



CHARTER TOWNSHIP OF CHOCOLAY

PLANNING COMMISSION AGENDA

Monday, February 13, 2023 – 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

Ryan Soucy (Chair)

George Meister (Vice Chair)

Donna Mullen-Campbell (Secretary)

Rebecca Sloan (Vice Secretary)

Don Rhein (Board Representative)

Stephanie Gencheff

Kendell Milton

Rebecca Sloan

III. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA

IV. MINUTES

A. January 16, 2023 Meeting

V. PUBLIC COMMENT

Limit of three minutes per person.

VI. PUBLIC HEARINGS

None

VII. PRESENTATIONS

None

VIII. UNFINISHED BUSINESS

None

IX. NEW BUSINESS

A. Non-Conforming Parcels / Zoning Ordinance Rewrite Discussion

1. Staff introduction
2. Commissioner discussion
3. Commissioner decision

X. PUBLIC COMMENT

Any item of interest – limit 3 minutes per person

XI. COMMISSIONER'S COMMENTS

XII. DIRECTOR'S REPORT

XIII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Minutes – Township Board 01.09.23 draft
- B. Township Newsletter – January 2023
- C. City of Marquette Planning Commission minutes 01.03.23

XIV. ADJOURNMENT

Planning Commission Rules for Public Hearings and Public Comment

1. Please wait for chair to acknowledge you before speaking. Individuals not following this rule are subject to dismissal from the meeting.
2. Individuals must state their name and address for the record. Individuals representing an organization must state their name and the organization they represent for the record.
3. Give your comments, opinion and / or question on the issue being addressed. Please stay on topic or you may be ruled out of order.
4. Due to a full agenda, and to ensure that everyone has time to speak, the Commissioners will limit comments to a timed limit per person. For the same reasons, please be as brief as possible and try not to repeat what has been said by others before you.
5. No person can grant his or her time to another speaker.
6. Please be as factual as possible and do not make comments on the character of people.
7. Planning Commissioners and Township staff members are not required nor expected to respond to comments, opinions and/or questions from the floor.

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION**

Monday, January 16, 2023 Minutes

I. Meeting Call to Order

Chair Ryan Soucy called the meeting to order at 6:00 PM.

II. Roll Call

Members present at roll call:

Ryan Soucy (Chair)
George Meister (Vice Chair)
Donna Mullen-Campbell (Secretary)
Don Rhein (Board)
Stephanie Gencheff
Rebecca Sloan

Members absent at roll call:

Kendall Milton

Staff present:

Richard Bohjanen (Township Supervisor), Joe Neumann (Grants Planner), Dale Throenle (Planning Director / Zoning Administrator)

III. Additional Agenda Items / Approval of Agenda

Rhein moved, Sloan seconded, to approve the agenda as presented.

Vote: Ayes: 6 Nays: 0 Motion carried

IV. Minutes

A. December 19, 2022 Meeting

Throenle stated that the wrong minutes were in the packets that were distributed, and that the correct minutes were distributed for the Commissioners at their seats prior to the meeting.

Rhein moved, Meister seconded, to approve the December meeting minutes as presented.

Vote: Ayes: 6 Nays: 0 Motion carried

V. Public Comment

None

VI. Public Hearings

None

VII. Presentations

None

VIII. Unfinished Business

Throenle stated that the unfinished item on the agenda was put on the agenda in error. He stated there was no unfinished business for the meeting.

IX. New Business

A. Election of Officers

Staff Introduction

Throenle stated that the election of officers was an annual requirement for the Planning Commission. He added that Rhein, as the Township Board Representative, was not eligible for office.

Commissioner Discussion

Rhein moved, Meister seconded, to elect Soucy as Chair.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy moved, Rhein seconded, to elect Meister as Vice Chair.

Vote: Ayes: 6 Nays: 0 Motion carried

Rhein moved, Mullen-Campbell seconded, to elect Mullen-Campbell as Secretary.

Vote: Ayes: 6 Nays: 0 Motion carried

Rhein moved, Mullen-Campbell seconded, to elect Sloan as Vice Secretary.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy asked Throenle about bylaw approval. Throenle stated that the bylaws were rewritten last year, and that he could bring them back for review at the next meeting if the Commissioners wished to review them.

Rhein moved, Meister seconded, to keep the bylaws as written.

Vote: Ayes: 6 Nays: 0 Motion carried

B. 2022 Planning Commission Annual Report

Staff Introduction

Throenle stated the report was an annual requirement that was required to be presented to the Board showing activities from the previous year. He added there was a section in the report showing the activities of the Planning Director for the year.

Commissioner Discussion

Soucy asked the Commissioners if there were comments about the report. Meister stated the report was concise and easy to get through.

Gencheff asked about the Board direction for resolving non-conformances in the AF district. She asked if that involved changing the parcel sizes. Meister replied that there are multiple parts to that question; one was to look at the non-conformities as well as looking at the zoning requirements for the district as the Commissioners proceed through the discussions. Gencheff asked what the priority was: resolving the non-

conformances or keeping the rural character. Soucy replied that would be further discussed in the joint meeting agenda item later in the meeting.

Soucy asked Throenle if there was anything Throenle wanted to highlight about the report. Throenle replied that he believed the Board will see the amount of work the Commissioners did throughout the year.

Meister moved, Rhein seconded, to forward the 2022 Planning Commission Annual Report as presented to the Township Board for consideration.

Vote: Ayes: 6 Nays: 0 Motion carried

C. Industrial Zoning District Conditional Use Discussion

Staff Introduction

Soucy stated that the Commissioners heard public comments at the last meeting regarding a residential use in the Industrial zoning district. Throenle added that Commissioners had directed staff at the last meeting to present possible solutions for Commissioners to consider.

Throenle presented three possible solutions: 1) do nothing and keep the district as it is; 2) Add a residential and a rental conditional use to the Industrial zoning district, with the intent that the owner would apply for that conditional use; or 3) rezone the seven parcels in the related Industrial zoning district to Commercial, and put the overlay district in that zoning area to allow for residential use.

Commissioner Discussion

Soucy stated he remembered at the previous meeting that Commissioners were considering the Commercial rezoning with the overlay option; Rhein concurred.

Mullen-Campbell asked if the overlay was a mixed-use overlay; Throenle stated that it was, and that all current Township Commercial zoning districts had the mixed-use overlay district applied.

Soucy stated he saw this option as a better option, as it was not as intensive as the conditional use in the Industrial district. Meister added that it was a better idea to switch to Commercial to avoid putting residential and rentals in an Industrial district. Rhein added that the area was more of a Commercial district than Industrial. Mullen-Campbell asked if the rezoning would be just for that property; Rhein stated that the seven parcels would be included for rezoning.

Soucy asked Commissioners to look at the long-term use of the district and how that might affect the Township twenty-five years later. Meister stated that Commercial was better as it blended better with the surrounding residential areas.

Sloan asked what the timeline would be for the change. Throenle stated that the Commissioners would set the timeframe for the public hearing, and that required notifications would go out to the parcel owners and the surrounding neighbors about the rezoning. He added that once the public hearing was held, and Commissioners approved the language, the language would be forwarded to the Board for a first and second reading.

Mullen-Campbell asked if the public hearing could be held at the February meeting. Throenle responded that there was time to get the notifications out to meet the fifteen day notification requirement.

Rhein asked if the public hearing could be held at the joint meeting. Throenle stated it could, and that a first reading could be held at the same meeting. The second reading would occur at the Board meeting in March.

Bohjanen stated he was unsure if the first reading could be held at the same meeting as the public hearing. Throenle replied he understood that the Board could accept the document with changes discussed after the public comment was presented.

Soucy asked Bohjanen if the public hearing could be held at the joint meeting. Bohjanen stated he was concerned about the amount of public comment and expressed that it might extend an already lengthy agenda. He did agree that the public hearing could be scheduled if the Commissioners chose to do it that way.

Meister moved, Rhein seconded, to that the zoning for seven parcels located on US 41 South as presented be changed from Industrial (I) to Commercial (C), and to move the consideration for change number 34-23-01 to a public hearing.

Vote: Ayes: 6 Nays: 0 Motion carried

Meister moved, Mullen-Campbell seconded, that the overlay district map and language be expanded to include the zoning for seven parcels located on US 41 South as presented and to move the consideration for change number 34-23-01 to a public hearing.

Throenle asked when the Commissioners would like the public hearing to occur.

Rhein moved, Sloan seconded, that the public hearing be at the Board meeting on February 13, 2023 at 5:30 PM.

Vote: Ayes: 6 Nays: 0 Motion carried

D. Joint Meeting Considerations

Commissioner Discussion

Soucy stated he wanted input from the Commissioners for the joint meeting in February as to what the Commissioners would like to discuss at that meeting. He added that the items Board wanted on the agenda for discussion included sending completed definitions to the Board, a legal update regarding the AF zoning versus land use and the related strategies for the new ordinance based on that discussion, and the direction for an ordinance that is easy to read and understand. He added that the Board wanted to know what obstacles that exist to prevent the Commissioners from going forward.

Meister addressed Gencheff's question from earlier in the meeting. He stated that it was important to get the decision right. Rhein stated that he informed the Board that the decision was important, but the information was based on what legal opinion would be shared at the meeting.

Sloan addressed Gencheff's question by showing the question as outlined in the packet, and added that the master plan completion was part of the discussion. She wanted to make sure that the Board understood that the zoning ordinance discussion was started last September.

Soucy suggested that the Commissioners develop a set of guiding principles for discussion of the zoning ordinance rewrite to evaluate how to get out of circular discussions and to resolve issues. Sloan suggested that Commissioners determine the direction for the packet and future discussions. Rhein added that the discussions could follow that format.

Gencheff asked Throenle to clarify the issues about non-conforming properties. Throenle responded that the property owner could still build if the setbacks for the property were met. He stated the primary reason the AF non-conforming issue was important is that a property owner cannot divide property unless they have a minimum of 40 acres. He added that there are now several owners of properties in the Township that lost that right to divide when their parcels were included in the AF district when they previously were able to split based on their 2 acre or 5 acre zoning. Sloan interjected that the non-conformances would never be completely eliminated; Throenle agreed.

Throenle added that an additional consideration was that the lakefront parcels that are primarily 100 foot wide lots were all made non-conforming in 1977 when the zoning ordinance set the minimum lot width to 125 feet. He added that no explanation for this decision has been found in the Township records.

Throenle also added that moving the affected AF parcels back to a RR-1 or RR-2 zoning would put those parcels into a requirement for a minimum lot frontage that does not exist in the AF district.

Throenle emphasized there are families in the Township that wish to split for inheritance purposes but cannot. The only options to the family are to grant the property to one heir or to sell the parcel to a non-family member and split the proceeds.

Gencheff asked if relief could be granted based on family circumstances. Throenle stated that could not be accomplished, as the minimums were established for all properties within a zoning district.

Commissioners discussed the issues between non-conformances versus the splitting issue. Meister and Sloan agreed that the parcel size was more important. Throenle cautioned the Commissioners that changing zoning from AF to R-1 instead of RR-1 or RR-2 gives the property owner the capability of increasing density as more splits could occur. Throenle added that moving parcels into an R-1 district removes the ability to have AF considerations on their property.

Meister stated that consideration for properties should not be on a case-by-case basis, but on an overall direction. Soucy added that could be one of the guiding principles for the ordinance discussion.

Gencheff asked if AF considerations would be lost if a property was moved to R-1. Rhein responded that would be the case. Throenle added that the Commissioners have two considerations; one is that the current ordinance mandates the direction for a zoning district, and two is that the new ordinance can specify what uses can or cannot be permitted in a zoning district. Meister added there are limited possibilities within each of the districts as they are determined in the current ordinance. Throenle pointed out that the mixed use district was the difference, in that there are many more options in that district.

Sloan added that the consideration should be how people are affected with changes that may or may not happen. Soucy summarized Sloan's comments as another guiding principle to be responsive to public opinion regarding change of use.

Gencheff asked if people would be notified regarding the public hearing. Soucy stated the notifications would go to those within 300 feet of the requested change.

Soucy added that another policy should be a concentration on health, safety, and welfare. Meister felt welfare was hard to define, as property value was a priority. Rhein added that housing size and location should be a priority. Meister asked to add property values as part of the policy. Sloan added character of the Township should be included as well.

Soucy asked Bohjanen to participate in the discussion. Bohjanen stated that much of the conversation will revolve around the upcoming legal discussion as the issues are discussed. He was under the impression that the property owner might have to apply for the rezoning, with the emphasis on more rights instead of less. He suggested that more conversation be reserved for the joint meeting when the legal opinions are presented.

Meister asked Throenle if a property was rezoned from AF to R1 is there a grandfathering aspect that goes with the property. Throenle stated that if there was change that stopped the use, then the use would end.

Soucy asked Meister if he had a specific question or questions for the attorney. Meister replied that he was looking for a direction on what they can and cannot do in relation to making property changes, with the intent of looking at the zoning map to determine long-range impact.

Soucy and Meister both wanted to know from the attorney about the changes, especially if a resident does not want to be rezoned.

Soucy asked Throenle if he knew what tools are available for regulating character in a district. Throenle asked for a Commissioner definition of character. Meister responded that form-based code and public opinion determine that answer; Sloan agreed. Throenle added regulation could be as restrictive as the Commissioners wanted it to be, and he added a caution that it must be enforceable.

Throenle added that if the ability is removed from the property owner to do something that was already available then that was going in the wrong direction. He also stated that the enforcement aspect was a big portion of the decision, regardless of how a

district was set up.

Soucy asked the Commissioners if there were any roadblocks that needed to be addressed, especially in relation to the AF district. Sloan was concerned about not doing a singular approach to answering questions. She felt that there were too many topics discussed at the same time in relation to the AF question, and all should be addressed one at a time.

Soucy asked if there were any concerns that should be addressed to the Board. Meister replied that he wanted to see a realistic timeline for the development of the zoning ordinance.

Mullen-Campbell asked for an explanation of the word “repurpose”. She was unclear how that applied to the AF district discussion. Soucy added that if language is unclear, then it needs to be one of the guiding principles to make sure that it is.

Soucy asked if there any additional concerns that should be addressed, and stated that he would like to see more training sessions from Township Manager DeGroot. Soucy asked if that should be added to the questions; Commissioners agreed it should.

Soucy introduced FlashVote, which is a new tool that the Township invested in to get survey data for various Township projects. He was curious as to how the Planning Commission could use the tool for their projects. He asked Throenle for more detail on the product; Throenle deferred the question to Bohjanen.

Bohjanen gave a quick overview of the product, its capabilities, and why the Township invested in the software. He pointed out that the software is a way to gain input that is not presented through public comment or public hearings. He stated that the purpose is put together short surveys of five questions to get quick feedback to questions that are part of a project. Rhein added more detail to Bohjanen’s description.

Gencheff asked if the survey went out separate from the newsletter; Bohjanen replied that it did. Gencheff stated that would be a good way to get survey data – describe the issue in the newsletter, then ask the questions about it.

Meister asked about the previous discussion related to the master plan survey and discussion on simplifying those questions. Rhein stated that is why the FlashVote format was chosen: to simplify the questions and to get quicker answers. Gencheff asked how much the software cost and how the survey responses are sent out. Rhein responded that if a person signs up, that person will get the same results as the Board. Bohjanen responded that the Township has a one year contract, and the cost is \$6,000.00. He added that if the product does not work out, then the contract will not be renewed, and other options will be explored.

Gencheff asked if the email addresses were available, could the product be removed and those that registered answer questions via the newsletter. Throenle responded that was possible, but the bigger intent of the product was to get information that could be filtered by the responses by separating residents from those outside the Township that responded. He added that the survey would be linked in the Township

web site to get more participation.

Soucy and Meister asked if the surveys could be down to the neighborhood level. Throenle responded that conversation had to be had with the software provider to determine if that was possible. Bohjanen added that other ways of getting the surveys would be possible, including a mailing option. Soucy added that it would be a good item to look at in the future.

Throenle asked Soucy to summarize the points that were given to give Throenle an easier way to find them for the minutes.

Rhein moved, Meister seconded, that the following items be sent to the Board for consideration at the joint meeting in February:

Proposed Guiding Principles for Considering the Zoning Ordinances

- a) *More clarity in zoning ordinances*
- b) *Not changing ordinances because of an individual's problem*
- c) *Responsive to public opinion*
- d) *Health, safety, welfare, and protection of property as a consideration*
- e) *Consistency with the master plan*

Questions for the Board

- 1) *Questions for the lawyer – what are the cans and cannots of rezoning*
- 2) *Realistic timeline for the rewrite of the zoning ordinance*
- 3) *More at-meeting training sessions*

Obstacles

- 1) *Not shifting too much in the approach to solving the issues given to the Planning Commission*

Vote: Ayes: 6 Nays: 0 Motion carried

X. Public Comment

None

XI. Commissioner's Comments

Mullen-Campbell

Felt the Commissioners did well during the meeting, and got a lot finished. She suggested getting rest for the dual meetings in February.

Rhein

Stated the new fire truck will be available for open house prior to the meeting in February.

Sloan

No comments.

Gencheff

She was very satisfied with the choice of FlashVote.

Soucy

No comments.

Meister

No comments.

XII. Director's Report

Planning / Zoning Administrator Throenle

Reminded the Commissioners that the next meeting will be the joint meeting with the Board, and that the meeting would be February 13, 2023, at 5:30 PM in the Fire Hall.

Throenle stated he will be sending out the MTA documents that have been delivered on paper via email instead.

He stated that going forward, he would add an item to the agenda for Commissioners request for agenda items for the next meeting. He added that the regular meeting would follow at 7:00 PM with the discussion of the joint meeting as the only item on the agenda.

Sloan stated that she would not be available for the February meeting as she would be out of town.

Grant Planning Neumann

No comments.

XIII. Informational Items and Correspondence

- A. Minutes – Township Board 12.12.22
- B. Township Newsletter – December 2022
- C. City of Marquette Planning Commission minutes 12.06.22

XIV. Adjournment

Rhein moved, Meister seconded, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:32 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

January 9, 2023

The regular meeting of the Chocolay Township Board was held on Monday, January 9, 2023, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (Excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Joe Neumann

APPROVAL OF AGENDA.

Rhein moved, Zyburt supported to approve the agenda as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting, December 12, 2022.
- B. Approve Revenue and Expenditure Reports – December 2022 (unaudited).
- C. Approve Bills Payable, Check Register Reports – December 14, 2022 (Check # 25808 - 25837, in the amount of \$40,963.27), and December 29, 2022 (Check #'s 25838 – 25857, in the amount of \$212,620.47).
- D. Approve Bills Payable – Longevity Payroll of December 6, 2022 (Check #'s DD2906 – DD 2913, Federal, State, and MERS in the amount of \$4,353.05), Regular Payroll of December 8, 2022 (Check #'s DD2914 – DD2944 and Check #'s 11290 – 11294, Federal, State, and MERS in the amount of \$38,882.86), December 22, 2022 (Check #'s DD2945 – DD2974 and Check #'s 11295 – 11299, Federal State, and MERS in the amount of \$39,427.53), and Special Payroll of December 29, 2022 (Check #'s DD2975 – DD3011, Federal, State, and MERS in the amount of \$29,499.39).

Zyburt moved, Symbal supported to approve the consent agenda as modified – ***Minutes from December 12, 2022 meeting – change the word “parody” to “parity” on page 3.***

MOTION CARRIED

SUPERVISOR’S REPORT

Supervisor Bohjanen reported that there is a Townhall Meeting scheduled for the Marquette County Solid Waste Management Authority (landfill) on January 30th at the Marquette Township Hall and January 31st at the Negaunee Township Hall. He felt that after discussion later in the meeting, Board members may want to provide some input.

CLERK'S REPORT

Clerk Engle reported that there are no elections schedule for 2023 so far.

TREASURER'S REPORT

This report will be given on a quarterly basis.

PUBLIC HEARING – NONE

PRESENTATION – NONE

REVIEW MARQUETTE COUNTY SOLID WASTE TOWN HALL MEETING AND POTENTIAL PRICE INCREASE.

Supervisor Bohjanen discussed the upcoming Town Hall Meetings, along with the potential price increase. Chocolay Township has been notified of changes in tipping fees from the original adopted ten-year fee schedule of 2019. The price increase is an additional \$4.50 per ton, taking the cost from \$63.50/ton to \$68.00/ton. MCSWMA cites that the price increase is caused by inflationary increases and PFAS required improvements.

Supervisor Bohjanen feels that we are not staying well informed. There has not been a representative from Chocolay Township attending the MCSWMA meetings – we are one 19 township and 3 municipalities that own the landfill. Marquette County itself is not a part of the Authority. He feels we need some type of representation to attend the meetings and be aware of what is being said there.

Lynch moved, Zyburt supported that the Chocolay Township Board empower the Township Supervisor and the Township Clerk to send a formal request to the Marquette County Solid Waste Management Authority asking for advanced information or briefings for major policy or operations changes effecting expenses or compliance changes that result in increased expenses to the residents.

AYES: 6

NAYS: 0

ABSENT: 1 (White)

MOTION CARRIED

Engle moved, Rhein supported that the Charter Township of Chocolay Board of Trustees nominate Trustee Kendra Symbal to attend the Marquette County Solid Waste Management Authority (MCSWMA) Board meetings on a semi regular basis to improve relations and report general updates.

AYES: 6

NAYS: 0

ABSENT: 1 (White)

MOTION CARRIED

REVIEW FEBRUARY JOINT MEETING TOPICS

Trustee Rhein (Board appointee to Planning Commission) did a quick update on what the Planning Commission is working on.

Manager De Groot indicated that the Planning Commission is very close to cleaning up the definitions and may want to share these with the Board at the meeting. On the non-conformity issue, over 40% are non-conforming and we need to figure out how to change this – rezoning or changing the land use. We are hoping to have an update from Roger Zappa for the February meeting.

Zyburt moved, Rhein supported that the Chocolay Township Board direct staff to prepare the following items for discussion during the February Joint meeting with the Township Planning Commission:

1. Complete cleaning up definitions
2. Legal desire to look at two paths – rezoning path or land use change path
3. Obstacles
4. When rewriting, make the finished product simple and straight forward.

AYES: 6

NAYS: 0

ABSENT: 1 (White)

MOTION CARRIED

MANAGER UPDATE FOR THE SEWER AND BUDGET

Budget – in the process of closing out 2022. The audit has been scheduled to start the week of February 6. Congratulated the finance team on this accomplishment. By next year, we hope to be able to be self-sufficient which would enable us to remove the last major finding.

Fire truck delivery is scheduled for Thursday, January 19. Board members may be able to do a short tour of the building and fire truck prior to the joint meeting on Monday, February 13th.

Sewer – final contract – complete punch list by end of month. Retainage has been decreased, and there is now approximately \$100,000 left. March 15, 2022 was our turnover date, and Public Works has been handling the new system since that time. The system is operational and running, with everything now above ground.

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal – asked about the ice-skating rink. Manager De Groot stated that the conditions are not quite right yet. We will try to open as quickly as possible.

Judy White – Absent

Dave Lynch – None

Ben Zyburt – None

Max Engle - None

Richard Bohjanen – None

PUBLIC COMMENT - None

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:20 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of November 21, 2022.
- B. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of December 21, 2022, Draft.
- C. Information – Iron Ore Heritage Trail 2022 Municipal Report
- D. Information – Chocolay Township Newsletter – November 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor

CHOCOLAY TOWNSHIP NEWSLETTER**January 2023****DEPARTMENT REPORTS****Manager****By Bill DeGroot**

Many people participated in the water survey conducted last year. The Township Board heard from their engineering consultant in December. Based on the findings, the new federal and state funding sources would not be usable to help defray the cost of installation. This would make the project 100% funded through local user fees. The fees would be about \$100 to \$200 per month based on current construction costs. After a long discussion the Board voted to end the feasibility study because the impacts to the residents would be too significant without federal or state funding. We will have the final report by the end of March to be released to the public. The report will be available on our website. This is a disappointment; we will continue to pursue options to help those with water quality concerns. As always, if you believe you have water quality concerns now, please reach out to the Marquette County Health Department.

Assessing**By John Gehres**

Change of assessment notices will go out next month. Due to inflation, it will be the largest increase in taxable value since the passage of Proposal A. The taxpayers are fortunate that a cap of 5% was built into the law.

Clerk**By Lisa Perry**

2023 will be a year of organizing for me in the Clerk's department. I will continue to clean and organize our record files, maps, and retention schedules. This will keep me busy!

At the end of January, we were notified that MARESA will have a proposal for an increase in the levy by the intermediate school district of special education millage previously approved by the electors. This will go out to our voters on May 2, 2023. We are busy in the office preparing for this election.

The Absentee Voter applications will be going out mid to the end of February, ballots will be mailed at the end of March. Reminder, you will not be mailed a ballot until a completed application is returned to the Township office. The applications can be mailed, put in the secure dropbox, or brought in person to the office.

I will be reaching out to the "snowbirds" for confirmation on their mailing addresses as **election mail will not be forwarded with regular mail**. When you get your application, it is important to add a mailing address (if different from your residential address) of where your ballot can be mailed the end of March. By doing this, you can help cut down on the number returned to our office and having to re-mailed.

On a different note, the days are getting longer, and Spring is right around the corner, until then, stay warm.

Fire Department

By Lee Gould

The fire department has taken delivery of our new Pierce Quantum Pumper!! This will be replacing our 1998 Pierce Saber Pumper. This unit will serve Chocoday Township for 20 years or longer. This has been a 3-year process from research, discussions with other fire departments and trips to Pierce to ensure the operations of this truck meets today's calls but also being adaptive to future changes within the township infrastructure. Currently we are training on the new truck to learn how it operates as the newer technology is much different than our other apparatus. We are also working on mounting the equipment on the truck. Today's fire apparatus has shelving designed to hold specific equipment. Our goal is to have the training and equipment mounting done and the truck ready for emergency calls by the end of February.

January started busy with emergency calls! We responded to several vehicle accidents and structure fires.

We are currently working on future apparatus replacement. We are reviewing our options for a Wildland fire truck due to our former truck being taken out of service due to major mechanical repair needed. It was an older truck and not worth repairing with the high cost. We are looking to make a Wildland truck also our main water rescue truck and use it for structural fires where large apparatus can't go. Making a truck of this size that serves multiple purposes makes sense for the department.

Public Works

By Brad Johnson

This has been a crazy winter for us. When it does decide to snow, it seems to snow in feet rather than inches and it seems to be the wet heavy snow that makes it very difficult to get everything opened up. We have been able to manage to keep everything

open so far but the biggest problem has been the bike path as that also gets all the snow from the highway as well with the actual snowfall amount.

The Marquette Board of Light and Power replaced the transformer banks at our lift stations 1 and 3.

We have posted to fill the vacant position in Public Works.

Last year we collected 42.52 tons of glass from our glass container. We collected approximately 360 pounds of batteries last year from the buckets located in the Township office collection site.

We are still unable to open the ice rink at the Lions field due to poor ice making conditions. This year is not looking promising that it will be open at all for skating purposes due to safety issues.

Planning / Zoning

By Dale Throenle

Planning Commission

The Planning Commissioners participated in a meeting on January 16 in the Township Fire Hall. There were four items on the agenda for the regularly scheduled meeting.

New Business

Election of Officers

- 1) The Commissioners held their annual election of officers. Officers for 2023 are:

Ryan Soucy Chair

George Meister Vice Chair

Donna Mullen-Campbell Secretary

Rebecca Sloan Vice Secretary

The Commissioners voted to not review the Planning Commission bylaws, as the latest revision was done in 2022.

- 2) 2022 Planning Commission Annual Report

The Commissioners reviewed and approved the 2022 *Planning Commission Annual Report*. The Commissioners voted to forward the report to the Board for consideration.



3) Industrial Zoning District Conditional Use Discussion

The Commissioners decided to propose rezoning for seven parcels on US 41 South from Industrial (I) zoning to Commercial (C) zoning. They also voted to apply the mixed use overlay district to the same parcels.

4) Zoning Districts and District Intent Statements

The Commissioners discussed items for the Board to consider for the joint meeting between the Board and the Planning Commission in February.

Unfinished Business

Zoning Board of Appeals

The Zoning Board of Appeals scheduled for December 22 was postponed to January 5 due weather.

The Zoning Board of Appeals (ZBA) met on January 5 to review a case regarding adding an addition to a structure at 100 Lakewood Lane that

was non-conforming. The ZBA approved the variance request with no conditions applied to the variance.

The Zoning Board of Appeals did not meet for its regular meeting in January and will not meet in February.

Police

By Liz Norris-Harr

This month the police department offered Mason Mitchell and Alec Olivier the two open positions in our intern program. Mason is currently working at Marquette Co. Jail. He will continue there as he interns with the Chocolay Township Police Department. Alec is a graduate of Ferris State University and recently moved back to the area. We look forward to giving them this experience and helping them move forward with their decision to pursue a career in law enforcement.

Prescription Drug Collection

Prescription drug collection through the drop-off box at the Township Police Station.

Month 2019	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Pounds To-Date	5.5											
Pounds Year To-Date	5.5											

FOIA

There is no FOIA documentation for 2023 as of 01.31.23.

Web Page Statistics

Year to date totals through January are shown in the table.

Month	Unique Visits	Number of Visits	Pages	Hits	Bandwidth (GB)
January	2,121	4,153	16,070	30,207	7.85
Totals	2,121	4,153	16,070	30,207	7.85
Averages	2,121	4,153	16,070	30,207	7.85

Highest hits per day in January for the Township web site occurred on Sunday and the highest peak usage time was 10 PM to 11 PM.

Downloads

There were 905 downloaded documents in January. The top ten documents downloaded were:

Page	Number of Downloads
2022 meeting dates	160
Township Board minutes – 11.14.22	149
2022 notification dates	147
Township Board minutes – 10.10.22	147
Township Board minutes special – 09.12.22	110
Township Board minutes – 12.12.22	97
FOIA request	84
Township Board agenda materials – 12.12.22	74
2022 adopted fee schedule	70
DPW Technician job description	62

Page Visits

Top ten pages visited in January were:

Top ten pages visited in July were: Page	Number of Views
Employment	970
Directory email	597
Agendas and Minutes – Township Board	499
Contacts	346
Elected and Appointed Officials	326
Public Notices	298
Information and Newsletters	276
Recycling	264
Assessor	256
Fire Department	256

Zoning Permit Counts

Zoning permit counts through January, 2023:

2023 Reviewed Permits by Month		2023 Reviewed Permits by Type		
Month	Number of Permits		Approved	Denied
		Permit Type	Number	Number
January	0	Addition	0	0
		Alteration	0	0
		Commercial Outbuilding	0	0
		Conditional Use	0	0
		Deck	0	0
		Fence	0	0
		Garage	0	0
		Grading	0	0
		Home	0	0
		Home / Garage	0	0
		Home Occupation	0	0
		New Commercial	0	0
		Outbuilding	0	0
		Pole Building	0	0

2023 Reviewed Permits by Month		2023 Reviewed Permits by Type		
		Approved	Denied	
		Rezoning Application	0	0
		Sign	0	0
		Site Plan Review	0	0
		Zoning Variance Request	0	0
Total	0	Total	0	0



**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
January 03, 2023**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, January 03, 2023, in the Commission Chambers at City Hall.

ROLL CALL

Present: S. Mittlefehldt, M. Rayner, Chair J. Cardillo, K. Clegg, Vice-Chair M. Larson, D. Fetter, N. Williams

Absent: A. Andres, W. Premeau (both excused)

AGENDA

It was moved by D. Fetter, seconded by M. Larson, and carried 7-0 to approve the agenda as presented.

MINUTES

Minutes of 12-06-22 were approved by consensus.

TRAINING**A. "Article" on Constitutional considerations for City Planners (Excerpt from *Land Use and Society*, 1996, R. Platt, Island Press)**

City Planner and Zoning Administrator D. Stensaas presented a synopsis of the reading material. The Planning Commission and staff discussed the article and related issues.

WORK SESSION ON REPORTS/PLANS/ORDINANCES**A. Zoning Plan - CMP Renewal Project**

D. Stensaas presented an overview of Chapter 3 – Future Land Use Recommendations, beginning with the breakdown of land uses by acres and percent of the total land area in Table 3.1 and said those numbers still should be fairly accurate, and are useful for planning purposes, but that staff will update the table for the revised Community Master Plan. He also referenced Table 3.3 to discuss the recommendations that were approved for zoning districts related to the land use categories and current zoning categories listed in the table.

He stated that almost all of the recommendations for zoning districts were implemented through adoption of a new zoning map with the adoption of the Land Development Code in 2019, and that included launching several new zoning districts to better suit the land uses that existed at the time. He also discussed how we use the Future Land Use Map to create a Proposed Zoning Map, and that the Planning Commission uses the Future Land Use Map to determine the consistency of rezoning proposals.

He also stated that the decision to code the maps as shown was based on multiple considerations that are discussed in Chapter 3 and for Mixed-Use zoning districts that included a "nodes and corridors" strategy of proposed districts, to encourage housing and business diversity and expansion in areas best suited to accommodate additional housing and commercial development.

S. Mittlefehldt said that one of the standards for Mixed Use districts is for local services, and that any non-residential use in a Mixed-Use district is intended to satisfy the need for basic services in the surrounding

residential areas. She said that when it was created, they were thinking about those “mom and pop” shops, things that would be useful for those residents. She said they were prioritizing the residential experience and having commercial uses that could improve that residential experience.

J. Cardillo stated that there have been some interesting discussions that have come out of the implementation of Mixed-Use that have helped us see what is working and there’s been some tension with some parts of it but it has been an experiment that has been mostly successful.

The Planning Commission and staff discussed the possibility of creating another Mixed-Use district that would not include options for some of the more intensive Special Land Uses that the existing MU district allows, for implementation in areas that are already heavily residential or that are adjacent to L. Superior.

There was a lengthy discussion about the Industrial-Manufacturing zoning districts and the prospects for the disposition of the Wisconsin Energies property near Presque Isle. D. Stensaas said that the timeline for completing the decommissioning of the power plant is unknown now, but he was sure that not all of the steps for rehabilitation of the property have been completed yet. He also said that the property is adjacent to an active railroad and that use is not changing, and for those reasons it’s safe to say that the property should stay in the Industrial zoning category through this planning cycle, and that the next time the CMP is updated, towards the end of the decade, we should have a better handle on potential reuse and rezoning opportunities for the property.

There was also discussion about the Shophouse Park project, located in the River Park complex in N. Marquette, and how the various proposed industrial-manufacturing and testing activities on the property may unfold over time.

The Planning Commission and staff discussed the idea of adopting one or two new residential zoning districts to allow more variety in housing options, under specific conditions. Two main concepts discussed along these lines so far were allowing for more options as a permitted use on corner parcels and an overlay/floating “neighborhood residential” district that could allow up to 75 dwelling units per acre. The discussion included the known and potential challenges for establishing such options, and where these districts would most likely be a good fit.

D. Stensaas said that he wasn’t sure how the “corner lot” diversification could apply in Low Density Residential districts, since most don’t have polygonal blocks and instead have curving streets and cul-de-sacs. He also stated that the Not In My Back Yard (NIMBY) issue would need to be overcome for any such concept to be implemented, as well as coming to some kind of agreement on how to relax parking requirements for these types of districts.

COMMISSION AND STAFF COMMENTS

S. Mittlefehldt asked about the timeline for the roll out of Community Master Plan surveys. She also congratulated D. Stensaas for being selected for recognition by the Mining Journal for his work during the past year, and said it was good to see some acknowledgement of the work being done by the City to address important community problems.

M. Rayner introduced herself.

K. Clegg introduced himself.

J. Cardillo stated that she met with Community Development Dept. Director Stachewicz and the Arts and Culture Center Manager Morin to discuss ideas for presenting information about the Community Master Plan in the publication for Art Week in June.

D. Stensaas stated that there is no business for the next meeting and he would follow up with the Commission members on whether it would be kept for a work session or cancelled.

ADJOURNMENT

The meeting was adjourned by Chair J. Cardillo at 8:20 p.m.

Prepared by:

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David Stensaas, City Planner and Zoning Administrator; Planning Commission Staff Liaison