

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, January 20, 2020

I. MEETING CALLED TO ORDER BY: Susan Maynard (Vice-Chair) at 6:06 p.m.

ROLL CALL

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

Members Absent: Cory Bushong (Vice Secretary)

Staff Present: Dale Throenle (Planning Director/Zoning Administrator) and Lisa Perry (Administrative Assistant).

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

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

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

III. MINUTES

December 16, 2019 Planning Commission meeting

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

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

None

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Election of Planning Commission Officers

Staff introduction

Throenle explained that each year the Planning Commission must elect new officers as directed by Article VI in the *Procedures and Bylaws of the Chocolay Township Planning Commission*.

Language in Article VI in the *Procedures and Bylaws of the Chocolay Township Planning Commission* states:

“The officers of the Chocolay Township Planning Commission shall consist of a Chair, Vice-Chair, Secretary, and Vice-Secretary. The Executive Committee shall consist of Chair, Vice-Chair, and Secretary. Said officers shall be elected by the Chocolay Township Planning Commission from among its members, at its January Meeting, and shall serve for a period of one year. (Amended 7-97, Amended 2-17)”

Don Rhein, who is the Board-appointed representative to the Planning Commission, is not eligible to be elected to any office according to language in Article III in the *Procedures and Bylaws of the Chocolay Township Planning Commission*. The language states:

“The member representing the Chocolay Township Board shall maintain liaison with the Chocolay Township Board. Such member may not hold office in the Planning Commission.”

Throenle further explained to the Commission, that George Meister has been appointed to the Planning Commission by the Township Board, however he has not been officially sworn in, so he would not be eligible to be elected for any position at this time.

Commission decision

Milton motioned for Maynard to be appointed to the chair position. Maynard graciously declined; she stated she has given this much thought but felt there were some young, enthusiastic, qualified people to be the Chair.

Motion Number 1 – Chair of the Planning Commission

Maynard moved, and Milton seconded to elect Soucy as the Chair of the Planning Commission.

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

At this time Maynard handed Soucy the gavel, as he was the new Chairman of the Planning Commission for 2020.

Motion Number 2 – Vice-Chair of the Planning Commission

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

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

Motion Number 3 – Secretary

Maynard moved, and Rhein seconded to elect Mullen-Campbell as the Secretary of the Planning Commission.

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

Motion Number 4 – Vice-Secretary
Rhein moved, and Mullen-Campbell seconded to elect Maynard as the Vice-Secretary of the Planning Commission.

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

B. 2019 Planning Commission Annual Report

Staff introduction

Throenle stated each year the Planning Commission must submit an annual report to the Township Board as directed by Section IX in the *Procedures and Bylaws of the Chocoley Township Planning Commission* (see document in agenda item VIII.A).

Language in Section IX in the *Procedures and Bylaws of the Chocoley Township Planning Commission* states:

“The Chocoley Township Planning Commission shall issue an annual report and such other reports as it deems desirable, of its progress and recommendations to the Township Board, and upon request of the Township Board, shall make such other reports as the Township Board may require.”

Throenle advised the Commission that any changes would be submitted to the Township Board. Once completed it will be submitted to the Board at the February meeting.

Commission discussion

Soucy commented that he read through the report and felt it reflected what the Planning Commission had completed in 2019.

Commission decision

Rhein moved, and Maynard seconded to forward the *2019 Planning Commission Annual Report* as written to the Township Board for consideration.

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

C. Proposed 2020 – 2021 Planning Commission Priorities

Staff introduction

Throenle stated the Planning Commission should establish a list of priorities for Board consideration at the joint meeting in February between the Board and the Planning Commission.

Each year, the Township Board and the Planning Commission mutually determine a guideline for Planning Commission direction throughout the remainder the current year and into the following year.

To begin the discussion with the Board, the Planning Commissioners review the current priorities and prepare a document to be presented to the Board for consideration at the joint meeting between the Board and the Planning Commission.

Staff is recommending the Commissioners review the priorities for 2020 – 2021 to determine if they are the ones the Commissioners wish to address for the coming year, and when the priorities document is complete, the document will be placed on the agenda for the joint meeting with the Board in February.

Commission discussion

After much discussion the Commissioners came up with the following list to be forwarded to the Township Board:

PROPOSED 2020 – 2021 PLANNING COMMISSION PRIORITIES

ITEMS FOR PLANNING COMMISSION CONSIDERATION FOR 2020 / 2021

- **Review and update the Township *Master Plan***

Review the master plan with the intent of presenting it to the Township Board as the five-year master plan direction for the Township
- **Consideration for rewrite of the Township *Zoning Ordinance***

Review and revise the *Zoning Ordinance* with the intent to simplify the language and to bring the ordinance up-to-date. This rewrite process will include regular review of State-legislated language that may affect the *Zoning Ordinance*.
- **Further amend the Township ordinances to implement the *Zoning Plan* in the *Master Plan***

Review *Master Plan* recommendations and reflect those recommendations in the Township *Zoning Ordinance* and non-zoning ordinances
- **Determine ordinance status (opt in / opt out) for marijuana regulations in the Township**

This status will determine if non-medical marijuana facilities should be permitted in the Township
- **Address non-conformities regarding properties in the Agriculture / Forestry (AF) district**

Determine regulations and changes required to reduce property non-conformances in the AF district

- **Develop processes for the National Flood Insurance Program (NFIP) *Community Rating System* implementation**

Develop processes and potential zoning regulation additions or changes to accommodate the program implementation for flood protection and flood insurance cost reduction throughout the Township

- **Update the *Chocolay River Watershed Plan* as part of the *Community Rating System* project**

Update the watershed plan to reflect changes that have occurred in the watershed since the last document was written

The last update on this plan was completed in 1999, and the plan should be updated as a regional plan with local agencies and government units

- **Reconsider approach to private road regulation**

Determine if existing language for private roads should be modified

- **Plan for four-season transit facility**

This Township-located facility will provide a place for the public to wait for Marq-Tran and ALTRAN public transit

- **Consideration for Bluezone / AARP livable community design**

Research quality of life design primarily directed toward senior citizens

- **Coordination with Marquette County on the County 2040 master plan**

Coordination with Marquette County on potential Township related items in the County 2040 master plan

- **Development of an education plan**

Development of an education plan for the Planning Commission both internally and externally

- **Consideration for non-traditional homes**

Review of *Zoning Ordinance* language for possible inclusion of non-traditional homes (under 800 square feet) as permissible primary structures in the Township

Commission decision

Maynard moved, and Rhein seconded to approve the proposed 2020 – 2021 Planning Commission Priorities as revised, and to forward the priorities to the Township Board for consideration at the joint Board / Planning Commission meeting scheduled on February 17, 2020.

Vote: Ayes: 5

Nays: 0

MOTION CARRIED

IX. PUBLIC COMMENT

None

X. COMMISSIONER'S COMMENTS

Rhein – Looking forward to a new year, getting stuff done. He feels the Planning Commission has ideas to accomplish and feels they can get this done as a team.

Milton – None

Maynard – Looking forward to this year, very happy with the accomplishments of tonight's elections. Is delighted there are a couple of fun items on the to-do list for this year.

Mullen-Campbell – Let us go forward with courage and faith as our core values in serving our public. Let's do it!

Soucy – Is excited and surprised at the opportunity to be Chair. Hope he does this well and he has room to grow.

XI. DIRECTOR'S REPORT

Next month's meeting is on the standard night; however, the time of the meeting has changed. The Planning Commission members need to be here at 5:30 for the Joint Meeting with the Township Board, the Planning Commission meeting to start at approximately 7:00 PM.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board, 12.09.19

B. Township Newsletter – End of the Year, 2019

C. Minutes – City of Marquette Planning Commission, 12.17.19

XIII. ADJOURNMENT

Meeting adjourned at 6:50 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

February 17, 2020

A Joint meeting of the Chocolay Township Board of Trustees and Planning Commission was held on Monday, February 17, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: None

Planning Commission Chair, Ryan Soucy, called the meeting of the Planning Commission for the Joint Meeting to order at 5:35 pm.

PLANNING COMMISSION.

PRESENT: Ryan Soucy, Cory Bushong, Donna Mullen-Campbell, Susan Maynard, Don Rhein, George Meister

ABSENT: Kendell Milton

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle, Lisa Perry

APPROVAL OF AGENDA – Township Board

Zyburt moved, Lynch supported that the agenda be approved as presented.

MOTION CARRIED

APPROVAL OF AGENDA – Planning Commission

Bushong moved, Maynard supported that the agenda be approved as presented.

MOTION CARRIED

JOINT MEETING LED BY PLANNING COMMISSION - DISCUSSION OF PLANNING COMMISSION PRIORITIES FOR 2020.

Planning Commission Chair Soucy went through the issue summary presented.

Supervisor Bohjanen brought attention to the fact that there are two Planning Commission Priority sheets included in the packet – the first being the one that was approved for 2019 – 2020, indicating what has been accomplished, what is in progress, and what is suggested to move forward to the updated 2020 – 2021 priority list.

PC Chair Soucy questioned the fact that the Capital Improvements portion had been removed from the 2019 list and what the Township’s anticipated direction is in regard to capital improvements. Manager De Groot indicated that with an organization of our size, we do not need

to have a capital improvements plan. It is not required under the law the way it is presented, and how we actually budget for it. As part of the budget process, and the way we are going to present the budget, we will be itemizing out how we fund capital projects by aligning the values we find within the Master Plan and aligning the budget document to lay out a multi-year capital plan. PC Chair Soucy felt this would be a good approach, as the Planning Commission's fingerprints would still be on the document.

Trustee Maki questioned the Road funding plan, asking if there was a document that covered this. Manager De Groot indicated the Road Asset Management Plan is the document that was used, and this can be found on the Township's website. Trustee Maki asked if there was a list. Supervisor Bohjanen indicated that this was a professionally generated list, but it is subject to change based on other projects.

PC Chair Soucy asked about private roads, and if they need to be built according to Road Commission specs. Planning Director Throenle indicated that new ones would need to.

PROPOSED 2020 – 2021 PLANNING COMMISSION PRIORITIES

Items for Planning Commission Consideration for 2020 / 2021

- Review and update the Township *Master Plan*

Review the master plan with the intent of presenting it to the Township Board as the five-year master plan direction for the Township

“PC Chair Soucy indicated that he feels this is one of the highest priority items, and should be started early in the year. The Township to decide what it is the community wants, before it can proceed with the Zoning Ordinance.

Manager De Groot indicated that the best way to work a community through a Master Plan rewrite involves three things: What types of legislative changes have occurred since the last Master Plan was written; All actual action by enforcement Boards (Township Board, Planning Commission, Zoning Board of Appeals); throw a wide net to interpret what the community value sets are. Manager De Groot feels that there should be at least two more joint meetings to discuss the outcomes of the wishes by the community and make sure the Township Board and Planning Commission are in agreement of and allow staff to work with the Planning Commission to make the first draft. There are two things this year that will help us – this is a Census Year which will provide a lot of the demographic information, which then gives the Township the time and opportunity to ask questions on what the community wants.

Trustee Maki asked about the possibility of water, as he gets questioned quite a bit. Manager De Groot indicated that it would take 5 to 10 years to plan correctly. He feels that there are opportunities in the Township – but the studies are not small. De Groot indicated that we are currently going for our first SRF funding for wastewater, and this may be a way to be able to fund a water source.

Supervisor Bohjanen indicated that there was a joint study between Chocolay Township and Sands Township. This was rejected by Chocolay Township, but the information found in that study may make a good starting point. Bohjanen said there is going to be a day in the not too distant future where the Health Department will say that we need a municipal water system – we have a lot of inadequate water in our community and the only testing that gets done is usually when the house gets sold as this would be mandatory testing. Supervisor Bohjanen and Planning Director Throenle have been invited to join a group of interested parties from Marquette County looking to establish a water coalition. Things are being done, just not done quickly.

Chair Soucy indicated that we need to keep in mind that the main reason for living in Chocolay Township is affordability.”

- **Consideration for rewrite of the Township Zoning Ordinance**

Review and revise the *Zoning Ordinance* with the intent to simplify the language and to bring the ordinance up-to-date. This rewrite process will include regular review of State-legislated language that may affect the *Zoning Ordinance*.

“PC Chair Soucy indicated that the Zoning Ordinance is a living document and needs to adapt with the times. He feels that it is important to always be looking at this document to understand what needs to be updated.

Trustee Maki indicated that he wondered about the overlay zone that was done a couple of years ago. Why was this not a text amendment to the Zoning Ordinance, instead of an Overlay Zone?

Commissioner Maynard indicated that one of the intents was to support small businesses in a “live / work” benefit.

Supervisor Bohjanen indicated the original intent was to maintain status quo and look to the future.

Trustee Maki stated that he feels the simpler the ordinance is, the easier it is to understand. We need to make it clear to anyone that is looking at it. He feels the overlay zone is more complicated and confusing than it needs to be.

PC Chair Soucy asked how many have been created in the overlay zone since it was created.

Manager De Groot indicated that there are opportunities that people are starting to push. The newer Zoning Ordinances and Master Plans are going toward a character-based enforcement. There could be a character-based zoning ordinance written specifically for the village.

Trustee Maki also brought up the Sign Ordinance, and the length of it now. PC Chair Soucy

would like to go back and simplify this ordinance if the Board would like.

Supervisor Bohjanen stated that most of our ordinances have been written in trying to resolve disputes among neighbors rather than trying to make the Township better. There are three mechanisms that could be used in rewriting our ordinance: Contracting with a professional to rewrite the ordinance (planning or legal professionals), but they need to know how we want our ordinance to read; Plagiarizing from other Townships that have gone through the process; Having the Planning Commission write it themselves.

PC Chair Soucy indicated that you can borrow the text if there is no other way to word it. You may have to be careful on proprietary graphics for such things as a sign ordinance.

Manager De Groot indicated that his expertise is in planning. He feels he may be able to aid the Planning Commission and would like to volunteer to help the Planning Commission.

Commission Maynard feels that within the manager's office we have the expertise and practical experience to be able to help with the rewrite."

- **Further amend the Township ordinances to implement the Zoning Plan in the Master Plan**

Review *Master Plan* recommendations and reflect those recommendations in the Township *Zoning Ordinance* and non-zoning ordinances

- **Determine ordinance status (opt in / opt out) for marijuana regulations in the Township**

This status will determine if non-medical marijuana facilities should be permitted in the Township

"Trustee White asked about the marijuana issue. Chair Soucy indicated that the Planning Commission will be coming back to this. Manager De Groot indicated that we are in the process of working on how we may be able to fit into the supply chain that does not compete with neighboring communities. We have an intern whose sole focus is this, and he will be presenting to the Board at the April meeting (power point and white paper)."

- **Address non-conformities regarding properties in the Agriculture / Forestry (AF) district**

Determine regulations and changes required to reduce property non-conformances in the AF district

"Trustee Maki indicated that we needed to be cautious when review the agricultural zone and nonconformities that exist. There will never be conformity for some areas.

Supervisor Bohjanen thought there may be a need to have different rules for different sizes of agricultural areas. Manager De Groot indicated that this would be called sliding scale zoning. He also indicated that you can write whatever you want for a zoning ordinance, but if there is no support in the community we will not be able to enforce. We need to look at community character and community input in order to decide what should be out there. De Groot stated we need to balance State law with our community values. "

- **Develop processes for the National Flood Insurance Program (NFIP) Community Rating System implementation**

Develop processes and potential zoning regulation additions or changes to accommodate the program implementation for flood protection and flood insurance cost reduction throughout the Township

- **Update the Chocolay River Watershed Plan as part of the Community Rating System project**

Update the watershed plan to reflect changes that have occurred in the watershed since the last document was written

The last update on this plan was completed in 1999, and the plan should be updated as a regional plan with local agencies and government units

“Planning Director Throenle indicated that the last Watershed Plan was written in 1999. The watershed stretches from here to Sawyer. It also goes down the path of protecting resources. The Watershed Plan ties together with the Community Rating System and National Flood Insurance Program to help reduce the cost of overall flood insurance. This also ties into the Master Plan for potential park locations and benefit to the area as a whole.”

Trustee Maki asked about erosion and flood plain insurance. Throenle indicated that most residents in Chocolay would not be affected. At this time, FEMA, Army Corps of Engineers and EGLE are all in the process of flood plain mapping.

Commissioner Meister stated that on the environmental side, there is money available in State for restoration – need a Part 319 Approved plan – usually a 30% match on funds. Meister indicated that grant applications are due by March 14, with a 10% match.

Trustee Maki brought up the junk car ordinance and wondered why we are so worried about our water, if we are okay with allowing junk cars on property that could be seeping fluids into the groundwater.

PC Chair Soucy indicated that CUPPAD, in conjunction with LSCP, are now working on an Economic Resiliency Strategy. Soucy commented that not having blight in a community makes it more appealing.”

- **Reconsider approach to private road regulation**

Determine if existing language for private roads should be modified

- **Plan for four-season transit facility**

This Township-located facility will provide a place for the public to wait for Marq-Tran and ALTRAN public transit

“PC Chair Soucy has had conversations with other communities in the area. MarqTran does not pay for construction or maintenance. Soucy feels we need to be investing in these structures. A question was brought forward on the KBIC 2% money, and if this money could be used for something like this. This would also involve taking a look at transit planning, and coverage of the county. What does the community need, versus what can MarqTran supply.

There may be other options to consider, such as ride hailing (UBER, Lyft, etc)."

- **Consideration for Bluezone / AARP livable community design**

Research quality of life design primarily directed toward senior citizens

"PC Chair Soucy indicated that Commissioner Mullen-Campbell had brought up the idea of Blue Zones. This addresses aging in place. Mullen-Campbell indicated that there is nothing like this in Michigan right now. If you look ahead to our community in the next 15 to 20 years, as more research needs to be done. Mullen-Campbell stated there are no state funds, but it would be supported by foundation money.

Manager De Groot shared that in looking at how to approach our budgeting process and how the money is being spent. In looking for opportunities, the City of Kalamazoo has established a 501(c)3. The auditors have been asked about this, and he will be reviewing this. This would be an additional source of income that would be foundation funded for the sole purpose relieving the tax burden placed on residents.

PC Chair Soucy feels that this would be something that should be considered when looking at the Master Plan rewrite. "

- **Coordination with Marquette County on the County 2040 master plan**

Coordination with Marquette County on potential Township related items in the County 2040 master plan

"PC Chair Soucy stated that Marquette County will be holding Region Rallies, and have broken the county into four different areas: Chocolay and City of Marquette are grouped together as Borealis Beach; Ishpeming and Negaunee is the Iron Core; Western area such as Michigamee and Big Bay is Moose Hills; and Sands Township is Blueberry Fields.

Marquette County did a survey and gathered over 3,000 responses. It is a very extensive survey, and he feels that Chocolay could benefit from their results. PC Chair Soucy has volunteered to be a facilitator at their events. Soucy will forward the meeting dates to the Township."

- **Development of an education plan**

Development of an education plan for the Planning Commission both internally and externally

"PC Chair Soucy feels there are a lot of educational opportunities out there, and the Township could benefit from this. CUPPAD will be hosting a training on Asset Management 101 relating to annual budgeting."

- **Consideration for non-traditional homes**

Review of Zoning Ordinance language for possible inclusion of non-traditional homes (under 800 square feet) as permissible primary structures in the Township

"PC Chair Soucy indicated that this would cover things such as tiny homes – it is sometimes nice to have an option that is more affordable. Soucy stated the younger generation does not want large homes and would rather pay for a view, and this would also go along with aging in place."

PC Chair Soucy thanked the Township Board for the opportunity to present the Planning Commission priorities to them, and receive input on how they should proceed going forward.

Supervisor Bohjanen asked about the recommendation last year to rewrite the Sewer Ordinance, and where the process stood. Manager De Groot stated that we have to wait until Marquette City's Ordinance was drafted. This is done, and now we can proceed as we needed the Wastewater Treatment information before moving forward.

White moved, Rhein supported that the priorities for the Planning Commission be forwarded to the Planning Commission as written as the recommended Planning Commission priorities for the 2020 through 2021 calendar year.

MOTION CARRIED

PUBLIC COMMENT – NONE.

Zyburdt moved, Lynch supported that the Township Board portion of the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:20 pm.

PLANNING COMMISSION

Rhein moved, Bushong supported that the Planning Commission adopt the suggestions of the Township Board on Priorities for 2020 – 2021.

MOTION CARRIED

Planning Commission moved to adjourn.

MOTION CARRIED

The meeting was adjourned at 7:24 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor



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 February 17, 2020.

The meeting was cancelled.

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, March 16, 2020

I. MEETING CALLED TO ORDER BY: Ryan Soucy (Chair) at 6:00 p.m.

ROLL CALL

Members Present: Ryan Soucy (Chair), Donna Mullen-Campbell (Secretary), Don Rhein (Board), Kendell Milton.

Members Absent: Cory Bushong (Vice Secretary), Susan Maynard (Vice Chair), and George Meister.

staff Present: Richard Bohjanen (Supervisor), Bill DeGroot (Township Manager), Dale Throenle (Planning Director/Zoning Administrator), and Lisa Perry (Administrative Assistant).

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

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

Soucy discussed moving the remaining agenda items to next meeting, dated to be determined to comply with Governor Whitmer's *Executive Directive 2020-20* (see below).

Amended motion by Rhein, seconded by Mullen-Campbell to add the discussion of holding the remaining agenda items until the next meeting, date to be determined to comply with Governor Whitmer's Executive Directive 2020-20, to the agenda.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

III. MINUTES

January 20, 2020 Planning Commission meeting

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

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

February 17, 2020 Planning Commission meeting

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

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

None

V. NEW BUSINESS

A. Postponement of Meeting

Staff Introduction

Soucy asked for a motion to postpone the meeting until a later date.

Commission Discussion

Manager DeGroot explained to the Commission the proactive approach the State of Michigan is taking to help monitor the COVID-19 virus. He told the Commission the Governor had been in contact with the CDC, the President's Task Force, and the State of Michigan Health Department. The Executive Directive she signed went into effect on Friday, March 13, 2020. (see below)

Part 1 of the Executive Directive stated: "The order stated that all public bodies of departments and agencies of the State, including but not limited to boards, commissions, committees, subcommittees, authorities, and councils, must, to the extent practicable, consider postponing public meetings and/or agenda items that may be deferred until a later time."

Manager DeGroot recommended that the Planning Commission and staff abide by the Executive Order as there are no pressing issues before the Commission at this time. As of now it will be for the month of March but can be reevaluated based on future determination; staff will stay in contact and keep the Commission updated. Rhein asked staff to keep the Commission updated; transparency has been great and is what he is looking for.

Milton asked if they should communicate via email with the office staff. DeGroot explained there was an emergency meeting of the Township Board on Tuesday, March 17 to discuss the different options available to the Board. DeGroot also commented his assessment would be that staff would be initially available via email or telephone and would be in the office during regular business hours, pending any future mandates. He also stated the changes are made by the Board; he cannot change them. He also added that we are a public agency and we work for the public. Soucy thanked DeGroot for keeping the Commission informed and continuing the communication; he has total confidence it will be handled well.

Soucy asked that staff try to best of their ability to keep the people of the community calm and rational as best they can.

DeGroot stated he is working with the Clerk's department on a communication plan for the community. DeGroot does ask the community member to look after each other, especially the senior members, to get any available information to them.

Commission Decision

Motion by Rhein and seconded by Milton, to postpone the March 16, 2020 Planning Commission meeting to a later date.

Vote: Ayes: 4

Nays: 0

MOTION CARRIED

VI. INFORMATIONAL ITEMS

Executive Directive 2020-02

No. 2020-2

To: State Department Directors and Autonomous Agency

Heads From: Governor Gretchen Whitmer

Date: March 13, 2020

Re: Public Meetings of State of Michigan Public Bodies During the COVID-19 Emergency

As governor, one of my most solemn obligations is to protect the health, safety, and welfare of Michigan residents, particularly in times of crisis. It is a core and critical duty of the executive branch to respond quickly and effectively to emergent threats to the public health, safety, and welfare of Michiganders, and to faithfully execute the laws of this state in a manner consistent with that priority.

With Executive Order 2020-4, I declared a statewide state of emergency due to the spread of the novel coronavirus (COVID-19). This is a new strain of coronavirus that had not been previously identified in humans, can easily spread from person to person, and can result in serious illness or death. To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this state's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to limit in-person contact, particularly in the context of large groups.

One of the cornerstones of public engagement in governmental activities is the ability to participate in the meetings of public bodies. The Open Meetings Act ("OMA"), 1976 PA 267, as amended, MCL 15.261-.275, sets forth guideposts to ensure that the public has meaningful access to the meetings and decision-making processes of certain public bodies. The OMA requires that "[a]ll meetings of a public body shall be open to the public and shall be held in a place available to the general public," and "[a]ll decisions of a public body" and "deliberations of a public body" must take place at a meeting open to the public. MCL 15.263(1)-(3). It further provides that "[a]ll persons shall be permitted to attend any meeting except as otherwise provided in this act" and "shall be permitted to address a meeting of a public body under rules established and recorded by the public body." MCL 15.263(1), (5). Finally, the OMA provides that "[a] meeting of a public body shall not be held unless public notice is given as provided in this section by a person designated by the public body." MCL 15.265(1).

The OMA promotes governmental accountability and fosters open and responsible governmental decision making. In conducting its business during this time of emergency, state government must ensure that it preserves these important governmental objectives without unduly compromising the public health, welfare, and safety of this state.

Acting under sections 1 and 8 of article 5 of the Michigan Constitution of 1963, I direct the following:

1. All public bodies of departments and agencies of the State, including but not limited to boards, commissions, committees, subcommittees, authorities, and councils, must, to the extent practicable, consider postponing public meetings and/or agenda items that may be deferred until a later time.
2. All public bodies of departments and agencies of the State subject to the OMA that must continue to meet must do so by means sufficient to enable meaningful access and communication for all participants. Participation by remote access technology, including conference calling, real-time streaming, or other platforms is acceptable, and sufficient to form a quorum, so long as public access and participation is preserved.
3. Public notice of the time and date of each meeting of a public body of a department or agency of the State subject to the OMA must be given in the manner required by the OMA, which includes publication of the notice on the public body's internet website. The public notice must include sufficient information such that the public's right to address a meeting of the public body is preserved.

This directive is effective immediately and will remain in effect until further notice.

Thank you for your cooperation in implementing this directive.

VII. ADJOURNMENT

Motion by Milton and seconded by Rhein, to adjourn the meeting.

Vote: Ayes: 4 Nays: 0 MOTION CARRIED

Meeting adjourned at 6:15 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 April 20, 2020.

The meeting was cancelled.



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 18, 2020.

The meeting was cancelled.

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MINUTES**

Monday, June 15, 2020 via Teleconference

I. MEETING CALLED TO ORDER BY: Ryan Soucy (Chair) at 6:06 p.m.

ROLL CALL

Members Present: Ryan Soucy (Chair), Donna Mullen-Campbell (Secretary), Susan Maynard (Vice Secretary), Don Rhein (Board), Kendell Milton and George Meister

Members Absent: Cory Bushong (Vice Chair)

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

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Motion by Rhein, seconded by Maynard, to approve the agenda as changed to include the March 16, 2020 meeting minutes. Also noted the minutes in the packet from the January and February were already approved at the March meeting

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

(Commissioner Mullen-Campbell had difficulty with audio, she did not vote)

III. MINUTES

January 20, 2020 Planning Commission meeting approved at March meeting

February 17, 2020 Planning Commission meeting approved at March meeting.

March 16, 2020 Planning Commission meeting

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

Vote: Ayes: 5 Nays: 0 MOTION CARRIED

(Commissioner Mullen-Campbell had difficulty with audio, she did not vote)

IV. PUBLIC COMMENT

None

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

None

VIII. NEW BUSINESS

A. Future Planning Commission Meetings

Staff Introduction

Throenle discussed future status of the Planning Commission meetings regarding the status in the State which would limit the amount of people able to attend the meetings if they were held in the Township hall. Throenle listed three options for the Commission to discuss:

1. Schedule and conduct a meeting in the Township hall. Limit the number of people to fourteen to comply with the social distancing requirement. This would include seven Commissioners, up to three staff members, and four from the public.
2. Schedule the meeting exclusively virtual like this meeting.
3. Schedule the meeting in the Township hall and allow virtual access.

Commission Discussion

Soucy commented that he went through some of the Executive orders put into effect by the State and thought order 2020-75 pertaining to the Open Meetings Act (OMA) was in effect until June 30. His hope is that the virtual meeting would be an option going forward to allow more people to participate in meetings that may have issues doing so otherwise. His choice would be option three, to allow virtual meetings but does not have to be exclusive.

Maynard and Meister agreed they were comfortable with option three as well.

Rhein stated the Township Board had the same discussion and felt that there could be an issue if meeting at the Township Hall due to the Commissioners having to wear masks and with social distancing the recorders may inhibit the recorders from getting all of the conversation.

Manager DeGroot added that the Township Board did decide to go with a virtual meeting for one more month – the July meeting – due to the recordings with masks may not be clear enough for the public.

Soucy voiced his concerns if they had to limit the public attendance, how would they decide who was able to attend. Having virtual participation as an alternative would help alleviate this.

Soucy asked how the Commission could advocate to the State to extend the virtual meeting portion of the Open Meetings Act, not just by Executive Order, but have it become law as an amendment to the Open Meetings Act.

Maynard stated she felt it would provide “at risk” groups and senior citizens the opportunity to participate comfortably.

Manager DeGroot recommended if this is the direction the Commission would like to go, they should sponsor a letter to the Township Board, addressed to Supervisor Bohjanen and Clerk Engle and copy to include the rest of the Board to advocate for that position.

DeGroot further explained that there are two bills working through the Michigan legislative channels to allow electronic meetings for the remainder of this year as an amendment to the Open Meetings Act. This is being driven by the Michigan Township and Michigan Cities Associations. He added that they have gotten more participation at the Township Board level by holding meetings this way.

Meister stated he has no objections, suggested the meeting as a live broadcast and felt people email or send letters to get their comments to the Commissioners.

Mullen-Campbell joined with audio at 6:23 PM.

Commission Decision

Rhein motioned and seconded by Milton, for Soucy to draft a request to the Township Board of Trustees to request that they support legislation to conduct future Township meetings in a virtual format.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

Soucy reminded the Commissioners they had to choose one of the three options for the July meeting. He stated he felt the Commissioners were of similar mind and they should do option two, meet exclusively virtual for the July meeting with the potential of moving to option three for meetings after that.

Rhein agreed; he felt that option two would be best as well. Milton asked how the Township was currently handling their business for the Board meetings. Rhein answered that the Board was going to be doing a virtual meeting for their July meeting.

Maynard asked if that would be option two and Rhein answered yes. Maynard suggested the Planning Commission follow the Township Board. Soucy agreed and stated the Planning Commission would follow the suit with the Board for July and discuss it further at the July meeting.

Meister motioned and seconded by Rhein to go with Option 2 to schedule and conduct the July meeting virtually.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

B. Proposed Marijuana Establishments Ordinance
Staff Introduction

Throenle informed the Commissioners that Manager DeGroot would lead this discussion. DeGroot explained that the Planning Commission and the Township Board had agreed some time ago on the direction to do research to allow the opportunity of permitting some form of recreational marijuana activity within the Township. His discussion was on what this activity would look like and what a future ordinance would look like, and what policies could make this happen.

He stated the Planning Commission had discussed staying with its heritage and going with the research and agricultural aspects, not the commercial route that some of our neighboring government agencies have done. This would focus on the supply chain option, the transportation, growing and the research for medicinal purposes.

DeGroot told the Commissioners that Chocolay Township had hired an intern (Ryan Knight) to delve into the marijuana subject, to research the legal background and to research the opportunity to create an ordinance; the results of this were a draft ordinance that was included in the packet.

This draft ordinance allows an unknown number of applications to fulfill the mission of the Planning Commission and the desire of the Township Board; both the Commission and the Board have the same thought process to allow these types of recreational marijuana businesses in the Township and its agricultural area. DeGroot and staff feel this is a good first attempt; he added that the presentation material can be used as a public discussion to allow the public to know the process the Township has taken to get where they are.

DeGroot added there are moving targets, such as how many allowable resources does the Township want in the community, how many grow facilities, how many micro businesses, and how many transportation facilities. With this ordinance being a stand-alone ordinance, this would be ultimately decided by the Township Board. Historically the Board has allowed the Planning Commission to have discussion and to review the draft ordinance.

DeGroot reminded the Commissioners there is no hurry if they needed more time to think about this, but he informed the Commissioners there have been some inquiries of residents to use their agricultural property as grow facilities. DeGroot stated he had shared the draft ordinance with the interested residents, and they have expressed support of the ordinance. He added that there were people at the last public meeting in February who also showed interest.

Commission Discussion

Meister asked for clarification of the scoring sheet that was included in the packet. DeGroot explained the scoring sheet is a culmination of what Iron Mountain did by releasing an RFP (Request for Proposal) to recruit business alternatives that would lead to using blighted buildings for these types of endeavors. This would mean the Township would be working with the State because, in order to release an RFP, there must be an active permit within a 60-day window of the request.

Soucy felt there would be a need for coordination between multiple entities to do this. DeGroot answered there would be but if the Township thinks of the business, they do not necessarily have to allow it. He also reminded the Commissioners there is no timeline for this discussion to be a reality. The Commissioners can take their time and methodically go through each step.

DeGroot also commented the Township could also do what the City of Marquette did by putting isolation factors on the number of permits issued but allowed marijuana in any land use.

DeGroot also stated that the Marquette Township Planning Commission is taking the approach of redeveloping commercial areas. He added the approach Chocolay Township takes will be decided on how the Planning Commission and the Township Board choose to have this conversation going forward. The mechanics within the Ordinance can be fine tuned but the Ordinance shell is a good example of staying close to Chocolay Township's heritage.

Soucy thanked DeGroot and the intern for doing the research and giving the Planning Commission good information. He also commented he has some apprehension due to what he is seeing with the City of Marquette having a concentration of distribution facilities in one area. He is concerned there could be blight in a concentrated area and would like to consider a dispersion option to prevent this from happening in Chocolay Township. Maynard and Rhein agreed that this concerns them as well.

Maynard commented that she thought Iron Mountain was going to issue one permit at a time on a wait and see approach; she wondered if this was still the case and if they issued more.

DeGroot thanked Soucy for discussing the implementation of the policy, whether through a conditional use or by the six-month trial that Maynard has asked about. He told the Commission that Iron Mountain did have a six month trial with the first permit; the first business was able to open, and they did issue a second permit. He

was not certain if the second business opened due to COVID-19. He added they were going to see how the market saturation worked before issuing more.

Maynard would like to like to focus on the research and agricultural aspects; she feels these would not go away any time soon and would be more solid and secure.

Rhein commented that he would like to see a limit on the grow facilities as well; he has witnessed outdoor grow facilities that do not have the standards of how they should look, maybe require a site plan to make sure it is tolerable to look at. Mullen-Campbell agreed with Rhein.

Meister told the Commissioners that most grow facilities he has seen or heard of from his engineering background have all been enclosed in a building and not in a field and questions if this fits in the agricultural picture the Commission has.

Meister also stated he thought the ordinance was missing requirements for sensitive areas such as schools, daycare centers, and substance abuse counseling areas; this was mentioned when the City of Marquette was drafting their ordinance. He also questioned if there would need to for any security requirements or signage wording limitations.

Meister asked for clarification on some of the definitions of a Marijuana Safety Compliance Facility; he asked if this would this be a scientific laboratory. He also asked if the licensee must be a person or could it be an entity or a business. He felt the processor and processing could be clarified into one or change the names. He asked if the herbal extract and natural product industries would include research on anything other than marijuana, and maybe there needs to be a clarification to be based around the cannabis products.

Maynard liked the clarification of the herbal extracts and natural products industries and would agree to not include them in the marijuana research category.

Meister asked if there was a State requirement of the spacing of a marijuana facility from schools, etc. DeGroot answered there is a 500-foot minimum from any religious institution, school, or place of drug rehabilitation.

DeGroot reminded the Commissioners this is a stand-alone ordinance and he would like to have connectivity between it and the Township Zoning Ordinance. This would allow the site plan capacity in the Zoning Ordinance to be reviewed, especially how the nontraditional aspects of the Right to Farm Act interacts with the medical and recreational marijuana activities to accept the generally practiced hydroponic aspects. DeGroot stated that some of this may be traditionally outside of Chocolay Township's realm as far as a true site plan characteristic but within our realm in other

areas such as signage, security, and others that are not traditionally associated with farming or protected under accepted practices but could be regulated by the Zoning Ordinance as a better alternative. He could see amending this ordinance to include and giving the full depth of bringing the Zoning Ordinance in as a conditional use permit or conditions placed on the permit. There may be more items within the Zoning Ordinance that come into this such as parking, acreage disturbance and minimum size of the lot in the AF district.

He suggested a blanket statement stating this would not be a replacement of site plan approval or false Zoning Ordinance compliance would be necessary. Meister agreed with the size of the lot in the AF district; the district could all be grow sites if it were to be just a warehouse. DeGroot agreed due to the way the Zoning Ordinance is structured.

Soucy stated he thought this was in the priorities for the year that needed to be addressed more in depth.

DeGroot asked the Commissioners if this was a good starting point and what direction the Commissioners would like to take from this point and what point would they like this to the public for their view. Maynard felt this was an excellent starting point and felt it has been examined from all aspects, she also appreciated Meister's comments.

Rhein suggested making a few changes and discuss them at the next Planning Commission meeting and send it to the Board from there.

Soucy felt it would take a couple meetings discuss this; he would like to take the extra time to get it right. He would also be interested to see what a comparable township has for their setback requirements in a similar district. Maynard and Mullen-Campbell agreed.

DeGroot and staff will take the comments and do the edits so the Planning Commission can see where the changes have been made. They will also try to address the priority section later as it may require more discussion.

C. 2020 – 2021 Planning Commission Priority Order
Staff Introduction

Throenle explained that the Planning Commission will review the approved list of priorities, approved at the February Joint meeting with the Township Board, to determine the order that the priorities will be addressed during the 2020 – 2021 calendar year.

Commission Discussion

Milton asked where the Marijuana Ordinance would fit into the list of priorities. Throenle explained it was approved by the Board was currently ranked on the list.

Meister commented he felt some of the priorities would be easier to get through in a short amount of time and some would take more time, even though they may not seem as important.

DeGroot stated he would like to discuss the Master Plan and the Zoning Ordinance what he views from the Manager's position. He explained that since September, he has been reading and trying to understand the inner relationship of the Township Master Plan and Zoning Ordinance also the general land use plan and how the community follows them; in reality he feels the Township is not following them.

DeGroot felt the approved Zoning Ordinance from 2008 has little connection to the 2010-2012 community planned version. The surveys that were sent and completed by the community were reflected in the land use policy statement of the 2015 Master Plan. He feels the Master Plan and the Recreation Plan are very sound documents with no real changes needed at this point other than tweaking the approval process and updating to comply with new regulations since 2015. He also added he felt the Master Plan should help guide the changes and additions of ordinances.

Meister felt the Township Master Plan, Zoning Ordinance, and implementing the Zoning Plan into the Master Plan would be the top three and the rest are no specific order. Rhein agreed.

Throenle suggested if the Zoning Ordinance is added to the top three to address the non-conformities in the Agricultural Forest (AF) district at the same time. Rhein agreed to this also.

DeGroot told the Commission in order to get a draft for change in the Zoning Ordinance, staff may have to come to the Planning Commission and ask for interpretation such as defining the lot sizes in the Agricultural Forest district. In the meantime, the Board can review documents to allow staff to work with residents for compliance and future development before there is an approved draft.

Soucy asked DeGroot if this would be an interpretation on the existing Zoning Ordinance or from the Master Plan.

DeGroot gave the example that 40% of the AF district became non-compliant as it was combined with another land use, which has created challenges in enforcement

and development that the Zoning Board of Appeals cannot interpret or define. This is currently the Planning Commission's job to define interpretation of use. Milton agreed that the non-conformities has restrictions and need to be addressed.

Soucy asked about more training as a group, the development of an education plan. He suggested more training from the MSU extension office as an option.

Throenle discussed the priorities with the Commissioners and came up with the following items as priorities to be discussed at future Planning Commission meetings:

- Review and update the Township Master Plan
- Consideration for rewrite of the Township Zoning Ordinance
- Further amend the Township ordinances to implement the Zoning Plan in the Master Plan
- Determine marijuana regulations status
- Address non-conformities regarding properties in the AF district
- Coordination with Marquette County on the County 2040 master plan
- Development of an education plan

The remaining priorities will be addressed as time allows. Those include:

- Develop processes for the NFIP Community Rating System
- Update the Chocolay River Watershed Plan
- Reconsider approach to private road regulation
- Plan for four-season transit facility
- Consideration for Bluezone / AARP livable community design
- Consideration for non-traditional homes

Commission Decision

Mullen-Campbell moved and seconded by Rhein that the priorities for the Planning Commission be addressed in the new order as discussed and adjusted by Throenle for the 2020 – 2021 Planning Commission Priorities as the recommended direction for Planning Commission activities for the 2020 through 2021 calendar year.

Vote: Ayes: 6

Nays: 0

MOTION CARRIED

D. Public Engagements Methods

Staff Introduction

Throenle explained that planning processes, such as the upcoming revisions of the 2015 Master Plan and the Township Zoning Ordinance will require public input to ensure the documents address the public's direction for the Township. He asked the Commissioners for suggestions on how to get the public engaged as the public will be a crucial part in the of the Township Master Plan and Zoning Ordinance process.

Commission Discussion

Mullen-Campbell suggested using the Cherry Creek Elementary Gymnasium for larger public meetings.

Meister suggested live casting through Zoom or YouTube; he felt that Facebook did not work as well. He also felt the Township website would work, but the website may need some updates to make it easier to navigate.

Throenle was also looking for ways to reach people without technology. Mass mailings have a big cost to to the Township and there is staff time involved.

Rhein suggested using the new Township sign. Soucy felt utility billing does not work. Meister suggested information added to the tax billing; Throenle explained that the timing of the tax bills is not always convenient.

Several Commissioners asked about a text or email alert.

IX. PUBLIC COMMENT

None

X. COMMISSIONER'S COMMENTS

- | | |
|-----------------|--|
| Rhein | Felt the Commission did a good job prioritizing the priorities; feels the virtual meeting works for now but would like more public comment |
| Milton | None |
| Mullen-Campbell | None |
| Maynard | Has done many business and personal virtual meetings in the last two and a half months; they feel normal |
| Meister | Looking forward to moving forward on the projects |
| Soucy | Hope all stay safe and healthy, have a good rest of the month |

XI. DIRECTOR'S REPORT

Throenle stated he had nothing more to add and thanked the Commission for participating and for the great comments.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board, 03.09.20
- B. Minutes – Township Board, 03.17.20 special meeting
- C. Minutes – Township Board, 04.13.20
- D. Minutes – Township Board, 04.17.20 special meeting
- E. Minutes – Township Board, 05.11.20
- F. Township Newsletter – April 2020

G. Township Newsletter – May 2020

H. Minutes – City of Marquette Planning Commission, 03.03.20

I. Minutes – City of Marquette Planning Commission, 03.17.20

J. Minutes – City of Marquette Planning Commission, 04.21.20

K. Minutes – City of Marquette Planning Commission, 05.05.20

XIII. ADJOURNMENT

Motion by Maynard and seconded by Milton, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

Meeting adjourned at 7:45 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MINUTES**
Monday, July 20, 2020 via Teleconference

I. MEETING CALLED TO ORDER BY: Ryan Soucy (Chair) at 6:00 p.m.

ROLL CALL

Members Present: Ryan Soucy (Chair), Cory Bushong (Vice Chair), Donna Mullen-Campbell (Secretary), Susan Maynard (Vice Secretary), Don Rhein (Board), Kendell Milton and George Meister

Members Absent: None

Staff Present: Bill DeGroot (Township Manager), 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, seconded by Mullen-Campbell, to approve the agenda as written.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

III. MINUTES

June 15, 2020 Planning Commission meeting

Motion by Maynard and seconded by Milton, 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

A. Proposed Marijuana Establishments Ordinance

Staff Introduction

Manager DeGroot stated to the Commission the evening's discussion would be a continuation of the Recreational Marijuana discussion from the June Planning Commission meeting, where emphasis was on a way to protect the community values and still comply with the possibilities of having marijuana establishments within the community.

He stated staff made changes to the draft ordinance based on comments by the Commissioners at the June meeting that attempted to answer the Commissioner's questions and concerns. He stated that If the Commissioners agreed with the changes in the draft ordinance the next step would be to hold a public hearing to receive public comment to allow recreational marijuana establishments within the Township. He stated as part of the revision there were not many changes to the definitions other than site plan specific opportunities.

He said Commissioner Maynard suggested at the June meeting to allow one permitted use and wait six months to evaluate to allow another. He said staff felt if this was still the thought of the Commissioners, the definitions could be developed into a flushed-out way in the second half of the ordinance. DeGroot explained that all the other suggested changes were incorporated to connect the site plan to the existing ordinance to make it part of a Zoning Ordinance adoption as well. As of now he said this would be a stand-alone ordinance.

Commission Discussion

Soucy asked the Commissioners for their comments but stated he would like to take the ordinance process slowly and have as much time needed to do the ordinance correctly.

Maynard asked the difference between a micro business owner selling product and a retail establishment selling product and also asked if the micro business would be allowed to have the 150 plants or can this number be changed as she felt that was a large amount of product.

DeGroot explained that a retail establishment would just be selling the end product and would purchase their product from a supplier, where a micro business would include all aspects such as growing and selling onsite. Staff felt the micro business would consistent with the community characteristics due to the growing and research aspects and be more sustainable that just a retail aspect.

In regards the number of plants allowed in a micro business, DeGroot told the Commission that staff would have to do more research to prevent underquoting the law.

DeGroot mentioned the Right to Farm Act and Michigan Department of Agriculture have deemed the medical marijuana a viable crop so it could be possible that one micro business could supply multiple retail businesses with product do to the amount of product one plant can supply.

Soucy asked if the micro businesses could claim the Right to Farm Act on any nuisances that they create, even if in an urbanized area. DeGroot explained the definitions of the Right to Farm Act fall under the generally accepted agriculture management guidelines and nuisances still must comply with regulatory control of the districts they are in. He also explained that depending how the product is being cultivated, they may not have to comply with all parts of local zoning code as long as

they still comply with the Right to Farm Act. The growing and cultivating would be protected under the Right to Farm Act, but the end sales would be under the regulatory of the taxation committee and law. This is why staff felt a blanket statement stating they had to comply with the Zoning Ordinance and other state or federal guidelines as prescribed so investigative powers would not be limited if needed.

Soucy asked if staff had statistics on the micro businesses, as he felt this would be the way to go for the Township.

DeGroot explained that the industry is so new that there are only a few micro businesses across the State and that he cannot give statistical information at this time. From what he has seen it is the larger corporations that are doing this as they have the funds to get them going.

Meister went online to find information on buffer zones and could not find much and stated that he felt most communities created their own asked if it was something they should add to the ordinance. DeGroot replied that it is not in the draft ordinance at this time but is something that should be established. DeGroot explained that State law does have requirements and they can add them to the ordinance but at this time he has concerns with the Agriculture / Forestry and other districts in the community. His concerns are that there needs to be a discussion or change in ordinance as there were many properties added to the Agriculture / Forestry district that was not originally intended and has them closer to urban areas. This has to be watched to ensure these businesses are not in areas they are not supposed to be even though they are zoned properly.

Meister also asked about Section 3 in the draft ordinance under regulations. He asked who would determine the local character if it should state "as determined by the Planning Commission". DeGroot felt it should be tied to the Planning Commission so they can have the power to review individual site plan requests regardless of location.

Soucy felt the Future Land Use and Character Areas have a description and defines land uses and the Master Plan also references this so the Commission could relate back to that as well.

DeGroot explained that the Planning Commission has the right to interpret land uses even if questionable, so any additions of ties to the Planning Commission decisions would be important.

No further action taken on this and DeGroot commented that staff would take the suggestions from this meeting and bring back answers for the Commission for next month.

VIII. NEW BUSINESS

B. Township Master Plan Discussion

Staff Introduction

Soucy reminded Commissioners that the Master Plan was one of the items that is on the priority list for 2020. He stated the plan from 2015 was well-written, but there were items that needed to be looked at as things have changed since that time. He pointed out that one of the items is the character areas, and another is to address inconsistencies with the current zoning ordinance.

Throenle also pointed out that there are items that need to be updated, and he stated, as an example, that the plan defines fourteen character areas while the zoning ordinance references seven zoning districts. He also referenced the non-conformances in the agriculture / forestry district that plan should address. He indicated the character areas discussion was the priority that should be addressed, as all other sections in the plan depended on that section. He would also like to look at new directions for solar, wind and tiny homes as discussion items for the plan.

Throenle stated the plan is the underlying guidance document for the zoning ordinance, with the intent the zoning ordinance will match up with the plan.

Commission Discussion

Soucy addressed the character area discussion with an idea to look at the character areas, possibly combining some of them.

Maynard asked Soucy to clarify if his intent was to combine the language. She felt that some of the districts were very close in definition and could be combined if there were no reason not to. She also asked for suggestions on how to review the categories, and what task the Commissioners were to address.

Throenle stated the direction for the meeting was to determine direction, not to define specific character areas or to combine character areas. He stated that would be the on-going process to review those areas, but the priority for the Commissioners was to decide if the character areas were to be used or abandoned.

Maynard asked which decided the other – the zoning ordinance or the master plan.

Throenle stated the master plan comes first, with the zoning ordinance reflecting the language in the plan.

DeGroot added that the plan is the general direction, with the intent of looking at the plan with a twenty-year vision. He stated the zoning ordinance is not intended to be a vision statement, he said that is the intent of the master plan.

DeGroot said the master plan identifies the character areas and creates a framework for those character areas to be defined. He said the zoning ordinance would further refine those definitions.

Throenle pointed out that table 7-2 of the master plan further aligned the character

areas with the future zoning districts. He also pointed out that some of the character areas overlapped with the newly defined zoning districts. He again stated the Commissioners should look at combining those character areas but cautioned that it should be done carefully so as to not repeat the non-conformances that happened in the 2008 zoning ordinance.

DeGroot described the history of the zoning ordinance versus the master plan. He said when the zoning ordinance was written in 2008, it came from a regulatory way of thinking which put more emphasis on a single lot than looking at the character of a neighborhood. He stated the master plan was designed during a time when the character of an area, not a single building, was the intended factor for a neighborhood. He reemphasized that the zoning ordinance is written based on the policies established in the master plan.

Soucy requested ideas on how to review the plan going forward. He suggested that certain areas should be selected, with the intent of getting an in-depth review of the material.

Rhein suggested taking two or three character areas per meeting for review to see what would need to be changed.

Meister asked how detailed this information needed to be. DeGroot responded that the intent was to protect the character of the area – why it is important and what the benefits of the area are.

Meister also asked about the trends and directions regarding mixed use in neighborhoods. Maynard interjected that changes in global trends over the last several months would also impact the direction.

Soucy responded by outlining the general direction from an economic development direction, and stated the focus was on a dense mixed-use development. Mullen-Campbell concurred with Soucy's comments.

DeGroot commented that the age of the community and the willingness to travel added to the decision-making process, especially from a recreation, commercial, industrial, residential and community service needs perspective.

Milton added that some commercial uses require a one-hour fire separation in their developments. He said emphasis on water for the community would have to be addressed if there any desire to develop additional commercial development. Meister added that this was a hindrance to development in the downtown corridor.

Maynard looked at the commercial character areas and asked if they could be combined. DeGroot responded that they could, as the trend is leading away from shopping malls and other larger business developments. He also emphasized the master plan development belonged to the Planning Commission for approval and development.

Soucy suggested that the Commissioners review three of the character areas per

meeting. Mullen-Campbell suggested that mixed use and agricultural forestry be addressed first. Meister suggested adding village mixed use. Rhein suggested that Throenle look at which could be combined for presentation; Rhein further refined the suggestion to look at character areas 1, 2 and 3. Maynard agreed with Rhein's suggestion, and added that character areas 10 and 11 be looked at next.

Bushong suggested character areas 1, 2 and 3, with 9, 10 at the next meeting and 11 to follow at the September meeting.

Throenle asked if there should be more than one group for the next meeting; Bushong suggested staying with one group for the next meeting to see how the process would work, and the Commissioners agreed.

Throenle asked for Commissioner input on the information they wanted to see for the character areas. DeGroot suggested visual examples from the way they are written today, with updates based on industry standards, so the Commissioners could see the intended direction.

Meister asked if images were appropriate. DeGroot answered that figures and displays would work well in the future, as it would reduce confusion for interpretation.

Throenle asked if Commissioners were interested in doing another community survey. Rhein asked about the results from the Recreation Plan. Throenle responded that approximately 200 responses came in.

Soucy indicated that not much would change regarding the plan overall. There have not been too many changes since the current plan was written, so his suggestion was to work on the plan first, then decide if more information from the public would be required.

IX. PUBLIC COMMENT

None

X. COMMISSIONER'S COMMENTS

Bushong – apologized for missing last month's meeting and it was good to be back.

Rhein – felt the discussion was very informative and have a good plan to move forward. Asked if the O'Reilly store was still in progress or if it was on hold.

Throenle commented that his last correspondence with them in June was that they were in negotiations with contractors to move their project forward. Tentative opening date that was given to the Township was February or 2021.

Mullen-Campbell – had three comments to changes to possibly be made to the Master Plan.

1. Page 82 would need a picture of the new Township sign/message board.
2. Page 67 says the Township's electricity is powered by coal, do we have a new system?

3. Page 20, Appendix F there are no roads listed that begin with the letter “R”
Soucy – Noticed one edit to the Master Plan as well; it is the 30th Anniversary of the Americans with Disabilities Act and he felt that on page 92 the reference that states “the disabled...” should be changed to “people of all abilities”.

Meister – looking forward to working through the character areas

Maynard – thanked the Commission for their patience in walking her through the Master Plan, character areas, land use, and the zoning.

Milton – asked Throenle if the commercial districted that housed the kennel reverted to back to the Residential 1 area as is has not functioned as commercial for a year.

Throenle responded that the kennel is operational and will have a grand opening August 1, 2020. They had done extensive review and was determined to still have commercial capabilities and the intent of reopening within the one-year time frame.

XI. DIRECTOR’S REPORT

Throenle commented that he is looking forward to working on the master plan project with the information from the Commissioners.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board, 06.08.20

B. Township Newsletter – June 2020

C. Minutes – City of Marquette Planning Commission, 03.03.20

D. Minutes – City of Marquette Planning Commission draft, 06.02.20

E. Minutes – Marquette County Planning Commission, 04.01.20

K. Minutes – Marquette County Planning Commission draft, 07.01.20

XIII. ADJOURNMENT

Motion by Rhein and seconded by Mullen-Campbell, to adjourn the meeting.

Vote: Ayes: 7 Nays: 0 MOTION CARRIED

Meeting adjourned at 7:18 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, August 17, 2020 via Teleconference

(Due to lack of quorum, only action taken was Public Comment)

I. MEETING CALLED TO ORDER BY: Ryan Soucy (Chair) at 6:05 p.m.

ROLL CALL

Members Present: Ryan Soucy (Chair), Cory Bushong (Vice Chair), and Don Rhein (Board).

Members Absent: Donna Mullen-Campbell (Secretary) was unable to participate due to technical difficulty, Susan Maynard (Vice Secretary), Kendell Milton and George Meister

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

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Due to lack of quorum the Agenda was not able to be approved.

III. MINUTES

July 20, 2020 Planning Commission meeting

Due to lack of quorum minutes from the previous meeting were not able to be approved.

IV. PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Stated she was confused on how the Planning Commission was proceeding with the breakdown of the master plan. She said she was encouraged by the comment of supporting utility infrastructure cost in the village Mixed Use area. She said she does not like commercial areas used for storage units or contractor's yard. She also felt the master plan should be all-inclusive in supporting natural features; she felt the casino does not have enough of a vegetative buffer and she would like the Planning Commission to be mindful of this when looking at further development. She has concerns with community wide road noise and would like to work as a community with MDOT to address this issue.

Soucy added that his perspectives from being on the Planning Commission is to improve community livability and felt this is a good time when looking at the master plan.

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. UNFINISHED BUSINESS

A. Township *Master Plan* – Future Land Use Discussion

Due to lack of quorum there was no discussion.

VIII. NEW BUSINESS

None

IX. PUBLIC COMMENT

None

X. COMMISSIONER’S COMMENTS

Soucy – Suggested doing some diagnosing of Zoom participant access before the next meeting. He said he knows this is a hard thing for people to adapt to; and hard to pick up where we left off at the next meeting. There was a lot of information in the packet and this will give him extra time to go over it. He thanked Throenle and the Township for the efforts in getting the information together.

Bushong – Stated that Soucy’s comments sounded good to him as well.

DeGroot – Suggested scheduling a Zoom tutorial meeting for any of the Commissioner that would want to attend. He has had success with the Township Board members with that tutorial. Soucy commented that sounded good and looks forward to that.

XI. DIRECTOR’S REPORT

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Minutes – Township Board, 07.13.20

B. Township Newsletter – July 2020

C. Minutes – City of Marquette Planning Commission, 07.07.20

D. Minutes – Marquette County Planning Commission, 08.05.20

XIII. ADJOURNMENT

Soucy adjourned the meeting at 6:32 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, September 21, 2020 via Teleconference

I. MEETING CALLED TO ORDER BY: Ryan Soucy (Chair) at 6:00 p.m.

ROLL CALL

Members Present: Ryan Soucy (Chair), Cory Bushong (Vice Chair), Donna Mullen-Campbell (Secretary), Susan Maynard (Vice Secretary), Don Rhein (Board) and Kendall Milton (member)

Members Absent: George Meister

Staff Present: Richard Bohjanen (Township Supervisor), Dale Throenle (Planning Director / Zoning Administrator)

II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

Chair Soucy requested that *New Business* and *Unfinished Business* be switched on the agenda to accommodate the applicants for the new business item.

Motion by Bushong, seconded by Rhein, to approve the agenda as revised.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

III. MINUTES

July 20, 2020 Planning Commission meeting

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

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

August 17, 2020 Planning Commission meeting

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

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IV. PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane

Expressed opposition to commercial contractor yards where sewer is provided; thanked the Commissioners for the work they do; requested Master Plan consideration for access through the neighborhoods for walking, biking, and non-motorized traffic; referenced a seasonal transportation shelter; stated desire to see a requirement for blue mailboxes throughout the Township; asked why the Harvey Oil cleanup was not completed; did not support water development for businesses, stating residents should come first; and referenced the McDonalds project: commented on the failure to maintain road through the property; commented on snow removal for the project; asked if there were going to be two order pickup lanes; questioned the sewer identity on the plan; and expressed concern with potential traffic backup to the service road

Joel Jackson, Bishop Engineering

Requested to be added to the discussion under new business

Joe Cocanato, McDonalds Project Construction Manager

Requested to be added to the discussion under new business

V. PUBLIC HEARINGS

None

VI. PRESENTATIONS

None

VII. NEW BUSINESS

A. Site Plan Review – 1001 M-28 East (McDonalds)

Staff Introduction

Throenle presented highlights of the staff Site Plan Review document as presented in the packet.

Throenle addressed traffic flow to the drive through as related to the rear of the Moyle Center and the neighboring Interior by Design property to the west. He stated the drive through is “landlocked” and not accessible either from the rear of the Moyle Center or through the Interior by Design property. He added that because the directional signs from the west (beginning at the entrance to the Holiday Gas Station and proposed at Interior by Design) would not be on the project property, they would not be allowed under the *Zoning Ordinance* as they would be considered off-premise signs. He requested guidance from the Commissioners regarding the signage as the traffic attempting to access the drive through via the Interior by Design parking lot.

He completed his comments by stating that staff did not see any major issues with the project as designed.

Commission Discussion

Soucy began the discussion with concerns regarding internal circulation, and asked Throenle about the frontage road and Moyle property access. Throenle stated the circulation process was apparently designed to provide delivery access for the occupants of the Moyle Center as well as to the occupants of the Interior by Design building that previously had four occupants.

Soucy requested comments from the applicants. Jackson addressed the circulation issue, stating McDonalds was willing to look at the directional signage especially related to the Interior by Design traffic flow. He stated the overall purpose of the project was to prevent the backup of traffic queuing at the ordering board by providing the ability to take customers in multiple lanes, which allowed the customers to get through the drive through faster. He stated the project would last approximately three weeks during business hours, and that the drive through would be open during the construction. He stated snow removal would remain as done in

previous years and that finished landscaping would occur in the spring of 2021.

Soucy expressed that business adaptation was important, especially with the changes required during the pandemic. He pointed out that restaurants especially were adapting with drive through answers to sit-down restrictions.

Maynard expressed a desire for the project team to look at using native plants instead of sod in keeping with Township commitment toward rural character. Jackson replied that only a small area (drive through islands) would be landscaped as part of the project. Cocanato added that McDonalds would look into the possibility with the owner / operator of landscaping areas around the project.

Maynard questioned the one-window pickup and pay design for traffic flow. Coconato replied that loop detectors are installed that notify McDonald crew as to who is placing the order, and orders are processed accordingly. He said McDonald studies show that this process speeds up the process for ordering and pickup. Jackson added that customers typically take longer to order than to pay, which is the reason for the two lane order / one lane pickup concept.

Soucy stated that staff site plan review showed that five parking spaces would be eliminated; however, his review showed eleven spaces would be removed. Jackson confirmed the number would be eleven. Throenle stated the increase in the number of parking spaces removed would not affect the overall parking count. Soucy suggested that shared parking could be achieved with the Interior by Design lot; Throenle stated that he did not see Interior by Design allowing the shared parking as the general direction for Interior by Design was to retain the lot for that business only.

Soucy asked where Moyle Center employees parked. Throenle stated he would have to research that question.

Soucy asked where trucks park. Rhein stated he generally sees trucks parking on M-28 and drivers walking into the restaurant.

Soucy asked for additional Commissioner comments. Bushong stated this project seems to be the general direction for McDonald drive throughs. Mullen-Campbell stated she looked at the drive through setup in Ishpeming and Marquette, and saw they were well done. Rhein stated this was a system they used everywhere, and that this was a win-win situation for this project.

Soucy asked Throenle if there were additional corrections needed on the site plan, especially regarding the snow removal. Throenle responded that he did not see the need for the snow removal information to be added to the plan, as that was covered during the approval of the Moyle Center site plan. He stated the Commissioners could add snow removal as a condition of approval if they chose. Soucy questioned the lack of Miss Dig information; Throenle stated this was further defined in the site plan as a contractor requirement. Coconato stated the general contractor will be required to do this as part of the project. Mullen-Campbell asked if the Miss Dig requirement should be added to the site plan as a condition; Throenle stated he did

not think it should as that is addressed on the site plan.

Soucy asked if off-site signage would be addressed separately. Throenle stated the current off-site signage was previously addressed as a variance request, as the *Zoning Ordinance* specifically prohibits off-site signage. Throenle stated this would be a separate conversation outside the site plan process. Throenle added that the signs as part of the project would be addressed through the sign permit process.

Soucy stated that there did not appear to be any conditions that needed to be added to the approval. Bushong added that it be noted that the number of eliminated parking spaces be recorded in the staff notes to reflect the change from five to eleven.

Commission Decision

Maynard moved, Mullen-Campbell seconded, that after staff review, Commissioner discussion and Commissioner findings of fact, Site Plan Review Application SR 20-62 is approved in accordance with the standards outlined in Section 9.2 of the Zoning Ordinance.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

VIII. UNFINISHED BUSINESS

A. Township Master Plan – Future Land Use Discussion

Staff Introduction

Throenle presented highlights of the staff master plan future land use issue brief that was in the packet. Soucy requested the Bayou Bar and Grill be added as a change item since 2015, and Throenle added the Bayou Nature Preserve as an additional item.

Commission Discussion

Soucy expressed that a simplification could be done in the language in the plan. He added he is looking at the design with nodes and corridors. He identified Cherry Creek Road and US 41 South as the node with a circle around that area. He stated he thought there were three area corridors: a lower-speed corridor through the village area, a second after the residential area north of the village up to the Welcome Center, and a third heading east on M-28.

Maynard asked what the definition and distinction would be between the three character areas. Throenle stated the original design was to set off the village as a separate neighborhood, as well as to define the reasons for the descriptions. Throenle also pointed out that the area densities were different depending on the neighborhood, using Harvey as the densest and others as less dense, and as well as the lot widths. Maynard stated she felt the corridor and village were one and the same as opposed to other neighborhoods. Throenle indicated the village is platted as a residential area, and that there is a separation between the village and the overlay

district. Maynard expressed that other communities such as Chassell had a true village; she felt we had more of a corridor feel as there is not an existing downtown area. Throenle responded that Harvey is a much more walkable area due to density than other neighborhoods in the Township. Throenle also pointed out that the village originally had a store and other locations within walking distance of the residents.

Maynard asked about the purpose of the character areas. Throenle responded that each grouping had distinct features with the intent of wrapping the zoning around those features. Throenle pointed out that the *Master Plan* and the zoning in the *Zoning Ordinance* are out of sync with each other, and the intent of this process is to bring them together in the same direction. Soucy added that the a master plan is the statutory guide to use when developing zoning. Maynard added that perhaps the descriptions should remain; Throenle stated there was no reason to change if Commissioners felt they should remain as is. Throenle added that updates, such as census data, were necessary in some sections without rewriting the entire plan. Maynard stated that the descriptions could be kept as is because of the distinctions described.

Soucy stated his direction was from the challenge of the zoning ordinance. He asked Throenle if that would complicate zoning administration. Throenle pointed out the zoning districts were intended to match up with the character areas, and that multiple zoning districts could be defined as the same. Throenle stated the direction should be the global design for the zoning with the specifics being added to each district. Rhein asked Throenle if Throenle was satisfied with the plan with the intent of zoning. Throenle replied staff sees the plan as a good master plan, but the zoning does not match it. Throenle stated that the Commissioners could stay with the current plan with updates or completely rewrite the plan, depending on their desires.

Soucy added that the plan is the community's vision and seemed to be well-balanced for community direction. He asked how the mixed use overlay district would be affected. Throenle stated that he felt that the original mixed use discussion was an attempt to fit the zoning ordinance as it was written to the master plan instead of rewriting the zoning ordinance to match the master plan.

Maynard expressed that she saw the reasons for the fine points added to the plan for the character areas. Throenle asked the Commissioners to consider if there was a necessity to change the character areas or to proceed with the plan with updates and with the intent of keeping the character areas as defined. Maynard stated she felt that the plan with updates would be a good direction to go. Throenle proposed that taking a chapter from the plan would be a good start for the next meeting. Maynard suggested putting multiple chapters on the agenda.

Milton asked for a due date for the project. Throenle stated that an approval was necessary to keep the plan viable, and Soucy added that the Planning Commission was required to review the plan every five years with the intent of either keeping or updating the plan. Soucy did not feel the update process would take long as the land

use discussion was already covered in the current plan.

Soucy asked Throenle to consider more detail in the agriculture districts. Throenle stated the agriculture districts were the biggest areas of non-conformance and would be considered as part of the process.

Mullen-Campbell suggested that the order for review be chapters one, two and three for the October meeting, chapter four for the November meeting and chapters five, six and seven for the December meeting. Throenle agreed that would be a viable approach.

Commission Decision

Rhein moved, Bushong seconded that the review of the Master Plan would proceed for the next meeting starting with chapters one, two and three.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

IX. PUBLIC COMMENT

Richard Bohjanen, Township Supervisor

Commented the Commissioners appeared to have made significant headway on the Master Plan process

X. COMMISSIONER'S COMMENTS

Commissioner Mullen-Campbell

Thanked Soucy for input, and thanked Throenle and DeGroot for assistance in learning the Zoom process prior to the meeting

Commissioner Rhein

Commented everything looked good, and expressed that the Commissioners are a great group of people willing to work together and to get things done

Commissioner Milton

Expressed that "cardboard cutout" would work well for him for Zoom meetings (laughter from all)

Commissioner Maynard

Thanked Soucy and Throenle for their patience during the master plan discussion

Commissioner Bushong

Thanked Soucy for his knowledge and leadership

Chair Soucy

Expressed desire for all to stay healthy and well and was looking forward to the next meeting and continued progress

XI. DIRECTOR'S REPORT

Throenle

No additional comments

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board, 08.03.20
- B. Township newsletter – August 2020
- C. Minutes – City of Marquette Planning Commission, 08.11.20
- D. Minutes – Marquette County Planning Commission, 07.01.20
- E. Minutes – Marquette County Planning Commission draft, 8.05.20
- F. Marquette County regional dashboard - Borealis Beach

XIII. ADJOURNMENT

Motion by Bushong and seconded by Rhein, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 MOTION CARRIED

Soucy adjourned the meeting at 7:19 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 October 22, 2020.

The meeting was cancelled.

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION**

Monday, November 16, 2020 Minutes

Meeting held via teleconference

I. Meeting Called to Order by:

Chairperson Ryan Soucy called the meeting to order at 6:01 PM.

II. Roll Call

Members present:

Ryan Soucy (Chair)
Cory Bushong (Vice Chair)
Donna Mullen-Campbell (Secretary)
Susan Maynard (Vice Secretary)
George Meister (member)
Kendall Milton (member)

Members absent:

Don Rhein (Board)

Staff present:

Richard Bohjanen (Township Supervisor)
Lisa Perry (Administrative Assistant)
Dale Throenle (Planning Director / Zoning Administrator)

III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

IV. Minutes

A. September 21, 2020 Planning Commission meeting minutes

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

Vote: Ayes: 5 Nays: 0 Motion carried

V. Public Comment

There was no public comment.

Public comment closed at 6:04 PM.

VI. Public Hearings

None

VII. Presentations

None

VIII. Unfinished Business

None

IX. New Business

A. Proposed 2021 Meeting Dates

Staff Introduction

Throenle explained the proposed meeting dates for the Planning Commission should be reviewed as they will need to go before the Township Board for approval.

Throenle commented that the proposed meeting date of January 18, 2021 is Martin Luther King Day. He stated that the Township offices are not closed but it is a State holiday.

He added that the December 20, 2021 date is very close to Christmas. He reminded the Commissioners that the calendar is for twelve meetings; however, the Commission is only required to hold four meetings a year.

Bushong joined the meeting at 6:10.

Commission Discussion

Soucy waited for Bushong to connect remotely and filled him in as to where the Commissioners were in the meeting.

Soucy commented that the November 2021 meeting was on the 15th and that is the first day of hunting season which may pose some challenges.

Perry interjected and reminded the Commissioners that the February 15, 2021 date is around the time the Planning Commission holds the joint meeting with the Township Board; however, that day is a State holiday and the Township Board does not meet on a holiday.

Throenle reminded the Commissioners that, in the past, the Commission met with the Township Board first and proceeded to hold their scheduled meeting at the conclusion of that meeting. There was an option to move the meeting to date of the Township Board meeting and do the same thing.

Throenle asked Richard Bohjanen, Township Supervisor, what the proposed 2021 dates for the Township Board would be. Bohjanen commented that the Board's meeting dates will be on the December agenda, and he explained that the Board has their meetings scheduled for the second Monday of the month, except for the month of August which would not provide any conflict to the Planning Commission. He felt it would be a benefit to have the joint meeting on the date of the Township Board meeting versus the Planning Commission meeting to avoid the conflict of President's Day. Bohjanen stated the Board will consider a limited agenda for the February joint meeting to allow the Planning Commission meeting to start at 7:00 PM.

Mullen-Campbell asked if the joint meeting would be a Zoom meeting. Throenle commented it possibly would be. Soucy commented that the Governor's executive order would be in effect until December of 2021 and Bohjanen confirmed this. Bohjanen commented that he does not foresee major changes by February regarding the COVID-19 status as it would take time to get the vaccination program going; he felt a ZOOM meeting would be a reasonable possibility. Bohjanen also commented that an in-person meeting would not be possible as a joint meeting would have more people present (Board, Planning Commission, and staff) than would be allowable in the conference room.

The Commission discussed the December meeting date as it was close to Christmas. Milton felt they could change it to December 13, 2021 but Mullen-Campbell thought that would be the same date as the Township Board meeting. Bohjanen suggested that both meetings could be on the same night, one would just follow the other. After discussion, Commissioners agreed on December 13, 2021 at 7:00 PM.

Commission Decision

After discussion, the meeting dates proposed for the 2021 Planning Commission meetings were:

January 18	July 19
February 8 (Joint at 5:30, PC at 7:00)	August 16
March 15	September 20
April 19	October 18
May 17	November 15
June 21	December 13 (7:00 after Board meeting)

Mullen-Campbell moved, Maynard seconded, that the meeting dates proposed for 2021 Planning Commission be accepted as changed per discussion.

Vote: Ayes: 6 Nays: 0 Motion Carried

B. Master Plan Review – Section 7 (Land Use) and Related Appendices

Staff Introduction

Throenle pointed out that at the July meeting Commissioners began the review of character areas and future land uses as outlined in Section 7 and Appendix L of the Township *Master Plan*. Discussion ended at that meeting with a Commissioner-approved recommendation to review the language associated with the first three future land uses in Appendix L. Discussions continued through the September meeting, with a recommendation to accept the future land uses as generally defined.

Staff prepared two documents that refer to the Commissioner's September recommendation. The first document, *2021 Master Plan section 7 - draft*, was a section within the proposed 2021 master plan that details the future land uses as previously discussed. The second document was the related appendices (T and U) showing the growth sector map and future land use maps.

Staff determined that section 7 is critical as the base for the remainder of the master

plan. Throenle stated that all other sections within the plan (other than introductory sections) are dependent on the language crafted in this section.

Commission Discussion

Soucy asked Throenle how many changes were made to Section 7 and if any significant adaptations were made. Throenle answered the only change he made was to put the proposed land uses in alphabetical order to match up with Table 6 in the section, which would allow the reader to navigate easier through the section.

Mullen-Campbell stated that she had read through it and felt it was well written, easier to read, and she also liked the pictures.

Meister commented on the utility infrastructure for the corridor for mixed use; it mentions private sanitary and water systems. He asked if there was a piece done along M-28 with the new forced main and if so, it would be good to encourage residents to connect to the new system. Throenle answered that the mixed use language covered the mixed-use districts primarily in the US 41 South / M-28 corridor, and stated that what Meister is referring to is outside of the mixed use district and was covered further down in the section. Throenle also stated there is also a small section of mixed use on the corner of M-28 and Kawbawgam Road and at US 41 South and County Road 480.

Meister suggested the section referring to solar and wind being a conditional use be modified to state "small scale residential wind systems" so there would be no ambiguity for a large scale wind developer to put an application in for a wind farm. Throenle commented that he could make that change if that is what the Commissioners would like as the intent was not to have a large-scale wind developer.

Meister stated in the agricultural and forestry land section that the Township would like to keep agricultural as a character, but stated it is hard to make living from a small farm, let alone a large one. He felt there should be encouragement for people to make their land more usable. Throenle commented that he would add some language for additional uses and bring it back for Commissioner approval.

Meister discussed the Circulation and Access section that pertained to parking conditions needing repair. He did not agree with this but asked if the conditions should be listed.

Meister asked if there was strong enough enforcement of not allowing storage units in the procedure under the Land Uses and Development Patterns section and asked if storage units should be listed as a non-allowable use. Throenle stated the starting point would be that they are not an allowable use, but if an established business needed storage behind their facility, they could do that, as it would not be a primary use. Throenle also stated that a storage facility that did not use the sewer system would be discouraged or not permitted in the *Zoning Ordinance*. This would be a future item of discussion for the Commission to decide if they did not want that as a conditional use as there are various ways of looking at this going forward. Throenle reminded the Commission that the master plan is primarily recommendations for the e next five years or more; the basis is to use the plan as the guide for zoning.

Soucy commented that his understanding would be to list the districts, as they are listed in the *Master Plan*, as districts in the *Zoning Ordinance* to reflect what is described in the Master Plan.

Throenle stated that the comments were well taken with the intent they would direct the formation of the zoning ordinance.

Soucy stated that he had read through this section and did not find any significant changes. He added that this document was very thoroughly written.

Soucy asked Throenle about the Conservation Cluster Residential section, as he said he has not seen this used anywhere around the state in the communities he has worked with. He asked if there were other tools used to develop subdivisions and clustering. He added that the Commission did talk about tiny homes and eco villages that maximize the use of the land.

Throenle stated no developers have approached the Township regarding these developments but there are some known to be on the horizon. He feels some projects are on hold this year to see what will happen in the future.

Soucy asked if there needs to be anything added in this section for tiny homes or micro units, or would that be a different, more specific section.

Throenle answered that tiny homes are identified in the Village Mixed Use section and that is the only district at this point where those are called out. Throenle told the Commissioners that tiny homes are also listed in a zoning section of the master plan that they will address at a future meeting. Throenle commented that this is a change that needs to be addressed in the master plan as he has had several inquiries regarding tiny homes.

Soucy asked how the tiny home footprint matches up with the building codes at the County level. Throenle answered that the County does not set the standard of the footprint; they are there to make sure the structure meets the code when built. He said the Planning Commission and Board sets the footprint in the zoning ordinance.

Maynard thanked Soucy for inquiring about tiny homes as they needed to be accommodated in the future. Throenle asked the Commissioners if they want to add it to different sections, as this would be the time.

Meister asked how it would work if it was an adjoining structure, like a mother-in-law suite. Throenle answered that there accessory dwelling units already listed in multiple sections. Throenle also stated that the current *Zoning Ordinance* would have to be addressed when it comes to tiny homes because the current ordinance states that an accessory structure cannot exceed the footprint of the current residence. He said these standards would have to be looked at as an overall picture.

Maynard stated that if they modified the *Zoning Ordinance* to accommodate the new direction in tiny housing, they would not want to go back to modify the *Master Plan* as well. She does not feel particulars, such as size, should be in the *Master Plan*, they should be spelled out in the *Zoning Ordinance*.

Throenle agreed and stated the zoning ordinance is basically the “rules” to go along with the “guide” of the master plan. He told the Commissioners what is in the zoning ordinance must be mentioned in the master plan or there would be a conflict.

Maynard felt they should list tiny homes in the other districts in the master plan to allow for it to be addressed in the zoning ordinance.

Throenle asked the Commissioner to do a quick poll, as he would state the district and the Commissioner could comment on what districts should have tiny homes. Maynard asked if there would be districts that would not want tiny homes.

Soucy felt it naturally is related to the mixed-use neighborhood district. Milton felt they should not be in the commercial or industrial district. Maynard felt in all districts other than the commercial district.

Soucy mentioned the implications if it does not fit the character of certain districts; he was not sure of the impact on the neighborhood. He said being connected to public utilities should be considered as well.

Meister felt they should be a structure that fits the character of the neighborhood and not on a trailer; Milton agreed that wheels should be discouraged. Throenle told the Commission he felt the current footprint of 20 feet wide on a side of a structure was the reason this was established, to discourage single-wide trailers being placed in the Township.

Throenle stated that he can find more information regarding tiny homes for the next meeting. Throenle listed the items to clarify or investigate for the next meeting:

1. Change verbiage pertaining for wind systems to state “small scale” wind systems.
2. Look into the Agricultural / Forestry district to incorporate additional concepts to allow residents to use their property for uses not particularly agriculture.
3. Revise the circulation and public section to remove the current conditions.
4. Tiny homes; add more information.

Commission Decision

The Commissioners would like this section returned at a later meeting with the changes discussed.

C. Master Plan Review – Sections 1 through 3 and Related Appendices

Staff Introduction

Throenle asked the Commissioners to review the first three sections of the proposed 2021 master plan to determine if changes are required.

He told the Commissioners at the September meeting they developed a schedule of review for the proposed master plan. Sections one through three were determined to be the first sections to review, and a tentative schedule was developed.

Staff had prepared two documents that referred to the Commissioner’s September recommendation. The first document, *2021 Master Plan sections 1 through 3 - draft* is

a section within the proposed 2021 master plan that details the future land uses as previously discussed. The second document are the related appendices (A through C) that are referenced in sections 1 through 3.

Staff found that Appendix A is an extract of items that were originally written in the *2005 Comprehensive Plan*. The *Master Plan, 2015 Edition* included many of the same items; Throenle told the Commissioners that most items have not been addressed since the adoption of the 2005 plan.

Commission Discussion

Soucy told the Commission he was not able to read through this section in its entirety before the meeting.

Maynard felt the history had not changed. Throenle commented that the charts have not changed due to the 2020 Census data not being released as of the date of the meeting. Throenle told the Commissioners he is not sure when the census data will be released but he can modify the charts at that time.

Soucy noted a couple of changes with the text in this section. Throenle noted the changes and will bring them back for review at a later meeting. Throenle added that when reviewing these sections, he asked the Commissioners not look at the formatting and just review the text.

Richard Bohjanen, Chocolay Township Supervisor, noted a spelling error that changed the meaning of the text in Section 3. Throenle noted it and will make the correction.

Commission Decision

The Commissioners would like this section returned at a later meeting with the changes discussed.

X. Public Comment

There was no public comment.

Public comment closed at 6:58 PM.

XI. Commissioner's Comments

Commissioner Mullen-Campbell

Feels everything looks good and it is nice to work on the project together; feels the Planning Commission is making progress and urged everyone to stay positive. Thanked Bushong for his time on the Planning Commission.

Commissioner Bushong

Announced that this would be his last Planning Commission meeting as he is stepping away due to running a busy business and personal life. He does not feel he has the time to dedicate to be a practicing member of the Planning Commission. He has appreciated the last two years; it has been fun.

Commissioner Maynard

Was struck when reading the master plan at how well written it is. She feels it is like polishing a diamond, kudos to whomever put it together. She thanked Bushong and stated it has been a pleasure to work with him.

Commissioner Milton

Worked with the Census Bureau and was surprised to see how many homes there are down some of the roads. Feels the Planning Commission should do something with the addresses in the Township as many of those did not have addresses.

Commission Meister

Feels the Planning Commission has a great document in the *Master Plan* to start with and they should have a fairly easy time with it and is glad to be part of it. Also apologized for his Internet issues.

Chair Soucy

Thanked Bushong for being part of the team. Told Bushong he was a great asset, he will be missed, and is always welcome back to join in for public comment. He told everyone they were doing a good job, that they will get back to it at the next meeting and requested everyone stay healthy.

XII. Director's Report

Planning / Zoning Administrator Throenle

Thanked the Planning Commission for participating tonight, and also thanked Bushong for his participation. He will put more master plan information together for the next meeting with Soucy's approval.

Stated he and Soucy had a discussion regarding the December meeting and asked Soucy if he would want to address that now. Soucy commented that he felt the December meeting would be a challenge as Throenle would be on vacation and he would feel more comfortable making any changes with Throenle present. Soucy suggested the Planning Commission put off meeting until the new year; Commissioners agreed.

Throenle wished the Commission a happy Thanksgiving and wished them an enjoyable holiday season.

XIII. Informational Items and Correspondence

- A. Minutes – Township Board, 10.12.20
- B. Township newsletter – August 2020
- C. Minutes – City of Marquette Planning Commission, 10.06.20
- D. Minutes – City of Marquette Planning Commission, 10.20.20
- E. Minutes – Marquette County Planning Commission draft, 10.07.20

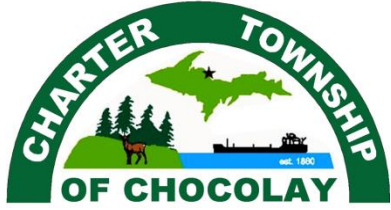
XIV. Adjournment

Soucy adjourned the meeting at 7:08 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell



Planning Commission
Charter Township of Chocolay

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There are no minutes for the meeting on December 21, 2020.

The meeting was cancelled.