

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION
Monday, April 17, 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)
Rebecca Sloan (Vice Secretary)
Stephanie Gencheff
Kendall Milton

Members absent at roll call:

Don Rhein (Board)

Staff present:

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

III. Additional Agenda Items / Approval of Agenda

Soucy requested that new business agenda items be moved before the unfinished agenda items.

Soucy moved, Meister seconded, to approve the agenda as changed.

Vote: Ayes: 6 Nays: 0 Motion carried

IV. Minutes

A. March 20, 2023 Meeting

Soucy requested a change of wording on page four of the minutes to change the second bullet point from residential district to industrial district for the findings of fact.

Meister moved, Sloan seconded, to approve the March minutes as changed.

Vote: Ayes: 6 Nays: 0 Motion carried

V. Public Comment

Maggie Johnson, 317 Lakewood Lane

Spoke in support of permitting detached accessory dwelling units in the Township.

Mike Johnson, 14 Allen Drive, Marquette

Spoke in support of permitting both attached and detached accessory dwelling units in

the Township. He detailed the limitations in the current zoning ordinance for footprint size for an accessory dwelling unit, and the difficulties involved in directly attaching to the current dwelling. He added a request to review who can live in the attached dwelling unit.

Michael Johnson, 317 Lakewood Lane

Spoke in support of permitting detached accessory dwelling units in the Township.

VI. Public Hearings

A. #34-23-01 Proposed Changes for the Industrial Zoning District

Staff Introduction

Throenle stated the purpose of the language change was to allow for a conditional use of residential in the Industrial zoning district. He emphasized that if the language was added, the Planning Commission would conduct a public hearing for a conditional use of residential for those wishing to add a residential use to their property in the future.

Commissioner Decision

Sloan moved, Mullen-Campbell seconded, to open the public hearing.

Vote: Ayes: 6 Nays: 0 Motion carried

Public Hearing

Nancy Holdwick, 1419 M-28 East

Spoke on both her and her husband's behalf. They questioned the reasoning behind the proposed changes and wanted clarification as to the details of the proposed changes.

Rusty Northrup, owner of Marquette Fence

Asked for the reasonings for putting residential in the Industrial district, especially since the residence would be surrounded by noise and dust.

Missy Lehtomaki, Select Realty

Stated the reasoning for the request was related to the residence located at 6565 US 41 South, which is located in the Industrial zoning district. She spoke as the representative of those wishing to purchase the property.

Sam Garrow, owner of Marquette Fence

Asked if the purpose of the request was to address one owner or the entire district.

Jessica Elliston, 240 Timberlane

Stated that the residential use would have to be approved as a conditional use, and that a residence could not be approved unless that occurred.

Commissioner Decision

Meister moved, Sloan seconded, to close the public hearing.

Vote: Ayes: 6 Nays: 0 Motion carried

VII. Presentations

None

VIII. New Business

A. #34-23-01 Proposed Changes for the Industrial Zoning District

Commissioner Discussion

Milton stated he did not feel it was a good idea to allow residential in the industrial district, as anyone coming in with a manufacturing change would be required to get a conditional use permit to enhance the industrial district. He felt that residential in the industrial district was not a good addition to the district, based on the industrial uses that would surround the residential use.

Gencheff stated that she agreed with Milton in principle for the future, but that the property in question on US 41 South was different in that it was built in the 1970s, and that the uses surrounding the properties were generally commercial. She added that the Commissioners should carefully consider changing some of the industrial districts to Commercial zoning. She also noted that large scale residential uses in the Industrial zoning district would not happen. Sloan added that was not the intent; Gencheff agreed.

Meister stated that the intent was not to open the industrial district to residential zoning, but to address the unique property issue on US 41 South. Sloan added that the key for her was that the surrounding businesses were generally commercial and not industrial. Meister added that the reason for the proposal was not only to address a single property, but also to allow business owners to consider adding a place to stay on their property if they chose to do so. He added that the reasons for adding a residence would have to be presented and approved, and that the purpose of this change was not to address only one property owner.

Soucy read the findings of facts from the March meeting; the decision was in conformance with the direction of the recently passed master plan, and that the use was reasonable in the Industrial district in some circumstances as determined by the Planning Commission.

Soucy stated that any residential use in the Industrial zoning district would be considered on a case-by-case basis.

Soucy asked Throenle to explain the options for a decision on the issue. Throenle stated that there are three options: 1) deny the change, 2) to add single family dwellings to the Industrial district as a conditional use, and 3) to add registered rentals as a conditional use to the Industrial district. He added that finding of facts had to be added no matter the decision.

Commissioner Decision

Sloan moved, and Gencheff seconded, that the proposed language for the Township Zoning Ordinance listed as change number 34-23-01 to add single family dwellings as a conditional use to the Industrial zoning district be accepted as presented with the following findings of fact:

- 1) We find that it's under the Planning Commission purview to make recommendations that guide the control of development in the Township. This area is more commercial in nature with light industry. It is complementary to a mixed use neighborhood.*
- 2) We also find that it is in the general spirit of the master plan that this area is expected to evolve over time to become a mixed use neighborhood that is able to accommodate a variety of needs and uses.*

Vote: Ayes: 5 Nays: 1 (Milton) Motion carried

Commissioner Discussion

Commissioners discussed the conditional use for a registered rental dwelling in the Industrial zoning district. Sloan asked if the person requesting the residential use would have to know if the property was to be rented prior to getting approval for the conditional use. Throenle stated that two conditional use applications would have to be submitted; one for residential use on the property and the other to rent the property.

Soucy stated that the decision would be only allowed in particular circumstances. Meister added that caretakers or managers might be a possibility in the future; he was not in favor of an Airbnb-type rental.

Commissioners discussed how to ensure that future Planning Commissions understood the intent of the current Commission's intent. Meister suggested adding an intent statement in the ordinance language to clearly outline what the intent should be. Soucy asked for suggestions as for the intent language.

Meister proposed that the intent of the conditional rentals would be to allow employees or immediate family to be able to stay in proximity to the business and not to be open to general rentals. Soucy added that this would be added to the motion.

Sloan moved, and Meister seconded that the proposed language for the Township Zoning Ordinance listed as change number 34-23-01 to add Registered Rental Dwellings as a conditional use to the Industrial zoning district, and a statement be accepted as revised with the following findings of fact:

- 1) That an intent statement be added to the Township Zoning Ordinance that states the intent of the conditional rentals would be to allow employees or immediate family to be able to stay in proximity to the business and not to be open to general rentals.*
- 2) We find that it's under the Planning Commission purview to make*

recommendations that guide the control of development in the Township. This area is more commercial in nature with light industry that is complementary to a mixed use neighborhood.

- 3) *We also find that it is in the general spirit of the master plan that this area is expected to evolve over time to become a mixed use neighborhood that is able to accommodate a variety of local uses and needs.*

and that the proposed language be forwarded to the Township Board for consideration.

Vote: Ayes: 5 Nays: 1 (Milton) Motion carried

Sloan moved, and Meister seconded that “and that the proposed language be forwarded to the Township Board for consideration” be added to the first motion.

Vote: Ayes: 6 Nays: 0 Motion carried

B. Final Site Plan Review Application SR 23-04 – Ironworkers Local 8 Training Facility

Staff Introduction

Throenle introduced the revised site plan from the Ironworkers Local 8 regarding a proposed training facility that will be located on M-28 East between the hotel and Nagelkirk. He stated the plan was a formal presentation that derived from a preliminary plan that was presented at the December 2022 meeting.

Commissioner Discussion

Peter Dupuis, representing Gunlach Champion, outlined the plan for a commercial training facility for Ironworkers Local 8. He introduced Tim Roman, the business agent and training coordinator for the Ironworkers Local 8, and Ross Bennett, the chief estimator and project designer from Gunlach Champion.

Dupuis spoke on the internal details of the building and indicated that the only major change from the preliminary plan to this one was that the entry to the site moved to the east of the property from the west side. He indicated that the building height would not exceed 30 feet, and parking would be available on three sides of the building. He added that Bennett was working with MDOT to finalize the entry from M-28, and to address concerns regarding going over the bike path. He stated that there would be a septic system on site pending a perk test on the site from the Marquette Health Department, and that connection to the Township sewer system may be considered if the site did not pass the perk test.

Soucy asked what the proposed hours of use would be. Roman responded that the primary training would be February through April in blocks of time from 7 AM to 3:30 PM. He added that during non-training times, there would only be one or two staff members on site. He stated that there may be some additional training scheduled, and that there would be two social events during the year; one in the summer and the other at Christmas and scheduled quarterly meetings. He stated that there might be some Saturday training for welders.

Mullen-Campbell asked about the impact on the wedding venue next to them. Roman stated that there would be minimal impact as all noise would be contained within the building, and that training would generally end prior to a scheduled wedding.

Meister stated he was satisfied with the proposed use. He added that he wanted to know about the topography or grading since none was indicated on the plan, the sizing of the utilities, lighting specifications, and where the discharge point would be for stormwater. His concern for lighting was there were no mounting heights or specifications on lighting types indicated. He added that his primary concern was the location of stormwater retention.

Soucy indicated that the main items to look at were the driveway and the stormwater drainage.

Meister asked Throenle about the screening requirement from the commercial neighbors; Throenle responded there was no requirement for that, as they were designed for commercial to residential.

Sloan asked how far away that trainees would come for training; Roman responded that some traveled from Milwaukee to receive training in the Upper Peninsula.

Gencheff asked about the increase in parking from the preliminary plan; Dupuis responded that would be to cover the two large events that occur each year, and Ross added that was also to address the number of spots required in the zoning ordinance based on the square footage of the building.

Meister asked about machinery that may be parked in the back of the building; he asked that the storage be designated on the site plan.

Soucy asked what was driving the need for the training facility. Roman responded that the primary reasons were shortage of workers and a need for a permanent facility. Soucy added that it was a key regional project.

Commissioner Decision

After Commissioner review, Meister moved, Milton seconded, that Site Plan Review Application SR 21-64 be approved with the following conditions:

- 1) Complete proposed grading*
- 2) Proposed lighting per the application requirements*
- 3) Demarcation of where outdoor storage in the back*
- 4) Depiction that the stormwater retention is adequate and where the outflow will be*
- 5) All pending permits are secured*

Vote: Ayes: 6 Nays: 0 Motion carried

IX. Unfinished Business

A. Proposed Zoning Ordinance Definitions

Staff Introduction

Throenle stated that the definitions presented are from other sections within the Township *Zoning Ordinance*. He added that page one of the definition document included definitions that had been considered previously but were not finished.

Gencheff asked why carports were not included in the ground cover ratio definition. Throenle responded that he was not sure as that was a carryover from the 1977 ordinance. Meister said that there were reasons stated in the past, but he could not directly remember what they were. He added that some communities added carports to the ground cover ratios, while others did not. Throenle added that the time to update the language would be now if there were changes that should be made.

Milton added that the primary reason for consideration was the amount of infiltration that would occur. Meister added that the ratio was also important to reduce the overall urban look of a property.

Meister asked Throenle to look up ground cover ratio in the zoning ordinance to see how it was being used. Throenle found the floor area ratio information in section 6.1 (C), and the ground cover ratio in sections 6.1 (D) and 10.2.B.e for Planned Unit Developments. He added that those were specific to the MFR, C and I zoning districts.

Commissioners discussed whether to keep the floor area ratio and ground cover ratio definitions as they seemed to be redundant. Commissioners decided to remove the floor area ratio definition and to modify the ground cover ratio definition. Commissioners suggested changing the language in 6.1 to remove item C and modify D to make it ground cover ratio and change the percent in MFR to 40 percent.

Meister asked why woodlots were excluded from the agriculture definition. After further discussion, Commissioners decided to remove the woodlot exception from the definition.

Gencheff asked about the 30 per cent ratio for the accessory dwelling unit. She asked if the percentage should be upped to 50 per cent, and if who uses the accessory dwelling unit could be changed to accommodate additional family members or caretakers. She added that she preferred that the accessory dwelling unit should be attached. Meister responded that sometimes it is more difficult to make it attached than it is to build detached, especially when trying to do things such as plumbing and match roof lines. Milton requested that caregivers be included in the list of those that could stay in the dwelling unit.

Throenle stated that he would research what the City of Marquette did with accessory dwelling units and bring back that information back to a future meeting. Meister requested that Throenle add wells and sewage disposal to that research to determine how that would be handled with separate units.

Soucy stated that the rest of the definitions would be tabled until the next meeting.

X. Public Comment

Maggie Johnson, 317 Lakewood Lane

Spoke in support of increasing the size of detached accessory dwelling units and detaching the accessory dwelling units. She also addressed the cost and use of the unit after the original unit was no longer used as an accessory dwelling unit .

Michael Johnson, 317 Lakewood Lane

Spoke on the size of his lot and stated that an accessory dwelling unit would not absorb much of his property.

Nancy Holdwick, 1419 M-28 East

Thanked the Commissioners for letting her speak earlier in the meeting. She also spoke on the vagueness and confusion in the language of the notices that were sent out in the mail. She added comments related to the rental next to her property and complimented the Commissioners on the rental part of the Industrial zoning district discussion.

XI. Commissioner's Comments

Milton

No comments.

Gencheff

Expressed a concern that the Township was getting dangerously close to adding two residences to a property. She was looking forward to seeing what the City of Marquette had in its language.

Meister

Expressed questions regarding rentals as a result of the accessory dwelling unit question.

Soucy

Stated that he hopes that the Township digs deeper into the housing issue to determine what is best for the Township. He said he would provide additional resources for the next meeting.

Sloan

Stated comments related to rentals. She thanked Soucy for his leadership during the meeting, especially during the site plan review motion.

Mullen-Campbell

Options should be explored regarding aging in place.

XII. Director's Report

Planning / Zoning Administrator Throenle

Throenle asked the Commissioners what items they would like to see on the agenda for May. He added that there would be a pending conditional use / site plan review for the meeting.

Commissioners decided that three items should be on the agenda:

- 1) Conditional use / site plan combination
- 2) Definitions
- 3) Agriculture district discussion

Meister asked about the survey. Throenle stated the marketing plan is the next step in the FlashVote process.

Soucy and Mullen-Campbell stated that they may not be available for the next meeting.

Throenle asked the Commissioners to review the handout on training and to contact Suzanne Sundell if a Commissioner wished to attend training.

XIII. Informational Items and Correspondence

- A.** Township Board minutes – 03.13.23
- B.** Township Newsletter – March 2023
- C.** Marquette County Planning Commission minutes 03.01.23
- D.** City of Marquette Planning Commission minutes 03.07.23

XIV. Adjournment

Meister moved, Sloan seconded, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy adjourned the meeting at 7:52 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell