself and his neighbor (Nicholas Smaby, 229 Jean St.) who could not be at the meeting. As a property owner, he respects that an owner can do what they see fit to do with their property but Anderson and Smaby are both against the land behind their homes rezoned to commercial. Anderson felt it would alter the substance, flavor and feel of their neighborhood. Anderson and Smaby understood the owner's desire to make a fair profit on the sale of his land. Anderson would like to work together and in good faith to find a way to do this with everyone impacted. He has small children and does not want this in their back yard.

William Todd, 1075 Ortman Road – He has lived here over 40 years, and he is the resident responsible for proposing the zoning change. He presented a map of the proposed parcel to the Commissioners. He has recently been approached by a nationally known general store developer inquiring about a portion of the property he owns along US 41 located between Veda and Juliet Streets. The parcel is 500 feet long and 200 feet deep and sits 200 feet from both of the mentioned streets. The developer discussed their interest with Throenle, who informed the developers that the property was currently zoned R1 (Residential) and could not develop this property unless it was changed to commercial status. Todd discussed this with Throenle who informed him that "spot zoning" was unlawful in Michigan, but stated there was commercial development property about 200' to the north that could be considered as a connection to the commercial zone to the north.

He has owned these parcels since 1989. In regards to the privacy issues brought up, he felt the people who connect to his property via Veda and Jean Streets have been blessed with large back yards and plenty of privacy. He wants to be a good neighbor and if the commercial zone were extended, he would work with the developer to leave as many of the trees possible. He added the parcel is a low lying piece of land and is not desirable as an additional lot for homeowners. He said having a developer willing to improve the land and build a retail store would be the best use for this unused parcel and would be low impact to this neighborhood, would not affect privacy, and would also add to the Chocoley Township tax base. He does not feel this would impact the owner of the duplex which is the neighbor 250 feet to the north of this property. Todd said that the owner does not live on the property and it may increase the value of his property. He brought this before the Commissioners tonight for discussion but invited anyone to look at the parcel and surrounding neighborhoods.

Public Comment closed at 7:22 pm.

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Commercial District Extension Consideration Request

Staff Introduction

Throenle presented that Bill Todd, a resident that owns property on US 41 South just below the current commercial district, had asked for consideration of possibly extending the commercial district from the current southern boundary near Juliet Street to include properties fronting on US 41 South to Veda Street. Throenle said this meeting will be a session to gather information to see what could be done. Throenle said Todd was asking for this consideration before submitting a formal rezoning request.

Throenle stated the extension of the commercial district is not identified in the 2015 *Master Plan*. However, he pointed out the future commercial district extends down US 41 South, and is directly across the highway from the properties in question on the *Future Land Use* map found in the *Master Plan*.

Commissioner Discussion

Throenle presented the Commissioners with maps of the proposed parcel and surrounding neighborhoods in the current zoning district that were included in the packet. Throenle pointed out Mr. Hennessey's property in relation to Mr. Todd's and stated Mr. Hennessey's property had to be commercial as well as it is the connecting property to the commercial district.

The developer that Todd referred to has not pursued any other venue in the Township and chose not to come before the Commission for a public hearing for the zoning change. There is no open offer on the parcel; this was just discussion for the Planning Commission to consider.

Mahaney asked who made the final approval or disapproval. Throenle stated the Planning Commission starts the process then it would go to the Township Board for final approval. Maynard asked if the parcel has anything on it. Throenle asked Todd who said the parcel was empty. Throenle asked the Mahaney to include Todd in the conversation to answer the questions regarding his property, but not the remainder of the public. Mahaney agreed.

Mahaney asked for clarification of the properties included in the discussion. He also asked if it was up to the owner or the Planning Commission to change the zoning. Throenle stated it was the Planning Commission and Township Board that make those decisions but it has to be done with public input from the owners of the properties in that area along with other interested parties.

Meister asked if it was different zoning at one time and Throenle stated he would have to go back over past maps but this is off of the 2008 map. Maynard asked if there would be tax implications for Hennessey with a zoning change to commercial. Throenle stated not necessarily as Hennessey has no PRE (Principal Residence Exemption) on that property, and said the question should be referred to the Assessor.

Rhein felt this should remain residential, and he does not want to see commercial property built in a residential area. He said there are places in the commercial zoned districts available where they could build. Meister agreed with Rhein. The neighbors have established homes and once it is zoned commercial there is enough property that more could be added in that district.

Throenle reminded the Commissioners that they could not restrict a parcel based on a proposed development. The development would be determined on what is allowed in the commercial district.

Mullen-Campbell felt that commercial is good for Chocolay Township but wanted to keep the residential in mind. Mahaney could see this either way, was not sure a house could be built on the parcel but he could see the resident's side, too.

Mahaney asked Todd if he had been approached to sell for residential purposes and he stated he had not. Todd also stated it would not be the all of the parcels, just the center of the three.

The Commissioners discussed how hard it would be to make a decision without knowing the footprint of what is being proposed for the lot. Throenle stated that once it is zoned commercial anything could be built there if it met the zoning requirements for commercial properties.

Maynard said if there was a developer who could develop this into affordable housing and keep it residential, she would feel more comfortable with that.

Meister asked if the neighboring property owners could buy this property and extend their property lines to the highway. Throenle stated it could be done. Todd also commented that he had some conversations but the compensation would not be as much. He would, however, consider this if the price was right.

Mahaney asked if Throenle wanted a decision for the *Master Plan*. Throenle stated according to the *Future Land Use* map in the *Master Plan* the area in question is to be left as residential. He said there would be a couple things that would have to happen. One was hold being a formal public hearing with an expense to Mr. Todd for the formal application, notices to neighbors and a presentation to the Marquette County Planning Commission which would come back with the recommendation not to do it as it is not in the current *Master Plan*. The other was to address the considerations across the highway for the properties that have not yet been changed to commercial even though it is in the *Master Plan*.

Meister asked is a PUD (Planned Unit Development) could be done and Throenle stated that conversation did not come up but it could be a possibility depending on the quality of the land and how much would be used. Throenle said a PUD starts at one acre and this parcel is 2.5 acres. Meister stated this may be a case as some of the buffer could be kept in the back.

Mullen-Campbell also mentioned concerns about wells and septic systems.

Commission Decision

Throenle stated the reason for this meeting was to let Todd know which way to go in his decision process. Todd would have expenses for the formal application he could

avoid if he got an outcome tonight. If the Commissioners decided to go with the idea of allowing commercial in that area, there would also be expenses for the notices to the neighbors, and an amendment to the *Master Plan* would have to be presented to the County.

Throenle has spoken with Todd and Throenle's personal recommendation would be for the Planning Commission to recommend Todd to meet with his neighbors, discuss further the various aspects such as PUD, the commercial aspect, etc. before coming back with the formal application. Throenle feels that commercial decision is not the only solution for the property.

Mahaney asked the Commissioners their thoughts. Rhein, Maynard, and Meister felt the property should stay residential. Bushong, Mullen-Campbell, and Mahaney could see it both ways.

Motion by Rhein, and seconded by Maynard to keep the said property as residential not commercial.

Vote: Ayes: 5 Nays: 1 (Mahaney) MOTION CARRIED

B. 2019 – 2023 Recreation Plan

Staff Introduction

Throenle told the Commissioners that every five years the Township is required to submit an updated recreation plan to the Michigan Department of Natural Resources (DNR) in order to remain eligible for DNR recreation grant funding consideration. The plan for the Township is required to be submitted by February of 2019 in a DNR-defined format if grants will be pursued during the 2019 DNR funding year.

The DNR has stated in prior recreation plan training presentations that "if it's not in the plan, it won't be funded." Staff was in the process of reviewing and revising the plan with a focus on those criteria, and was looking to update sections with recommendations from the Planning Commission, Township staff, and the public.

Commission Discussion

Throenle presented the highlights of the proposed Recreation Plan. There are twelve recreation areas within the Township that Throenle presented for considerations for maintenance and recreation promotion. There will be a public survey sent to the residents of the Township to get public comment. The plan would come back to the Planning Commission in December for approval and would be presented to the Township Board in January for approval to be submitted to the DNR for

consideration for 2019 grants. There are grants the Township would like to pursue in 2019 so there is a sense of urgency to finish approval of the plan.

Some of the proposals Throenle presented were:

Brochures and Maps

- Printed and online brochures and maps for all Township recreation
 - Includes public and private
 - Information to be made available at the Township office, local businesses and the Welcome Center
 - GIS maps showing recreation locations throughout the Township

Signs

- Directional signs for all recreation areas and trails
 - Includes public and private
 - “You are here” signs along the trails and at the recreation sites
 - Bike routes on non-established trails
- Establish “uniform” sign for the Township (color, size, etc.)
 - Cost of Pure Michigan signage \$360 per year per sign
- Township site signage for:
 - Beaver Grove Agriculture Area
 - Brower Recreation Area
 - Green Bay Street Park
 - Green Garden Site
 - Kawbawgam Pocket Park
 - Voce Creek Recreation Area
 - Wick Site

Trail Town Designation

- Establish trail connection with Marquette – potentially county-wide
- *Pure Michigan* designation for tourism and trail usage

Electric Charging Stations

- Wi-Fi devices (phones, tablets, etc.) for trail and recreation site visitors
 - For electric and hybrid automobiles and visitors traveling through the area

Recreation Site Maintenance

- Establish long-range maintenance schedules for all Township recreation equipment and sites
- Establish funding for long-range maintenance and potential additional staff

Recreation Promotion

- Promotion of recreation on Township website and social media
- Interactive maps and recreation locations on the Web
- Video flyovers (drone) of Township properties and make available online
- Develop programs of recreation interest with KBIC, Cherry Creek School, 4-H, Boy Scouts, Girl Scouts and other local clubs and organizations
- Virtual reality of Township recreation (web based)
- Coordinate with Marquette Chamber of Commerce and Travel Marquette

The Commissioners added the following suggestions:

- Would like to see all properties not presently surveyed, to be surveyed to designate Township properties lines to allow development
- Security cameras for some sites, including the MDOT turnouts
- Appropriate signage for direction/usage of the sites
- Address parking and lighting issues at some of the existing sites

IX. PUBLIC COMMENT

None

X. COMMISSIONER'S COMMENTS

Rhein – None

Milton - Absent

Maynard – Should Todd, Hennessey, and neighbors need the services of MARS (Marquette-Alger Resolution Services), they are a great mediation service here in town.

Mahaney – Thanked Throenle for the *Recreation Plan* presentation, and he would like to see more focus on the plan, as there are many Township properties that residents do not know about. He would like to see the property lines established on these properties so development of them can begin. He felt these parcels are a real plus for the residents

of the Township.

Meister – None

Bushong – Would like to learn more about the grant process for the *Recreation Plan*; felt there are 20 years of improvements and would like to know how they are decided and prioritized. He also asked about dates that were mentioned for the plan (such as February).

Throenle told Bushong that the *Recreation Plan* is the five year vision and the DNR will not fund anything that is not in that plan or the applicant would have to find alternate funding. As far as determining which one to be done, it is a matter of choosing which to prioritize in that specific year, as all items are not all attempted at once. He added February is the date that the *Recreation Plan* has to be submitted to the DNR.

Mullen-Campbell questioned if the decisions come through the Planning Commission and then to Marquette County. Throenle stated they will weigh in before this gets to the Township Board. The Planning Commission will be seeing this again at next month's meeting.

XI. DIRECTOR'S COMMENTS

Throenle told the Commissioners if they have not been to any of the places mentioned during the meeting that they should put them on their list of places to visit. He also reminded the Commissioners that meeting in November is the week after Thanksgiving and there will be public hearing that night regarding the mixed use districts.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board, 09.10.18
- B. Township Newsletter – September, 2018
- C. Minutes – Marquette City Planning Commission, 09.04.18
- D. Minutes – Marquette City Planning Commission, 09.18.18
- E. Correspondence – regarding commercial district extension consideration request

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9:54 pm.

Submitted by:

Planning Commission Secretary
Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, November 26, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:00 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Cory Bushong, Susan Maynard, Don Rhein (Board)

Members Absent: Kendell Milton

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Jon Kangas (Township Manager) and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Throenle advised the Planning Commission of an error with a date in the Informational and Correspondence section of the agenda. The Township newsletter should have read November not September on the agenda as it was presented in their packets. The Commissioners were given a revised copy of the agenda at the meeting and the agenda on the Township web site was also updated.

Motion by Rhein, and seconded by Maynard to approve the agenda as changed.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

October 15, 2018 Planning Commission meeting

Motion by Rhein, and seconded by Meister, to approve the minutes as written.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

None

V. PUBLIC HEARINGS

A. Rezoning from Multi-Family Residential to Commercial (deferred to VIII.A.2)

B. Mixed Use Overlay District Extension (deferred to VIII.B.2)

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Rezoning from Multi-Family Residential to Commercial

Staff Introduction

In August and September, the Planning Commission decided to change the zoning district for two parcels located at the intersection of M-28 and Kawbawgam Road from Multi-Family Residential (MFR) to Commercial (C).

Although fifteen parcels were identified in the *Master Plan* to be included in the Commercial zoning district for this area, the Commissioners decided to address only the two identified as MFR to be rezoned, and to leave the other parcels for future consideration.

The Commissioners recommended the decision be addressed in a public hearing at the October meeting; this hearing was postponed until the November meeting.

The changes the Planning Commission has recommended are consistent with the zoning recommended for this area.

The two parcels affected by this change are:

- 52-02-007-033-00 101 Kawbawgam Road
- 52-02-007-045-00 125 Kawbawgam Road

Throenle received two comments from the property owners. The first comment was from the property owner on the corner of M-28 and Kawbawgam Road. She visited the Township office and approved the change verbally, and she said she had no issues with this being done. The other comment was from the second property owner who has a written comment in the packet and was also in the audience this evening. There have been questions for staff to answer, but no comments were against the change.

Public Hearing

There were no public comments.

Commissioner Discussion

There were no questions or comments from the Planning Commissioners.

Commission Decision

Mahaney moved, Maynard seconded, that after providing required notification to the public, including a public hearing and considering public input, the Planning Commission recommends that the Township Board approve changing the zoning districts for the two parcels located at the intersection of M-28 and Kawbawgam Road from Multi-Family Residential (MFR) to Commercial (C).

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

B. Mixed Use Overlay District Extension
Staff Introduction

Over the last several meetings, the Planning Commission discussed applying the mixed use overlay district to the remaining commercial areas within the Township. The Commissioners decided to apply this overlay district to five parcels located at the intersection of M-28 and Kawbawgam Road, two parcels at the intersection of County Road 480 and US 41 South (Kassel's Korner), and six parcels at the intersection of Mangum Road and US 41 South.

Application to two of the five parcels located at the intersection of M-28 and Kawbawgam Road assume that those two parcels are rezoned from Multi-Family Residential (MFR) to Commercial (C).(these were approved in the previous Public Hearing this evening)

The Commissioners recommended the decision be addressed in a public hearing at the October meeting; this hearing was postponed until the November meeting. The changes the Planning Commission has recommended are consistent with the zoning for each area.

The five parcels affected by this change at the intersection of M-28 and Kawbawgam Road are:

- 52-02-007-033-00 101 Kawbawgam Road (currently zoned MFR, with a motion in the previous hearing to change to Commercial (C))
- 52-02-007-034-00 100 Kawbawgam Road
- 52-02-007-045-00 125 Kawbawgam Road (currently zoned MFR, with a motion in the previous hearing to change to Commercial (C))
- 52-02-007-046-00 no assigned address
- 52-02-007-049-50 128 Kawbawgam Road

The two parcels affected by this change at the intersection of County Road 480 and US 41 South are:

- 52-02-116-023-00 6385 US 41 South
- 52-02-121-053-00 6400 US 41 South

The six parcels affected by this change at the intersection of M-28 and Kawbawgam Road are:

- 52-02-121-002-50 6483 US 41 South
- 52-02-121-002-55 6485 US 41 South
- 52-02-121-002-60 6481 US 41 South
- 52-02-121-027-00 6448 US 41 South
- 52-02-121-028-00 6448 US 41 South
- 52-02-121-030-00 6456 US 41 South

Throenle stated there were 59 notifications sent out, and one was returned as "undeliverable". There were some questions to staff but no comments of anyone being opposed to this change. There was one written comment in the packet (submitted for both public hearings) in favor of the change.

Public Hearing

There was one question from a member of the audience asking for clarification of the location of commercial properties on the map that was supplied in the packet. Throenle answered the question, stating the properties were those that were currently zoned commercial.

Commissioner Discussion

There were no questions or comments from the Planning Commissioners.

Commission Decision

Meister moved, and Rhein seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve applying the mixed use overlay district to five commercial properties located at the intersection of M-28 and Kawbawgam Road, two commercial properties located at the intersection of County Road 480 and US 41 South, and six commercial parcels located at the intersection of Mangum Road and US 41 South.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

C. 2019 – 2023 Recreation Plan Survey

Staff Introduction

A new Township *Recreation Plan* is in the process of development. Last month, the Commissioners reviewed potential parts of the plan, and provided comments in relation to those proposed ideas.

Staff has prepared a draft recreation survey that will be used to solicit input from the public in regards to the direction for Township recreation over the next five years. This survey will be available to the public via a link on the Township web page and through paper copies that will be available at the Township office. The survey will start on Saturday, December 1st, 2018 and comments will be taken online through Monday, December 31st, 2018.

A card with the web link to the survey will be included in the December tax statements to reach as many residents in the Township as possible, and to reduce mailing expenses for this survey.

There are three items listed on this card:

1. Information regarding the Township *Newsletter*.
2. The link for the Township *Recreation Plan* survey.
3. The link for the Marquette County *Master Plan* survey.

The survey was included in the packet for Commissioner's to review and comment, asking the Commissioners to advise staff of any additions, deletions, or changes to any of the survey questions. The essence of this survey is to see if our *Recreation*

Plan is headed in the right direction.

Commission Discussion

Maynard asked, along with posting on the Township web site and sending out cards, if there would there be any notification of the survey to the media. Throenle stated he had not intended to put it in the paper, but it can be done. In the past it was done via the mail but due to the timing it worked to have it sent with the tax bills.

Mahaney asked if it could be put on the Township sign with the web site listed. He would like to see it get to as many residents as possible. Throenle stated it could be done.

Throenle also stated he will be meeting with the Chocolay Township senior citizens during one of their weekly get-togethers in December to explain the survey to them as well.

Mahaney asked if this survey was safeguarded so people could not turn one in multiple times. Throenle stated he would hope people would be honest but he could not keep people from filling out a false survey.

Meister referred to past surveys when he stated mailings were sent out, but he did not believe it was advertised in the paper, and there seemed there was a good response. Throenle recalled there were roughly 600 responses to the last survey. Meister thought that number was pretty good. Maynard noted that everyone gets a tax bill.

Maynard thought it was a good to have a column in the survey questions relating to not knowing where a site was when discussing some of the recreation properties. She felt this would help with the possible need for signage in the Township. Throenle agreed and felt this could be a priority once the survey is complete.

The Commissioners discussed a few questions but all agreed it looked like a thorough and comprehensive survey.

Mahaney and Throenle agreed one of the key survey questions was regarding how people access Township information. Some people do not access the Internet, and this question will help to define alternate ways of communication. Meister asked about an email list so residents could provide their emails and get information this way. Throenle stated he could add this as a question, but suggested that some may not wish to answer it because the survey data would no longer be anonymous. Mahaney thought maybe the email list could be incorporated with the next tax bill, and this way the survey could be kept anonymous.

Commission Decision

Meister moved, and Bushong seconded that the recreation survey as changed be made available to the public for a period of thirty days starting on December 1.

Vote: Ayes: 6 Nays: 0

MOTION CARRIED

IX. PUBLIC COMMENT

None

X. COMMISSIONER'S COMMENTS

Rhein – None

Maynard – None

Meister – None

Bushong – None

Mullen-Campbell – None

Mahaney – Felt the survey was thorough and hopes that residents of the Township will fill it out.

XI. DIRECTOR'S REPORT

Next month's meeting will be back on the normal schedule, and will be December 17th at 7:00 PM. The January meeting will be the organizational meeting and Throenle will have the annual report for the Commissioners to review at that meeting.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board, 10.08.18

B. Township Newsletter – November, 2018

C. Minutes – Marquette City Planning Commission, 10.02.18

D. Minutes – Marquette City Planning Commission, 10.16.18

E. Correspondence – Cammarata (rentals)

F. Correspondence – Blondeau (public hearings)

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 7:26 pm.

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, December 17, 2018

I. MEETING CALLED TO ORDER BY: Tom Mahaney at 7:03 p.m.

ROLL CALL

Members Present: Tom Mahaney (Chair), Eric Meister (Vice Chair), Donna Mullen-Campbell (Secretary), Kendell Milton, Cory Bushong, Susan Maynard, Don Rhein (Board)

Members Absent: None

Staff Present: Dale Throenle (Planning Director/Zoning Administrator), Richard Bohjanen (Township Supervisor), Jon Kangas (Township Manager) and Lisa Perry (Administrative Assistant)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Pursuant to prior consent of the Township Board, staff has drafted a minor revision to the Waste Water Collection System Ordinance. Also for consideration would be a change in the sewer billing cycle. Throenle is asking to add this to the agenda as item VIII.F.

Motion by Rhein, and seconded by Maynard to approve the agenda as changed.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

III. MINUTES

November 26, 2018 Planning Commission meeting

Motion by Meister, and seconded by Bushong, to approve the minutes as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Anthony Harry, 6369 US 41 S. – President of ATV/ORV club, Team Riders, in Marquette County. Asked to be included in discussion of the proposal (VIII.E) when it comes up on the Agenda.

Simon Shaked, M-28 Proposed Campground – He, Mike, and Terry Huffman will be here to answer questions on the proposal (VIII.D) when it comes up on the Agenda.

Public comment closed 7:08 PM

V. PUBLIC HEARINGS

A. Rezoning from Waterfront to Residential – Kawbawgam Road (deferred to VIII.A)

B. Rezoning from Residential to Waterfront – Chocolay River Corridor (deferred to VIII.B)

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Rezoning from Waterfront to Residential – Kawbawgam Road

Mahaney asked Throenle about maps regarding this rezoning as well as the one in item VIII.B. Throenle stated there aren't physical maps for the public tonight but he will have them on the TV screen for everyone to see.

Staff Introduction

In August and September, the Planning Commission decided to change the zoning district for twenty seven parcels located on the south side of Kawbawgam Road above Lake Kawbawgam from Waterfront Residential (WFR) to Residential (R-1). The purpose of this change is intended to remove those parcels from the Waterfront Zoning District as they do not have direct access to Lake Kawbawgam or any other body of water. The Commissioners recommended the decision be addressed in a public hearing at the November meeting; this hearing was postponed until the December meeting.

Forty notifications were sent out to properties within 500' of these parcels and one was returned undeliverable. He had several calls inquiring about possible tax increases but no written comments.

The changes the Planning Commission has recommended are consistent with the zoning recommended for this area, and this decision is based on the recommended zoning presented in the Township Master Plan. Throenle stated this change will not affect taxes due to rezoning, the only change with doing this is for the map in the Master Plan. This also takes properties out of the Waterfront that do not belong there.

The twenty-five parcels identified in the Township Assessing database affected by this change are:

- 52-02-007-045-10
256 Kawbawgam Road
- 52-02-007-051-00
262 Kawbawgam Road
- 52-02-007-054-00
Kawbawgam Road
- 52-02-007-055-00
Kawbawgam Road

- 52-02-007-056-00
Kawbawgam Road
- 52-02-007-057-00
Kawbawgam Road
- 52-02-007-058-00
Kawbawgam Road
- 52-02-007-059-00
Kawbawgam Road
- 52-02-007-059-50
Kawbawgam Road
- 52-02-007-060-00
Kawbawgam Road
- 52-02-007-061-00
310 Kawbawgam Road
- 52-02-007-062-00
352 Kawbawgam Road
- 52-02-007-063-00
Kawbawgam Road
- 52-02-007-064-10
330 Kawbawgam Road
- 52-02-007-064-20
Kawbawgam Road
- 52-02-375-018-00
300 Kawbawgam Road
- 52-02-375-019-00
296 Kawbawgam Road
- 52-02-380-009-00
350 Kawbawgam Road
- 52-02-380-010-00
344 Kawbawgam Road
- 52-02-380-011-00
340 Kawbawgam Road
- 52-02-380-012-00
336 Kawbawgam Road
- 52-02-380-013-00
332 Kawbawgam Road
- 52-02-380-014-00
328 Kawbawgam Road
- 52-02-380-015-00
324 Kawbawgam Road
- 52-02-380-016-00
Kawbawgam Road

Two additional parcels will be included as part of this change; currently those two parcels do not have parcel identification numbers, but will be assigned parcel numbers in the near future.

Public Hearing

Jim Tillison, 121 Wintergreen Trail – Curious how to obtain a copy of the *Master Plan*.

Throenle answered it can be accessed on the Township website (which he demonstrated how to access it) or Tillison can come into the Township office to look at the written copy. Throenle also told him he could call or come in during business hours and he would be happy to answer any questions he has pertaining to the *Master Plan*.

Kenlyn Hubbard, 121 Wintergreen Trail – had a question to one of the maps presented on the TV screen about colors/properties. Throenle explained the differences.

Public comment closed 7:12 PM

Commissioner Discussion

There were no questions or comments from the Planning Commissioners as this has been discussed in previous meetings.

Commission Decision

Mullen-Campbell moved, and Rhein seconded that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve the changing the zoning district for twenty-seven parcels located on the south the side of Kawbawgam Road above Lake Kawbawgam from Waterfront to Residential (R-1).

Vote: Ayes: 7 Nays: 0

MOTION CARRIED

B. Rezoning from Residential to Waterfront – Chocolay River Corridor

Staff Introduction

Throenle brought the map on the TV screen for the public to see. Throenle explained that along the Chocolay River and a portion of Cherry Creek there are a number of parcels that are labeled residential but the *Master Plan* indicates they should be waterfront due to their location directly on either side of the river.

The changes the Planning Commission has recommended are consistent with the zoning recommended for this area, and this decision is based on the recommended zoning presented in the Township *Master Plan*.

Throenle stated again that even though it is changing from Residential to Waterfront zoning, it will not affect the taxes. He has discussed this with the Township assessor and taxes will not increase due to this zoning change. It does not however, mean taxes will not change in the future based on the property itself. Taxes do not have anything to do with the zoning.

The concept of adding this to the Waterfront district is for future planning that the Township has in terms of waterfront areas. In the waterfront areas, we will have the FEMA Community Rating System which will be coming forward in April-May 2019. The rating system will affect how FEMA looks at properties and how the Township gets information out to residents about flood plains, etc. Having these properties listed in the Waterfront zoning is one step in the rating system to get us in a general concept for FEMA where flood insurance can get reduced for everyone in that district.

The Community Rating System is based on a points system. You get points for notifications, making sure the zoning ordinance is correct, right now the Township is a rating of ten with the ideal rating being one.

For every level we come down, the people with flood insurance or looking for flood insurance, the price drops by 10%, and will continue to drop by 10% with each level to level six. Maximum reduction will be 40% if we do everything recommended in the rating system.

The one hundred twenty-one parcels identified in the Township Assessing database affected by this change are:

- 52-02-106-048-00
149 East Main Street
- 52-02-106-049-00
161 East Main Street
- 52-02-108-001-10
108 Forest Road
- 52-02-108-001-20
100 Misty Trail
- 52-02-108-001-30
102 Misty Trail
- 52-02-108-001-50
105 Misty Trail
- 52-02-108-002-00
1145 M 28 E
- 52-02-108-004-20
123 Autumn Trail
- 52-02-108-004-22
111 Autumn Trail
- 52-02-108-004-23
117 Autumn Trail
- 52-02-108-004-30
101 Autumn Trail
- 52-02-108-006-00
109 Wintergreen Trail
- 52-02-108-006-05
108 Wintergreen Trail
- 52-02-108-006-10
1180 M-28 East
- 52-02-108-006-20
105 Wintergreen Trail
- 52-02-108-006-30
101 Wintergreen Trail
- 52-02-108-006-52
121 Wintergreen Trail
- 52-02-108-006-54
110 Wintergreen Trail
- 52-02-108-006-56
106 Wintergreen Trail
- 52-02-108-006-57
115 Wintergreen Trail
- 52-02-108-007-00
M-28 East
- 52-02-109-081-00
102 Timberlane
- 52-02-109-082-00
108 Timberlane
- 52-02-109-082-10
104 Timberlane
- 52-02-109-088-10
112 Timberlane
- 52-02-109-088-20
110 Timberlane
- 52-02-109-089-00
100 Timberlane
- 52-02-109-124-10
Timberlane
- 52-02-109-125-00
208 Timberlane
- 52-02-109-125-10
176 Timberlane
- 52-02-109-125-11
Timberlane
- 52-02-109-125-15
Timberlane
- 52-02-109-125-20
Timberlane
- 52-02-109-125-30
204 Timberlane
- 52-02-109-128-01
272 Timberlane
- 52-02-109-128-04
274 Timberlane
- 52-02-109-128-17
276 Timberlane
- 52-02-109-128-40
232 Timberlane
- 52-02-203-001-00
145 East Main Street
- 52-02-203-002-00
137 East Main Street
- 52-02-203-003-00
133 East Main Street
- 52-02-203-004-00
129 East Main Street

- 52-02-203-005-00
125 East Main Street
- 52-02-203-006-00
121 East Main Street
- 52-02-203-007-00
East Main Street
- 52-02-203-008-00
123 Green Bay Street
- 52-02-203-009-00
111 West Main Street
- 52-02-203-009-01
121 West Main Street
- 52-02-204-001-00
146 Lakewood Lane
- 52-02-204-002-00
158 Riverside Road
- 52-02-204-003-00
111 Green Bay Street
- 52-02-204-004-00
106 Lakewood Lane
- 52-02-204-005-00
102 Lakewood Lane
- 52-02-204-006-00
110 Lakewood Lane
- 52-02-204-028-00
165 West Main Street
- 52-02-204-029-00
171 West Main Street
- 52-02-204-030-00
169 West Main Street
- 52-02-204-040-00
West Main Street
- 52-02-204-041-00
West Main Street
- 52-02-205-003-00
341 West Main Street
- 52-02-205-004-10
301 West Main Street
- 52-02-205-004-20
311 West Main Street
- 52-02-205-004-30
321 West Main Street
- 52-02-305-002-00
278 Riverside Road
- 52-02-305-003-00
274 Riverside Road
- 52-02-305-005-00
270 Riverside Road
- 52-02-305-008-00
266 Riverside Road
- 52-02-305-010-00
262 Riverside Road
- 52-02-305-011-00
254 Riverside Road
- 52-02-305-012-00
250 Riverside Road
- 52-02-305-013-00
242 Riverside Road
- 52-02-305-015-00
234 Riverside Road
- 52-02-305-016-00
222 Riverside Road
- 52-02-305-017-00
224 Riverside Road
- 52-02-305-017-50
230 Riverside Road
- 52-02-305-018-00
214 Riverside Road
- 52-02-305-019-00
218 Riverside Road
- 52-02-305-020-00
226 Riverside Road
- 52-02-305-021-00
210 Riverside Road
- 52-02-305-022-50
204 Riverside Road
- 52-02-305-025-00
202 Riverside Road
- 52-02-305-026-00
198 Riverside Road
- 52-02-305-027-00
196 Riverside Road
- 52-02-305-028-00
190 Riverside Road

- 52-02-305-029-00
186 Riverside Road
- 52-02-305-031-00
182 Riverside Road
- 52-02-305-032-00
176 Riverside Road
- 52-02-305-033-00
174 Riverside Road
- 52-02-305-034-00
172 Riverside Road
- 52-02-305-035-00
163 East Main Street
- 52-02-305-036-00
166 East Main Street
- 52-02-305-037-00
167 East Main Street
- 52-02-305-038-00
168 East Main Street
- 52-02-305-039-00
169 East Main Street
- 52-02-305-039-50
169.5 East Main Street
- 52-02-305-040-00
170 East Main Street
- 52-02-305-041-00
171 East Main Street
- 52-02-305-042-00
175 East Main Street
- 52-02-305-043-00
177 East Main Street
- 52-02-335-001-00
110 Glenwood Road
- 52-02-335-002-00
116 Riverdale Court
- 52-02-335-003-00
112 Riverdale Court
- 52-02-335-004-00
108 Riverdale Court
- 52-02-335-005-00
104 Riverdale Court
- 52-02-335-006-00
100 Riverdale Court
- 52-02-335-007-00
312 Riverside Road
- 52-02-335-008-00
308 Riverside Road
- 52-02-335-009-00
304 Riverside Road
- 52-02-335-011-00
100 Forest Road
- 52-02-335-012-00
104 Forest Road
- 52-02-335-013-00
101 Forest Road
- 52-02-500-001-00
118 Wintergreen Trail
- 52-02-500-002-00
119 Wintergreen Trail
- 52-02-500-003-00
125 Wintergreen Trail
- 52-02-500-004-00
127 Wintergreen Trail
- 52-02-500-005-00
129 Wintergreen Trail
- 52-02-500-006-00
131 Wintergreen Trail
- 52-02-500-007-00
133 Wintergreen Trail
- 52-02-500-008-00
135 Wintergreen Trail
- 52-02-500-009-00
137 Wintergreen Trail
- 52-02-500-010-00
144 Wintergreen Trail

Public Hearing

Dave Schuessler, 135 Wintergreen Trail – Asked if there was any documentation to help ease the affected residents that this rezoning to waterfront will not affect their taxes. Throenle commented that in the letter that was sent out, there is a statement

to that affect.

Throenle also explained that the assessor has a five year plan and assesses 20% of the properties a year. He does this based on the property value, not where the property lies according to zoning district. This does not guarantee your assessment will not change in the future, but it will not be related to the zoning changes in any way. He is also not sure where the assessor is regarding his assessments this year. Schuessler's concern is so much of his property, where it does touch the river, is not accessible and is in the flood plain. They cannot make any improvements because of the DNR so he was concerned with it being zoned waterfront.

Throenle stated in 2017 FEMA redid the flood maps and many people that had federally backed mortgages were required to have flood insurance. Throenle stated there are ways to remove your property from the flood plain in terms of elevation. He would be happy to explain this more if anyone wanted to come in to the Township office to discuss it with him. He does not want to take the Planning Commission's time this evening to do that.

Jim Jenkin, 164 Timberlane – Asked what this rezoning would do for development of the land.

Throenle stated this is where the Community Rating System comes into play. In the terms of residential and waterfront, in the terms of what you can or cannot build etc., the two districts are almost identical. The only difference in waterfront is you have to be 100 feet back from the edge of the water to put up a structure, residential you do not have that restriction unless you are along the water. Where this would come into play with the Community Rating System, it is easier to identify a group of properties regarding requirements.

Jenkin also asked if this would bring another set of requirements on how you maintain your property. Throenle stated those are already in place from the County, DEQ, FEMA, Army Corp of Engineers and DNR. FEMA may have more requirements in the future.

Jenkins also asked if there are any red flags for anyone due to the fact some of the properties are wetlands. Throenle stated Marquette Building Codes is following the FEMA regulations to stay ahead of FEMA to prevent violations. Jenkins also asked if this goes through if there would be more restrictions for property owners. Throenle stated it would not as the *Zoning Ordinance* covers this.

Kimberly Thomsen, 135 Wintergreen Trail – Questioned changes to flood plain maps based on elevation.

Throenle stated the maps did not change much regarding numbers, what did change was banks stating certain mortgages needed flood insurance.

Throenle stated as far as the floodplain, FEMA coming in and doing new mapping in the near future will not happen due to the fact their next step is to map the entire Great Lakes shoreline. The flood maps that are on record will remain for a while unless there is some drastic event that takes place. Throenle also stated the flood

plain map is available on the Township website or he can be reached at the Township office to discuss this.

Jim Tillison, 121 Wintergreen Trail - Was notified his property was in the flood plain, he had his property assessed he was not in the flood plain but then it was changed. He had to go through an elevation survey to prove that he was not. Wants people to know they can do this.

Throenle had a final note to residents, what the Planning Commission recommends this evening will go to the Township Board for approval, if they were not comfortable with what is presented tonight there will be another opportunity to speak at the Board meeting.

Kenlyn Hubbard, 121 Wintergreen Trail – Questioned if the assessor looks at waterfront property the same, is lake frontage the same as river frontage? For example, she is 100 yards from the river and didn't have access much due to the river being flooded. She wants to make sure waterfront assessments won't affect the taxes.

Throenle stated he did not want to speak for the assessor as far as what the assessor does, but he had a conversation with the assessor and the assessor assured him he does not look at a property based on the zoning.

Manager Kangas interjected regarding the assessor's land value maps, stating these maps take that into consideration. Ultimately assessment comes down to the value of the structures on your property and the value of the land itself.

Hubbard asked how the FEMA maps work. She feels they are bogus.

Throenle stated this comes back to a general problem of how the maps are created. The branch of FEMA that takes care of Township business is out of Chicago and the mapping branch is out of D.C. The maps are derived from aerial views and given to the branch in D.C. He did not want to get into a FEMA discussion at the meeting as he wants to have a public town hall in the future. He suggested coming in to the Township office to discuss this further.

Faye Williams, 1180 M-28 – Does not understand how taxes will not go up, what about the SEV?

Throenle stressed again that taxes are not assessed by zoning district, the assessor has assessing districts.

Williams asked why are we bothering doing this now? Throenle stated it is to get us consistent with the *Master Plan* and set up for the FEMA Community Rating System. William's house is two feet under the flood plain and cost him \$10,000 for a septic system when his drain field plugged up due to the fact it had to be raised above the flood plain. He has never seen the water come that high so he doesn't understand.

Throenle stated there have been three scenarios in the last two years that water has come up on the river. The Community Rating System is to protect the property

owners from these scenarios.

Mahaney stressed when this subject came before the Planning Commission as a public hearing there was no intention to raise the taxes, it was looked at as being along the water so it should be waterfront district to be in line with the *Master Plan*. Manager Kangas suggested to come into the Township office and talk with the assessor and have him explain your property assessment to you.

Commission Discussion

Maynard stated she lives on Lakewood Lane and has been present at several meeting where these zoning changes were discussed and it was her first question asked if the taxes were going to go up and Throenle had stated no, they would not. She feels comfortable with this change and will vote for it. Manager Kangas also interjected that your taxes may go up but it will not be due to the zoning change. Mullen-Campbell live on waterfront on Riverdale and had concerns. Her husband came to the office and talked with Dale and he explained it to him. She did some research along with the explanation and is comfortable with this change. Bushong stated he lives on Timberlane on a property related to the discussion as well, is below the flood plain and from a zoning perspective it is not much different than the current zoning. Milton added there were two new GPS satellites put into space today; he feels the FEMA maps may have more information as these satellites will have more capability in elevation and radius.

Commission Decision

Maynard moved, and Rhein seconded that after providing required notification to the public, holding a public hearing and considering public input, the Planning Commission recommends that the Township Board approve changing the zoning district for one hundred twenty-one parcels located along the Chocoley River and a portion of Cherry Creek from Residential (R-1) to Waterfront Residential (WFR).

Vote: Ayes: 7 Nays: 0

MOTION CARRIED

C. Proposed 2019 Meeting Dates

Staff Introduction

Dates for the Planning Commission meetings were submitted to the Board for approval. All dates, are on the third Monday of each month. One question that came up in the Board meeting is if the Planning Commission wants to change the start time of the meeting.

The approved dates are:

| | | |
|---------------------|-------------------|----------------------|
| Monday, January 21 | Monday, May 20 | Monday, September 16 |
| Monday, February 18 | Monday, June 17 | Monday, October 21 |
| Monday, March 18 | Monday, July 15 | Monday, November 18 |
| Monday, April 15 | Monday, August 19 | Monday, December 16 |

Commission Discussion

The Commissioners discussed among themselves to change the meeting start time and came up with 6 PM and decided this would work for all involved.

Commission Decision

Rhein moved, Bushong seconded, that the Planning Commission change the starting time of their meetings in 2019 to 6:00 PM.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

Maynard moved, Rhein seconded, that the meeting dates be accepted as presented.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

Throenle interjected to propose February 18, 2019 as the date for the Joint meeting with the Township Board. He recommended the Joint meeting start at 5:30 PM and the Planning Commission meeting start at 7:00 PM on this night.

Mahaney asked if there was an urgency for the Joint meeting at the beginning of the year. Throenle stated that the Board is supposed to set direction for the Planning Commission for the year. Last year it was late, done in June and the Planning Commission was already into the agendas.

Mahaney then questioned why it was not held at the end of the year, as that would give the Board time to hash it over. Throenle asked Richard Bohjanen, Township Supervisor to weigh in. Bohjanen stated the Board has quite a lot of business to transact at the end of the year, such as the budget, appointments, etc. He also stated if it was done at the end of the year, a whole year would be gone by without any concurrence of laying out the plans for the Planning Commission for the rest of the year.

Throenle asked if Bohjanen was suggesting two Joint meetings in 2019 and again Bohjanen stated the end of the year is a busy agenda for the Board.

Throenle suggested to go ahead with the February meeting and establish at that meeting an ongoing schedule for future meetings.

Meister suggested the Planning Commission set their agenda in March after the Joint meeting. Bohjanen suggested may the Planning Commission set their agenda in January and they can discuss it for concurrence at the Joint meeting. The Board just likes to know they are on the same page. Mahaney said it does help to give direction if the Board is thinking of something the Planning Commission may not be. Throenle reminded them that the direction for the Planning Commission generally has a two-year length.

Bushong moved, Maynard seconded, that the joint meeting with the Township Board be set at 5:30 PM on February 18, 2019.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

D. Proposed M-28 Campground

Staff Introduction

An applicant is working on a proposed campground project to be located on M-28 east of Shot Point and east of Lakenenland. The applicant has requested a preliminary site plan review to determine if this is a viable project for that location prior to purchasing the property.

Staff Findings

In reviewing the project, staff has found a number of benefits for this particular location:

- 1) The proposed project will be located on the existing ATV / ORV and snowmobile trail (trail 417).
- 2) The proposed project will be located close to existing Township recreation (Lakenenland and Jeske Flooding).
- 3) The proposed project will provide an additional recreation location for those visiting the Township.
- 4) The proposed project will provide “friendly” competition to the other campgrounds in the Township, as it will provide different amenities (teepees and yurts, for example).
- 5) The proposed project will be located in an area that does not affect many Township residents.

Staff recommends that the Commissioners review the proposed campground and determine if the project should be pursued. The applicant is requesting the Commissioners to give recommendations on the project and to provide feedback on changes that should be modified or added to the project.

Two drawings (one with the elevations listed and the other with the elevations removed) and an aerial view of the area were attached for Commissioner review. The applicant has provided printed drawings of the project that were available at the meeting.

If the project is to be pursued, staff is requesting the Commissioners to direct staff to begin the process for a conditional use permit for the proposed campground.

Commission Discussion

Throenle reminded the Commissioners this is where Shaked and his group (see earlier Public Comment) be included in the conversation to answer questions. He told them there are very few residents affected in the area around the proposed site and they would be notified in the formal process of this project. The applicant is open to any suggestions and ideas on this proposal.

Mahaney asked what the zoning was in this area. Throenle stated it is Agricultural/Forest, and the applicant would have to come in for a conditional use hearing. The good news is the property is over the 20 acres but is required to have to have a conditional permit for the campground according to the *Chocolay Township Zoning Ordinance*.

Mullen-Campbell asked if an ATV trail goes through this property and if it would be kept and Throenle stated there was and it would remain there.

Maynard asked how many acres is the property, and was told approximately 300. She also asked where the closest house was, Throenle stated there are very few and thought the closest was by Jeske Flooding.

Maynard asked how many people would be in the campground if it was full, Shaked replied in the first phase approximately 100. He explained that there will be less sites to allow people to have space and privacy.

Rhein asked about the water aquifer, as there have been issues in the past. Throenle stated this was closer to Sand River and felt this was a different aquifer. Meister interjected that the DEQ would be involved and do multiple tests. Throenle added this would be the conditional use portion of the formal application as the DEQ, State, Health Department, Township and County would all be involved.

Shaked stated he hopes to have the campground open year round in the future, and he would provide RV camping, hiking, biking, amenities, and many more outdoor activities.

Throenle stated he camps a lot and was excited about this. He feels there will be a big draw with the ATV/ORV trail going through it. Also the snowmobile trails goes along there, and there will be space, so you will not be jammed in.

Shaked wants to have an education center to educate the people in the heritage history of the area such as Native American history.

Maynard asked if there would be a caretaker and was told the plan was to have someone there.

Rhein felt it would be great to get more people into our area using our businesses.

Mullen-Campbell thought it would be good to work with Native American ideas.

Commission Decision

Meister moved, and Milton seconded that staff should move forward with a conditional use permit application process for the proposed campground, and present that application at a future Planning Commission meeting for consideration.

Vote: Ayes: 7 Nays: 0

MOTION CARRIED

E. Proposed ATV / ORV Trail

Staff Introduction

A proposal has been presented to staff for consideration of adding a section of three County roads as a potential ATV / ORV connection in the Township. This proposed trail includes the following connections and directions:

- The western portion of the trail originates at the former railroad grade, crosses through DNR property near Lake LeVasseur, connects to Kawbawgam Road, and heads south on Kawbawgam Road to the intersection of Kawbawgam Road and Mangum Road.
- At the intersection of Kawbawgam Road and Mangum Road, the trail would continue east on Mangum Road to the Sand River Road intersection.
- At the intersection Mangum Road and Sand River Road the trail would go north on Sand River Road and reconnect to the railroad grade trail.

Currently, the only designated ATV / ORV trail in the Township is the Marquette-Manistique Trail that goes along the former railroad grade; this trail provides access from the Ojibway Casino to Manistique (see attached trail map). ATVs and ORVs are also permitted to ride on State lands located in the Camp Four Road area, but this area is not connected to the Marquette-Manistique Trail.

There have been several decisions regarding the ATV / ORV question from the Township Board and the Marquette County Board of Commissioners over the last several years. They are:

- May 17, 1999 Township Board Meeting
The Township Board voted to exclude Chocolay Township from the first Marquette County ORV ordinance. This exclusion prohibited all ATV / ORV traffic on County roads in the Township.
- June 9, 2008 Township Board Meeting
The Board voted to support using the eastern portion of snowmobile trail 417 for ORV usage. This established the ATV / ORV usage from the casino to points east on the former railroad grade.
- May 20, 2013 Township Board Meeting
The Board voted to keep the ATV / ORV road exclusions in the Township, and to support the latest version of the County ORV ordinance.
- June 18, 2013 Marquette County Board of Commissioners
The Commissioners approved the County ORV ordinance, which excludes ATV / ORV traffic on county roads in Chocolay Township and other jurisdictions (see Section 2.a in the attached County ordinance and the County ORV ordinance map)

Commission Discussion

Throenle reminded the Commission there is a DNR trail in that goes through Chocolay Township and permits ATVs on the trail. The trail comes up from the Manistique area. It starts at the entrance to the casino and goes east, and it would go directly through the campground that was proposed earlier in the meeting.

There are ATVs allowed in that area right now; they are also able to ride in the State lands (Camp 4 area). There is a connection problem; there is no trail connecting the two existing trails.

Throenle is asking the Commissioners to look at this to see if it makes sense, then the Township would have to write an ordinance to allow ATV on County roads within the Township due to the fact the Township is currently opted out.

Mahaney asked if this would go through Township property on the east end of the proposed route, where it comes off of the current snowmobile trail to access Kawbawgam Road. Throenle stated it is State land.

Mahaney also questioned the ordinance for signs, would all these roads have signs. He is concerned there would nothing preventing the ATV from going somewhere they should not. Throenle stated on the existing trails there are signs stating when you cannot go any farther. Township police have been presently giving tickets to ATVs that are on Township roads due to the fact they are not supposed to be there.

Throenle commented he would have Tony Harry, President of the ATV / ORV club, Team Riders in Marquette answer some of the questions.

Harry explained Yamaha has certain grant programs for people working on trail systems and the DNR can be contacted to see what is available. He has been working on trails throughout Upper Michigan. He said Marquette Township has opened their trails to County roads, and they have set times for their Township roads.

Harry commented that all County roads are open in the Upper Peninsula except for Chocolay Township. Throenle added this would be addressing existing ATV traffic in the Township, by giving a route that would establish a trail connection in the Township without going through major residential areas at this point. This would be a preliminary start for ATV traffic in the Township. If this trail works, and has a good reputation, it could lead to a discussion in the future to expand further into the Township.

Throenle stated this has been a contentious in the past and this could be an attempt to show that ATVs can ride in the Township without harm.

Throenle stated there are approximately 10 parcel owners along this route. Mahaney asked if they would be notified and Throenle answered they would be due to an ordinance being written.

Supervisor Bohjanen mentioned that Sand River Road is the boundary between Chocolay and Onota Townships and was curious how Onota Township feels about this.

Throenle stated it would have to be discussed with Onota Township to make it a joint decision. If Onota Township has already opted in, there would have to be a joint decision between both Boards.

Meister asked Harry if this would allow people to go from east to west, a way to get around Marquette. Harry answered yes.

Throenle stated there is more to be done but the primary question right now is if the Commissioners see this as a viable project to move forward with. If it is, staff will have to be directed to work with Harry and his crew. Harry stated he would help with anything as he works on trails all over the Upper Peninsula.

Throenle stressed the Planning department wants to establish a trail with minimal impact to folks in the Township but also wants to provide access to come in from outside of the Township and vice versa.

Meister felt it opened up a lot of area with little impact and was a good plan for the ATV people to access a much larger area.

Rhein and Mullen-Campbell agreed and felt it would help bring people through the Township.

Mahaney main concern is signage to prevent the ATVs from coming past the Kawbawgam Road area. Throenle stated that he has had several discussions regarding signage with the Commissioners. It is a problem throughout the Township and this is why it was made a priority for 2019.

Mahaney reminded Throenle he was on the Commission when they had a open

meeting proposing an ATV trail and it was declined, he just wants to assure the residents there will be proper signage.

Harry also stated that during the time of the last public meeting, there was some misrepresentation of the ATV club. He wants to work with the people on this project. Mahaney wants it to be clear that this is just a recommendation for this to advance. Throenle answered there is a lot of work to be done for this to happen, he needs a recommendation from the Planning Commission one way or another to do that work.

Commission Decision

Bushong moved, and Rhein seconded that the proposed ATV / ORV route be recommended for consideration, and that staff should begin the process of drafting an ATV / ORV ordinance.

Vote: Ayes: 6 Nays: 1 (Maynard) MOTION CARRIED

F. Proposed Amendments to Ordinance 39 Waste Water Collection System

Staff Introduction

Throenle reminded the Commission this was the item added to the Agenda at the beginning of the meeting tonight.

Manager Kangas provided a memo that stated:

“Pursuant to prior consent of the Township Board, staff has drafted a minor revision to the Waste Water Collection System Ordinance. I request this language be considered by the Planning Commission as a late addition to the agenda for the December 17, 2018 meeting. If the Planning Commission is so inclined to consider the proposed changes, we would expect to schedule a Public Hearing for the January 2019 Township Board meeting to consider the changes.

Section 5 Use of Public Sewers Required

ADD

(C)

Any property abutting the public rights-of-way of Riverside Road, Glenwood Road and Highway M-28 East where public sanitary sewer exists, but only those sections commencing at manhole number 156 and terminating at manhole number 172, shall be exempt from this Section until such time as:

1. The existing on-site septic system fails for the respective property, or
2. An undeveloped property is developed to the extent of requiring a waste water system.

The intent of this paragraph is to waive any connection requirements along the KBIC sewer extension route until the existing drain field fails, or until a property is developed for the first time.

In addition to the language proposed above, we have evaluated the internal costs

of changing the sanitary sewer billing cycle from quarterly billing to monthly billing. The added cost is anticipated to be less than \$200/month and we feel that cost can be accommodated by the new sewer rate adopted by the Township Board at their December 10, 2018 meeting.

Section 9 System Charges or Rates
(E)
Billing and Payment of Charges

1. Service charge and surcharges.

CHANGE

Line 2, first word: change from “quarterly” to “monthly”.

As stated above, the intent of this word change is to change the sewer billing cycle from four quarterly bills to 12 monthly bills as a result of the new Township Board adopted rate of \$54/Equivalent Unit/month.”

Commission Discussion

Throenle stated for the recorded record the Commissioners were taking a brief moment to read through the memo.

Meister asked if this exemption would cover all of the sewer line, including the new extension. Kangas answered yes, it would cover all of the sewer owned by the Township.

Mahaney asked how the response has been for people wanting to hook up to the new sewer. Kangas answered there has been no requests as of yet to hook up, but have sold approximately 24 laterals to residents to help them save money down the road when they have to connect.

Mahaney inquired of the wording regarding the failure of the septic system, if the pumping of a septic system is considered a failure. Kangas answered no, that would be considered maintenance of a properly operating system. Throenle stated it would be if you were to call the DEQ to have your system replaced, this is would be when you have to connect.

Bushong questioned if you add a second drain field. Throenle stated anything that requires an enhancement or replacement of what you already have would require you to connect.

Kangas reminded the Commission of the current language that requires everyone to connect as soon as the Township accepts the new extension into the existing system. The intent of the Board was to never to require the adjoining properties to connect at this time because it was the Keweenaw Bay Indian Community asking and paying for the extension. He did not want it to be a “penalty” for living along the best feasible sewer route for that project.

Maynard has heard some grumbles regarding feeling pressure to have to connect, she feels this is more fair.

Kangas did not feel people were pressured, just offered an opportunity to save some money now. Interpretation is up to the receiver.

Mahaney asked if a resident asked if there would be a fee to connect now. Kangas answered there will always be a fee.

Kangas also stated that there will be another fee that will need to be discussed as the sewer ordinance is revised. It deals with properties that have multiple connections for one parcel.

Bushong asked what the cost to the homeowner would be to connect, outside of the fee. Kangas answered it would be between the contractor and the property owner. It would be the owner's responsibility to hire a contractor.

Mullen-Campbell felt the monthly billing makes sense, but Mahaney disagreed. She felt it was easier for residents to have monthly but could also see how business would want quarterly billing.

Throenle interjected with the fact that the Township will be getting new billing software and the commercial could be separated from the residential (which it is already) but all commercial properties would have to be either all monthly or all quarterly, there is no in between.

Meister asked if the reasoning behind this would be for residents to budget their bills easier with monthly payments. Throenle stated it was the reasoning due to the rate increase.

Maynard asked if there have been issues with late payments with the current quarterly billing. Throenle stated there have been but it also helps with the fact if you miss a payment on monthly you would only get a late fee on one month, versus getting a late fee on three months.

Meister felt as a former business owner, most places would pay their bills more often to avoid late fees, feels there should not be a difference in monthly or quarterly billing.

Kangas commented that if this goes forward to the Board there will be a letter sent out to all sewer customers before the public hearing.

Meister asked if someone can pay ahead and Kangas commented that some people already to that, especially snowbirds. Meister felt monthly would be the best option, people can pay monthly or pay ahead whatever is best for them. Mahaney felt it would be good to put the options for payment in the letter sent out. Meister agreed.

Kangas thought quarterly was good due to the fact the Township is not set up with autopay of any kind yet and it would be less checks for people to write. Rhein asked if the Township was working on getting a credit card payment system. Throenle stated that it was being worked on with the new financial system that is being installed in 2019. He was hopeful the Township would get to that point, may not happen in 2019 but the Township is heading in that direction.

Commission Decision

Meister moved, Maynard seconded to recommend approval of the addition of paragraph C, as indicated above, to Section 5 of Ordinance 39 to grant a connection waiver to parcels abutting the KBIC sanitary sewer extension until such time as the on-site septic system fails or the property is developed for the first time, and to refer the proposed revision to the Township Board for Public Hearing.

Vote: Ayes: 6 Nays: 1(Bushong) MOTION CARRIED

Bushong moved, Rhein seconded to recommend approval of revising the sewer billing cycle by changing the first word of line 2 of Section 9 (E) 1 of Ordinance 39 from “quarterly” to “monthly”, and to refer the proposed revision to the Township Board for Public Hearing.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

IX. PUBLIC COMMENT

Faye Williams, 1180 M-28 – Has the Planning Commission done any studies on the water levels on the Chocolay River. Mahaney commented none that he knew of. Williams was wondering if anything was being done to widen the bridge on Green Bay Street to get the water down. Throenle commented there is a replacement project for that bridge in 2020.

Kangas commented the authority of the bridge is the Road Commission. Williams then asked about the snowmobile trails and Maynard commented that the DNR would be responsible for them. He thanked the Commission for answering all of his questions.

Public commented closed 9:15 PM.

X. COMMISSIONER’S COMMENTS

Rhein – Accomplished quite a bit today, feels the Commission works good together, looking forward to another year. Wished Meister well in his retirement from the Planning Commission and thanked him for his service.

Milton – None

Maynard – Wished everyone Happy Holidays and Merry Christmas.

Meister – End of his term, has been a pleasure working with staff and the Commission, wished them luck in the future.

Bushong – Merry Christmas and Happy Holidays.

Mullen-Campbell – Merry Christmas and Happy Holidays, thinks Santa will make an appearance at everyone’s house this year. Thanked Throenle for all the great information in the packet.

Mahaney – Wished Meister well, could not believe he is leaving, and thanked him for his service. Great public turnout tonight, felt it was great. Thanked Throenle for the great packet.

XI. DIRECTOR'S REPORT

Thanked Meister for the pleasure of working with him and said Meister will be missed. Reminded the Commissioners of the blue card in their packet with the information for the Township and County surveys and Township Newsletter. He told everyone Merry Christmas and Happy New Year and said he will see everyone in January.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board, 11.12.18
- B. Township Newsletter – December, 2018
- C. Minutes – Marquette City Planning Commission, 11.13.18
- D. Minutes – Marquette City Planning Commission, 11.20.18

XIII. ADJOURNMENT

Mahaney adjourned the meeting at 9:20 pm.

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell