# CHOCOLAY TOWNSHIP

# PLANNING COMMISSION

### Monday, January 17, 2022 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)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

Donna Mullen-Campbell (Secretary)

Eve Lindsey (arrived at 6:30 PM)

George Meister (Vice Chair)

Staff present:

Dale Throenle (Planning Director / Zoning Administrator), Bill DeGroot (Township Manager)

### III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 4 Nays: 0 Motion carried

#### IV. Minutes

Rhein moved, Sloan seconded, to approve the September 20, 2021 minutes as written.

Vote: Ayes: 4 Nays: 0 Motion carried

#### V. Public Comment

None

### VI. Public Hearings

Rhein moved, Sloan seconded, to open the public hearing.

Vote: Ayes: 4 Nays: 0 Motion carried

Michael Dayton, 114 Chocolay River Trail

Requested review of the overlay district map in the proposed new roadways plan for East Main Street for connection to Chocolay River Trail.

Jeff Conklin, 120 Chocolay River Trail

Agreed with the concerns from Dayton. He also requested review of the overlay district map in the proposed master plan to consider keeping the parcel west of his property zoned for residential use.

Soucy asked if additional comments were received. Throenle replied that two were received and were included in the packet.

Conklin asked if a letter sent by his neighborhood association had been received at the Township. Throenle stated that no letter or phone call had been received; he stated that the communications found in the packet were the only comments that came in during the sixty-three day public comment review.

Rhein moved, Milton seconded, to close the public hearing.

Vote: Ayes: 4 Nays: 0 Motion carried

### VII. Presentations

None

### VIII. Unfinished Business

### A. 2021 Master Plan and Related Appendices

Soucy pointed out there was an option to continue with the discussion of the master plan adoption or to move the discussion to the joint meeting in February. He asked Throenle to give staff introduction.

Throenle presented a brief introduction to the plan and added that he had included a document in the packet that gave the staff edits that were performed on the plan. He stated that one section, Village Mixed Use, was inadvertently removed in April of 2021, and that it was added back.

Sloan asked if the section was added back to the document that went out for public review; Throenle stated that is was. He stated that the language was discussed and approved by the Commissioners in the April timeframe.

Throenle stated the Commissioners could proceed with one of three options: 1) accept the document as written; 2) add additional changes to the document; or 3) table the discussion of the plan to the February meeting. He suggested that the Commissioners table the discussion as three Commissioners were not present at the meeting.

Rhein moved, Soucy seconded, to postpone the discussion of the master plan until the February meeting.

Vote: Ayes: 4 Nays: 0 Motion carried

### IX. New Business

### A. Planning Commission Training Session – What is Planning?

#### Staff Introduction

DeGroot asked the Commissioners if they wished to change the training session to March based on the previous motion related to the master plan. He gave a brief Page 2 of 6

overview of what the training would encompass and the purpose for the trainer.

#### **Commission Discussion**

Soucy stated that it would be more beneficial for the Commissioners to move the training; Sloan agreed.

DeGroot requested that the Commissioners look through the documents prior to the training in March.

#### **Commission Decision**

Sloan moved, Rhein seconded, to postpone the Commissioner training until the March meeting.

Vote: Ayes: 4 Nays: 0 Motion carried

### **B.** Election of Officers

#### Staff Introduction

Throenle stated that election of officers was an annual responsibility of the Commission. He pointed out that the Commissioners that were absent were eligible to be elected and that Rhein was not eligible as the Board appointed him to the Commission.

#### **Commission Decision**

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

Vote: Ayes: 4 Nays: 0 Motion carried

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

Vote: Ayes: 4 Nays: 0 Motion carried

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

Vote: Ayes: 4 Nays: 0 Motion carried

Lindsey joined the meeting prior to the next vote.

Rhein moved, Sloan seconded, to elect Lindsey as Vice Secretary.

Vote: Ayes: 5 Nays: 0 Motion carried

#### C. 2022 Meeting Dates

#### **Staff Introduction**

Throenle presented the proposed meeting dates for the 2022 calendar. He stated the joint meeting with the Board was on February 14, followed by the Planning Commission meeting. He pointed out that all meetings started at 6 PM except for the joint meeting that started at 5:30 PM followed by the Planning Commission meeting at 7 PM.

### **Commission Decision**

Rhein moved, Sloan seconded, to accept the Planning Commission meeting dates as presented.

Vote: Ayes: 5 Nays: 0 Motion carried

### D. 2021 Planning Commission Annual Report

#### Staff Introduction

Throenle presented the staff-prepared Planning Commission annual report to the Commissioners. He stated that the plan would be submitted to the Board for their review after approval from the Commissioners.

#### **Commission Discussion**

Soucy asked Throenle if the report would be discussed at the joint meeting with the Board. Throenle the report would be delivered to the Board, but it would be up to the Board if they wanted to discuss the report.

Soucy pointed out there were many accomplishments, even though the pandemic kept activities to a minimum.

### **Commission Decision**

Rhein moved, Linsey seconded, to send the report to the Board for the February meeting.

Vote: Ayes: 5 Nays: 0 Motion carried

### X. Public Comment

None

#### XI. Commissioner's Comments

#### Soucy

Told the Commissioners about a webinar training coming up the following week regarding woodlands preservation. He felt the training would be beneficial for the Commissioners, especially related to the Township's rural character. Rhein asked Soucy to forward a link to the webinar. Throenle asked Soucy to forward the link to him so that he could forward it to the Board as well.

### Sloan

Asked if the master plan would have to be modified in response to the public comment received earlier in the meeting. She asked if a public hearing would be required as well if changes were made. Throenle stated that would be determined by the intensity of the change; in this case, the answer would be yes, as language and related maps would be changed, as it would change the character of the plan.

Rhein asked which road was in question. Throenle stated it was the proposed road that went from Main Street to M-28 East. He added that the request concerning the overlay district could be handled in the upcoming zoning ordinance discussion.

Throenle displayed the proposed map showing the proposed overlay district. Throenle pointed out that the owner of the parcel closest the neighborhood was leaning toward keeping the parcel as residential. He showed the Commissioners where the parcel was in reference to Chocolay River Trail. He further indicated that a portion of the property was wetland and would not be able to be developed. He added that the proposed mixed use district was also in the 2015 master plan, and that property owners in that proposed

district were in favor of changing to mixed use.

Throenle stated that the property in question would have to be rezoned and added to the mixed use district as part of the process. He stated that even if it is in the plan, the requested change may never go through the rezoning process; it was up to the property owner to initiate the process.

Throenle displayed the wetland map for the area to show more detail about the parcel in question. Lindsey asked about the proposed roads in the master plan and if anything had changed.

### Linsey

Apologized for late arrival to the meeting. She questioned property sales and development (Lakestate Industries / Free Store, Quiznos, Subway, and new houses on Brewer Road). Throenle provided an update on each property. She also asked about the proposed water project; Rhein stated the Board is looking to bring in someone to do a viable water study for areas in the Township. She gave a brief report about attending a NCLL (Northern Center for Lifelong Learning) program. While there, she got a copy of the County master plan and statistics from around the County.

#### Rhein

Stated he enjoyed working with the rest of the Commissioners and was looking forward to working with them again during the year.

### XII. Director's Report

Planning / Zoning Administrator Throenle

He reminded the Commissioners that the joint meeting starts at 5:30 on February 14. Sloan stated she would not be at the meeting as she would be traveling.

### XIII. Informational Items and Correspondence

- A. Minutes Township Board 12.13.21
- B. Township Newsletter November 2021
- C. Marquette County Planning Commission minutes 12.02.21 draft
- D. City of Marquette Planning Commission minutes 11.09.21
- E. City of Marquette Planning Commission minutes 11.16.21
- F. Public hearing correspondence Marquette County Planning Division
- G. Public hearing correspondence Mulcahey

### XIV. Adjournment

Rhein motioned, Sloan seconded, to adjourn the meeting.

Vote: Ayes: 5 Nays: 0 Motion carried

Soucy adjourned the meeting at 7:00 PM

Submitted by:
Planning Commission Secretary
Donna Mullen-Campbell

### February 14, 2022

A Joint Meeting of the Chocolay Township Board and Planning Commission was held on Monday, February 14, 2022, in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

#### PLEDGE OF ALLEGIANCE.

#### TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Dave Lynch, Judy White, Kendra Symbal, Don

Rhein

ABSENT: None

#### PLANNING COMMISSION

PRESENT: Ryan Soucy, Don Rhein, Eve Lindsey

ABSENT: Donna Mullen-Campbell, Rebecca Sloan, George Meister, Kendell Milton

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

#### APPROVAL OF AGENDA.

White moved, Symbal supported to approve the agenda as modified (addition of Purchase Replacement of Police car under New Business, Item B.)

**MOTION CARRIED** 

#### **PUBLIC COMMENT**

Ruth Ziel, 734 Lakewood Lane – stated that she is a member of the League of Women Voters and a precinct pollworker. She is here to show support for the League of Women Voters and is in support of the resolution.

Karen Alholm, 1145 M-28 East – stated she is in attendance to show support for the League of Women Voters resolution.

Stephanie Gencheff, 587 Lakewood Lane – stated her views on voting and the requirements to receive a ballot.

#### **CONSENT AGENDA**

- A. Approve Minutes of Previous Meeting Regular Meeting of January 10, 2022.
- B. Approve Revenue and Expenditure Reports January 2022.
- C. Approve Bills Payable, Check Register Reports January 4, 2022 (2021 Check #'s 25152 25165, in the amount of \$5,372.35), January 20, 2022 (2021 Check #'s 25166 25178, in the amount of \$12,471.95), January 27, 2022 (2021 Check #'s 25195 25200, in the amount of \$19,836.39), January 4, 2022 (2022 Check #'s 25137 25151, in the amount of \$45,330.97),

- January 20, 2022 (2022 Check #'s 25179 25194, in the amount of \$26,128.64), and January 27, 2022 (2022 Check #'s 25201 25214, in the amount of \$4,482.74).
- D. Approve Bills Payable Regular Payrolls of January 6, 2022 (Check #'s DD2133 DD2165 and Check #'s 11156 11160, Federal, State, and MERS in the amount of \$43,083.56), and January 20, 2022 (Check #'s DD2166 DD2192 and Check #'s 11161 11165, Federal State, and MERS in the amount of \$44,192.75).

Zyburt moved, Rhein supported to approve the Consent Agenda as presented. MOTION CARRIED

### SUPERVISOR'S REPORT

Supervisor Bohjanen has a few statistics on COVID – during the week ending February 7, the average number of cases reported was 18 per day, this week it is less than 10 per day. 67.9% of people in Marquette County are vaccinated. Bohjanen also stated that he is frustrated by the fact that the statistical information is not complete. He has received information on a program called Flash Poll. Not sure of the price, but if the Board is interested, staff will research further. It was stated that there are many platforms out there that may be worth exploring.

#### **CLERK'S REPORT**

Clerk Engle stated that we will be having a May election – Marquette Public Schools millage proposal.

### PUBLIC HEARING - PROPOSED ORDINANCE 69; NUISANCE, NOISE, AND VEHICLES

- a. Written Comments Received D. Mulcahey, 633 Lakewood Lane
- b. Written Comments Received J. Wilson, 1987 M-28 East

Supervisor Bohjanen indicated that there has been some input received and changes made and reviewed by our Township attorney.

Pam Basal, 200 South Big Creek Road – stated that staff has done an excellent job in drafting this proposed ordinance. She has a couple areas that she would like to offer for consideration: (1) Section 5(F) – Landscaping with Motorized Equipment. Would like to see the hours of operation extended a bit during the summer in the Agricultural Zoned areas. (2) Section 6(F) – Properly licensed vehicles shall not be parked or stored in the front facing yard unless in a driveway. She would like consideration given to situational events that only happen once in a while (garage sales, etc.).

Supervisor Bohjanen also brought to the Board's attention that there had been written comments received from D. Mulcahey, 633 Lakewood Lane and J. Wilson, 1987 M-28 East, which have been included in the packet.

Bohjanen asked for Board input on any of the comments received.

White indicated that she agrees that there should be an addition to Section 5(F) indicating summer hours.

Symbal commented on the driveway information and parking violations. If no one complains, is it a violation? Bohjanen stated we choose not to "nit-pick" the definition of a driveway. Bohjanen also pointed out J. Wilson's suggested language on parking on other's property.

Symbal moved, Zyburt supported to amend language to read "No person shall park, store, maintain or place, or permit to be parked, stored, maintained, or placed, a vehicle or vehicle parts upon another's property primarily zoned for residential occupancy without consent of the property owner or tenant."

MOTION CARRIED

Rhein moved, Engle supported that Ordinance 69: Nuisance, Noise, and Vehicles be accepted with modifications during the 1<sup>st</sup> reading and be brought forward for a 2<sup>nd</sup> reading at the March meeting of the Township Board.

**MOTION CARRIED** 

#### PRESENTATION – LEAGUE OF WOMEN VOTERS

Jo Foley, 308 Corning Street – Executive Vice President to the Marquette County League of Women Voters. Foley gave a presentation on the mission of the LWV and briefly reviewed the resolution template. The resolution lays out three goals: to protect democracy, to promote policies that protect access to ballots for voters and build on the progress of the 2020 elections. The LWV is asking that Chocolay Township Board support this resolution.

#### CONSIDER ZONING BOARD OF APPEALS APPOINTMENTS

White moved, Rhein supported that the Chocolay Township Board appoint Dave Lynch to the Zoning Board of Appeals.

**MOTION CARRIED** 

### CONSIDER PURCHASE REPLACEMENT OF POLICE CAR.

Township Manager De Groot explained that our 2018 Dodge Charger has some very costly repairs that will have to be made (drive shaft, trans axle, CV joint, cracked transmission) at an estimated cost of \$7,000 plus downtime of at least one month after the replacement funds are received. In our budget, we are scheduled to buy a new police vehicle later this year. Currently, there is a 2022 Charger that is in Lansing that would fit our needs – it is equipped properly and our components would fit. There is an extended warranty available for purchase. To order a new vehicle, it would be 2023 before we could get on the list, with a 30-week wait time. We have \$40,000 budgeted under our capital account for a new vehicle. We are able to use ARPA funds for the purchase as this was a budgeted item. We would be able to get this vehicle for 2021 pricing. We would plan on selling the 2018 as surplus "as is".

Lynch moved, Zyburt supported that the Chocolay Township Board enter into a contract with LaFontaine CDJR – Lansing for the emergency purchase of a 2022 Dodge Charger Police Vehicle.

**ROLL CALL VOTE** 

AYES: Rhein, Symbal, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None MOTION CARRIED

#### JOINT MEETING DISCUSSION WITH PLANNING COMMISSION

At 6:12 pm, Ryan Soucy called the Planning Commission to order, with the purpose of the joint meeting being to enter into a work session with the Township Board.

Roll Call: Ryan Soucy, Don Rhein, Eve Lindsey

Public Comment for Planning Commission: None

Dale Throenle, Planning Director / Zoning Administrator, provided an annual report to the Township Board on undertakings / accomplishments for 2021. The bulk of the year was focused on the Master Plan. The Planning Commission also covered some mixed-use considerations, sign ordinance, site plan reviews, housing project on US 41, original draft of Ordinance 69. Throenle also went over the various activities that he has attended.

White asked why meetings were not held in October, November, and December. Throenle indicated there was nothing outstanding. Soucy commented that the Planning Commission has been efficient with items that they have been handling.

### **CONSIDER MASTER PLAN SUPPORT**

Supervisor Bohjanen indicated that he felt this was a well written document that contains ambitious goals, put together by Staff and the Planning Commission. White agreed that the Planning Commission had done a good job.

Manager De Groot thanked the Planning Commission for diving into the process of planning for the next 25 years. There have been some questions about the connection of Chocolay River Trail and Main Street. This somehow made it into the Master Plan in 2005 and has carried forward from that point. Staff is recommending the elimination of this connection. De Groot thanked the residents of Chocolay River Trail and Main Street for speaking out on this subject. It is recommended that Appendix E be reflective of this change and the end of this topic going forward.

Manager De Groot also indicated there is a Wetland Complex in that area – in the 1908 plat map this was showing as a park. In the master deed, this would be the open space for Chocolay River Trail. Current zoning on this wetland complex requires a 100' setback from Silver Creek.

In 2010 the Planning Enabling Act enable the Master Plan to be a Board document. Chocolay Township has chosen to delegate the responsibility of developing the document to the Planning Commission and present to the Township Board for approval.

Symbal stated that the was happy for the number of people that showed up at the meeting, along the number of letters received in response.

Soucy commented that he was happy to see the community support — it's vitally important in putting together a Master Plan. The Master Plan is a collective vision for growth in the township, so it is important. Soucy thanked staff for doing their due diligence in putting together this document.

Manager De Groot stated that being involved in the process is what is needed as the Planning Commission moves forward with the Zoning Ordinance rewrite. Urged residents to stay informed. This will not be a quick process.

#### **Public Comment:**

Brian ??? 123 Chocolay River Trail – thanked everyone for the work that they put into this. Wants to go on record that he is opposed to any zoning changes.

Sam Elder, 125 East Main – expressed his appreciation to the Board and the staff for their work – he chose to live on a dead end road and he lives in Chocolay Township for a reason.

Jackie Calcaterra, 170 East Main – thanked the Board for their work. Also indicated that people choose to live on dead end streets for a reason.

Mike Dayton, 114 Chocolay River Trail – planning documents are not something you just spit out overnight, and he appreciates the Board and Planning Commission listening to their concerns on the extension of the road. Also thanked them for digging into the issue of the wetland parcel.

Lynch moved, Rhein supported that the Chocolay Township Board postpone action on the resolution until the Planning Commission has a chance to bring it back at the March meeting. MOTION CARRIED

### CONSIDER WATER SYSTEM FEASIBILITY STUDY PROPOSAL OHM

Manager De Groot indicated that at the January meeting the Board reviewed the scope of work that would be provided. The funding would come out of the 1<sup>st</sup> allocation of the ARPA funds that were received in 2021. This aligns with a 9 month workplan, and if we are interested in moving forward, we may be eligible for other opportunities for grant funding.

Engle moved, Zyburt supported that the Chocolay Township Board authorize the Township Supervisor and Clerk to enter into a contract with OHM to complete a Water System Feasibility Study.

#### MOTION CARRIED

#### CONSIDER RESOLUTION FROM LEAGUE OF WOMEN VOTERS

Clerk Engle wanted to clarify that ballots are not automatically sent to voters – they are sent an application which must be returned. We then verify signatures before actually issuing a ballot.

White indicated that she has a couple issues regarding the request to make Election Day a State holiday, and also believes that we have not been denying anyone to vote.

Engle suggested that this may happen in larger cities.

Rhein asked that the section on Election Day being a holiday be omitted. If people want to vote, they will find a way to vote. Engle also indicated that there are a number of ways to vote – if not able to vote on the actual day of the election, they are able to obtain an absentee ballot.

**RESOLUTION** supporting the cause of protecting democracy, promoting policies that protect access to the ballot for voters and building on the progress of the 2020 elections.

Engle moved, Symbal supported that:

- **WHEREAS**, access to voting and participation in free, fair and secure elections is fundamental to our system of governance; and
- WHEREAS, Michigan's election security protocols are among the strongest in the nation. Robust voter-ID laws prevent or intercept fraudulent attempts to impersonate voters. Multiple security checks bolster our absentee voting process. And gold-standard paper balloting ensures all our election outcomes can be verified; and
- WHEREAS, in 2018, Michigan voters overwhelmingly supported amending the constitution to expand voting rights, make it easier to register and easier to vote, by the following percentages of votes cast on Proposition 3: 67% support among 3,064 Township voters, 68% in Marquette County, and 67% Statewide; and
- **WHEREAS**, restricting voting rights and undermining the fair, nonpartisan administration of elections is harmful to all communities, but disproportionately impacts (already marginalized) voters of color, lower-income communities, the elderly, as well as disabled voters; and
- WHEREAS, in recent months, state legislatures, including Michigan's, have introduced dozens of bills that essentially restrict access to voting, make election administration and oversight less equitable and efficient, and undermine existing laws that maintain election security and ensure nonpartisan counting and certification of votes; and
- WHEREAS, elections in Michigan have been conducted safely and securely and without any

significant fraud, up to and including the 2020 election, as the Senate Oversight Committee Report concluded; and

**WHEREAS**, in 2021, the Secretary of State unveiled a legislative agenda that would improve access to voting whether early, absentee, or in-person; expedite absentee ballot processing; and make voting more convenient, demanding that every valid vote is counted and accurate election outcomes upheld;

**Now, therefore, be it RESOLVED** that the Chocolay Township Board on this 14<sup>th</sup> day of February, 2022 strongly supports policies that **expand and protect equitable access to voting and that strengthen and sustain a robust election infrastructure**, including both material and human resources:

- Allow overseas service members and spouses to return their ballots electronically;
- Earmark sufficient funding for elections to recruit, train and retain needed election workers, to add sufficient election equipment such as secure drop boxes and tabulators, and to support voters with disabilities;
- Allow the processing of Absentee Ballots and establish Early In-Person voting the weekend priorto Election Day; Any rule governing the mailing of absentee ballot applications to registered voters by state orlocal election administrators should apply equally to all other organizations, including nonpartisan voter engagement groups and political parties;
- Mandate the same training standards for election workers and election challengers.

The Board urges the Michigan House, Senate and Governor Whitmer to take immediate and longterm action to support the goal of preserving democracy, ensuring access to voting, and continuing to promotethe integrity, security, and fairness of all elections throughout the State of Michigan; and be it further

**RESOLVED**, that the Chocolay Township Board strongly opposes all legislation or other efforts that would restrict access to the ballot, undermine the nonpartisan, fair and efficient administration of elections; and restrict voting rights; and be it further

**RESOLVED**, that a copy of this Resolution be forwarded to the Office of the Secretary of State, the Governor's Offices in Lansing and Northern Michigan, and the members of the Upper Peninsula delegation to the Michigan State Legislature.

**ROLL CALL VOTE** 

AYES: Rhein, Symbal, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

**RESOLUTION APPROVED** 

#### CONSIDER AUDIT ENGAGEMENT LETTER

Zyburt moved, Lynch supported that the Chocolay Township Board support entering into an annual audit conducted by Anderson, Tackman & Company, PLC.

MOTION CARRIED

#### MANAGER UPDATE – SEWER AND BUDGET

Budget – State revenues are coming across higher than anticipated on the constitutional side (Chocolay Township). At this time, we are working on separating out a true capital fund and generating the opportunity of having a table showing five-year projections. We are also working on developing an Asset Management Plan for the Township. This used to be part of the regular project on what was seen as projects. There are some regulations in Capital Improvement Planning which is generated by the Planning Commission. We will be receiving our second payment of the ARPA funds of approximately \$310,000 in July. The allocation has been allocated to Premium Pay, OHM Water Study, and Redistributing in the form of small local business grants. All funds must be under contract by 2024, with completion of expenditures by 2026.

Sewer – we are still in a holding phase, as we are not at 80% completion due to supply chain issues. Wiring casing in the pump stations, conduit that goes to the pit, SCADA system is not yet fine tuned – we are still getting "ghost alarms". Hopefully this will be resolved in the next few weeks. Staff still needs to be completely trained on the system.

Rhein asked if anyone else uses this system, and if so if they have the same problems. De Groot explained that there is a balance of power that BLP needed to fine tune, and then we needed to play with flow rates. Unfortunately, those living close to the station have had audible alarms going off. He appreciates the public's understanding and patience as we work through this. We have not yet finalized the last billing with Oberstar.

### **BOARD MEMBER COMMENTS**

Kendra Symbal – None
Don Rhein - None
Judy White – None
Dave Lynch – None
Ben Zyburt – None
Max Engle – None

Richard Bohjanen - None

#### **PUBLIC COMMENT**

Stephanie Gencheff, 587 Lakewood Lane – Urged everyone to dig a little deeper into the bills that were passed by the House / Senate and the language that is in those bills.

Janet Dossler – she and her husband were born and raised in Bessemer and moved to Saginaw 30 years ago. It is completely different there, and not always easy to obtain a ballot.

Karen Schmitt, 280 Shot Point – has been an election worker for the last two elections. She complimented Max Engle (Clerk) and Lisa Perry (Election Clerk) for being excellent trainers. Feels that the challengers need to be trained also. She stated that the elections are very well run and security is a major component.

Zyburt moved, Rhein supported that the meeting be adjourned. MOTION CARRIED

The meeting was adjourned at 7:25 p.m.

### INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes Chocolay Township Planning Commission, Regular Meeting of January 17, 2022, Draft.
- B. Minutes Chocolay Township Zoning Board of Appeals, Regular Meeting of December 16, 2021, Draft.
- C. Minutes Marquette County Solid Waste Management Authority; Regular Meeting of January 19, 2022, Draft.
- D. Minutes Marquette Area Wastewater Advisory Board; Regular Meeting of December 16, 2021, Draft.
- E. Minutes Marquette Area Wastewater Advisory Board; Regular Meeting of January 20, 2022, Draft.
- F. Information Chocolay Township Newsletter December 2021.
- G. Information Chocolay Township Newsletter January 2022.
- H. Correspondence D. Mulcahey, 633 Lakewood Lane.
- I. Correspondence M. McGovern, 109 East Chocolay River Trail
- J. Correspondence D. Rautio, 112 Chocolay River Trail
- K. Correspondence J. Sorenson, 115 Chocolay River Trail
- L. Correspondence M. Gephart, Chocolay River Trail
- M. Correspondence J. Conklin, 120 Chocolay River Trail
- N. Correspondence D. Texter, 127 Chocolay River Trail

Max Engle, Clerk	Richard Bohjanen, Supervisor

### **CHOCOLAY TOWNSHIP**

### **PLANNING COMMISSION**

### Monday, February 14, 2022 Minutes

### I. Meeting Call to Order

Chair Ryan Soucy called the meeting to order at 7:00 PM.

### II. Roll Call

Members present at roll call:

Ryan Soucy (Chair)

Don Rhein (Board)

**Eve Lindsey** 

Members absent at roll call:

George Meister (Vice Chair)

Donna Mullen-Campbell (Secretary)

Kendall Milton

Rebecca Sloan

Staff present:

Dale Throenle (Planning Director / Zoning Administrator), Bill DeGroot (Township Manager)

### III. Additional Agenda Items / Approval of Agenda

No action taken. Quorum not present.

#### IV. Minutes

No action taken. Quorum not present.

### V. Public Comment

None

### VI. Public Hearings

None

### VII. Presentations

None

### VIII. Unfinished Business

### A. 2021 Master Plan and Related Appendices

No action taken. Quorum not present.

### IX. New Business

### A. Joint Meeting Discussion

No action taken. Quorum not present.

#### X. Public Comment

None

### XI. Commissioner's Comments

Rhein

Expressed that the discussion during the Board meeting was good, and he was looking forward to getting additional things completed.

Soucy agreed, adding that he was pleased to hear the public comment expressed during the meeting.

Linsey

Stated she learned a lot during the Board meeting, and that it was interesting that there was a large attendance from the public.

### XII. Director's Report

Planning / Zoning Administrator Throenle

He reminded the Commissioners that the next meeting was on March 21, and that the meeting time would be 6:00 PM.

### XIII. Informational Items and Correspondence

A. Marquette County Planning Commission minutes 01.18.22

### XIV. Adjournment

Soucy adjourned the meeting at 7:03 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

### **CHOCOLAY TOWNSHIP**

### **PLANNING COMMISSION**

### Monday, March 21, 2022 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)

Donna Mullen-Campbell (Secretary)

Don Rhein (Board)

Rebecca Sloan

Members absent at roll call:

George Meister (Vice Chair)

Eve Lindsey

Kendall Milton

Staff present:

Dale Throenle (Planning Director / Zoning Administrator), Bill DeGroot (Township Manager)

### III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 4 Nays: 0 Motion carried

Commissioner Milton joined the meeting at 6:03 PM.

### IV. Minutes

Rhein moved, Sloan seconded, to approve the January 17, 2022, February 14, 2022 (joint meeting) and February 14, 2022 (regular meeting) minutes as written.

Vote: Ayes: 5 Nays: 0 Motion carried

#### V. Public Comment

Bonnie Badour, 1417 Garfield Avenue, Marquette MI

Asked the Planning Commissioners to consider tiny homes and a smaller Township footprint requirement than the 800 square foot minimum that exists in the zoning ordinance. She provided materials for the Commissioners to review.

### VI. Public Hearings

None

#### VII. Presentations

None

Throenle requested that new business be addressed first to accommodate the site plan review.

Rhein moved, Sloan seconded, to move the site plan review up on the agenda.

Vote: Ayes: 5 Nays: 0 Motion carried

#### VIII. New Business

### A. Site Plan Review - 6448 US 41 South

#### Staff Introduction

Throenle introduced the site plan proposed for the Grove 'R Daycare and Preschool. He stated the applicant, Sue Ridolphi is proposing an addition to her current structure at the site. Throenle gave an overview of the staff review of the application to the Commissioners.

### Commissioner / Applicant Discussion

Dave Ridolphi was in attendance as the contractor for the project.

Soucy asked where the water wells were located on the property. D. Ridolphi identified the location on the plans.

Rhein questioned the septic. D. Ridolphi indicated that there are three septic tanks on the property that were placed while the restaurant was on the property.

Sloan asked where the addition was going to be placed, and if the addition was going to be added to the existing structure. D. Ridolphi stated that it was.

Sloan asked if there were trees between the property and the neighboring apartments. D. Ridolphi stated there were.

Rhein stated that he did not find any issues with the floor plan.

Soucy asked about handicap parking. D. Ridolphi stated there would be an additional space added for the addition.

Mullen-Campbell asked about snow storage. D. Ridolphi stated there was sufficient room on the property for the snow storage.

### **Commissioner Decision**

Soucy moved, Milton seconded, to approve site plan review SP-07.

Vote: Ayes: 5 Nays: 0 Motion carried

### B. Planning Commission Training Session – What is Planning?

Township Manager Bill DeGroot presented a session to the Commissioners regarding the basics of planning and the responsibilities of the Commissioners in regard to planning. He focused on three main points during the presentation: 1) why plan?; 2) planning and zoning laws; and 3) Planning Commissioner responsibilities.

Commissioner Milton asked how planning is affected by the Right to Farm Act. DeGroot explained the exemptions for the Right to Farm Act and added that, depending on the

circumstances, the exemptions might have to be addressed under the Michigan Department of Agriculture.

Soucy asked about the bipartisan infrastructure act funding. DeGroot explained the process and projects affected by the process. He added that the Planning Commission will be working with a capital improvement plan in the future.

Sloan asked about the *Build Back Better* program. DeGroot outlined the program and what could be done on a regional basis in regard to the money.

Mullen-Campbell asked about resulting funds and how much of that would come into the Township budget for water projects. DeGroot explained that it would depend on the programs and the partners involved. He indicated that a water system feasibility study was underway, and that questions would be answered as the water system study continued.

Sloan asked again if the water feasibility study was underway. DeGroot answered that it was, and it was being funded with American Rescue Plan Act funds.

Milton asked about the company doing the study and where they were located. DeGroot answered that the company, OHM, had offices around the state and were managing the project from the Houghton office.

Rhein asked if everyone received a questionnaire regarding the water study. DeGroot stated that the questionnaires were mailed out with the property notices. He pointed out there was a link on the Township web site for the survey.

Sloan asked about the scope of the study. DeGroot outlined the phases of the study to get information from each area of the Township to determine need, and the water study will be used to determine if there is a need for a water system in the Township.

Soucy asked how the Township could become more engaged with regional partners such as NMU and KBIC. DeGroot explained that conversations can be had at any time, but those should be coordinated in order to understand how they would affect decisions related to the master plan.

### C. Joint Meeting Discussion

Throenle pointed out that this discussion was for the Commissioners to discuss anything related to the joint meeting in February, particularly related to the rewrite of the Township zoning ordinance.

Soucy stated that one other item discussed during the meeting was the concerns related to the extension of Main Street as they were incorporated into the master plan. He stated that it would be corrected in the plan.

#### IX. Unfinished Business

### A. 2021 Master Plan and Related Appendices

### Staff Introduction

Throenle stated that the master plan presented was the latest version of the plan. He pointed out that the *Existing and Proposed Multi-use Paths and Trail* map was updated

to remove the proposed connection road between West Main Street and Chocolay River Trail. He stated staff found documents from 1993 that the connection was to be blocked with a six foot berm when the Chocolay River Trails subdivision was created. He also stated that a bullet from the proposed appendices was removed that indicated the connection should be proposed. He stated that a portion of the maps that were included in the plan appendices were updated to a new format and that no data on those maps was changed. He asked for two motions: one to accept the changes, and a resolution to accept the plan.

### **Commissioner Decisions**

Soucy moved, Rhein seconded, that after conducting a public hearing and reviewing the proposed Charter Township of Chocolay Master Plan, 2021 Edition and related appendices, the documents be accepted as presented.

Vote: Ayes: 5 Nays: 0 Motion carried

Sloan read, and Rhein seconded, the following resolution:

(Meister joined the meeting prior to the completion of the resolution at 7:10 PM).

#### **RESOLUTION OF ADOPTION**

#### CHARTER TOWNSHIP OF CHOCOLAY MASTER PLAN 2021 EDITION

- WHEREAS the Michigan Planning Enabling Act, Act 33 of 2008, as amended, authorizes the Planning Commission to prepare a master plan for the use, development, and preservation of all lands in the Township; and
- WHEREAS the Charter Township of Chocolay Planning Commission has supervised an update to the *Charter Township of Chocolay Master Plan, 2015 Edition*, adopted on May 18, 2015, to be called the *Charter Township of Chocolay Master Plan 2021 Edition*; and
- **WHEREAS** citizens were given the opportunity to provide input for the development of the Plan via public meetings held throughout the Plan development process; and
- WHEREAS the Charter Township of Chocolay Planning Commission has duly reviewed the draft plan consisting of eleven sections: Introduction, Community Values, Community History and Demographics, Community Systems, Private Systems, Natural Systems, Future Land Use Plan, Zoning Plan, Strategies, Photo and Image Credits, References, and related appendices containing maps and reference materials; and accepts this plan as a guide for development of the Township pursuant to the authority of the Michigan Planning Enabling Act; and
- WHEREAS the Charter Township of Chocolay Planning Commission has reviewed the draft master plan over the course of many meetings and provided comments for its refinement which have been incorporated into the Plan; and
- **WHEREAS** on October 11, 2021, the Charter Township of Chocolay Board of Trustees approved the distribution of the plan to the notice group entities identified

in the Michigan *Planning Enabling Act* for review, and a 63 day public comment period was duly noticed and completed; and

**WHEREAS** all the required notifications and draft documents were distributed per the requirements of the Michigan *Planning Enabling Act*; and

**WHEREAS** the Charter Township of Chocolay Planning Commission conducted a duly advertised public hearing on January 17, 2022, to receive public comment on this plan; and

**WHEREAS** a set of Plan amendments were presented at the hearing as a result of public comment; and

WHEREAS Pursuant to MCL125.3843 the Township Board has not asserted by resolution its right to approve or reject the proposed Master Plan and therefore the approval granted herein is the final step for adoption of the plan as provided in MCL 125.3843;

Planning Commission does hereby adopt on the date listed below the Charter Township of Chocolay Master Plan 2021 Edition, along with the amendments attached to the minutes of the January 17, 2022 public hearing, and does direct the Secretary of the Township Planning Commission to deliver a copy of the adopted Plan to the Township Board and to the County Planning Commission and other notice group entities identified in the Michigan Planning Enabling Act along with this Resolution as certification of the adoption of the Plan;

**BE IT ALSO RESOLVED** that this Resolution be published inside the back cover of each copy of the *Charter Township of Chocolay Master Plan 2021 Edition* to certify that all maps, charts and descriptive and explanatory matter therein are a part of the Plan as so signified by the signature of the Chairperson of the Charter Township of Chocolay Planning Commission on this Resolution.

The Master Plan shall be effective as of the date of adoption of this resolution.

Roll Call Vote: Ayes: 6 Nays: 0 Motion carried

### X. Public Comment

Bonnie Badour, 1417 Garfield Avenue, Marguette MI

Asked the Planning Commissioners to review the 800 square footprint requirement and consider a smaller footprint.

#### XI. Commissioner's Comments

Soucy

No comments.

Sloan

No comments.

	Rhein			
	No comments.			
	Soucy			
	No comments.			
	Mullen-Campbell			
	Thanked Badour for her presentation.			
	Meister			
	No comments.			
XII.	Director's Report			
	Planning / Zoning Administrator Throenle			
	Thanked the Commissioners for their efforts in putting together and approving the master plan.			
XIII.	Informational Items and Correspondence			
	A. Minutes – Township Board 12.13.21			
	B. Township Newsletter – February 2022			
	C. Marquette County Planning Commission minutes 02.02.22			
	D. Marquette County Planning Commission minutes 03.02.22 draft			
	E. City of Marquette Planning Commission minutes 01.18.22			
	F. City of Marquette Planning Commission minutes 02.01.22			
	G. Correspondence - Badour			
XIV.	Adjournment			
	Rhein motioned, Meister seconded, to adjourn the meeting.			
	Vote: Ayes: 5 Nays: 0 Motion carried			
	Soucy adjourned the meeting at 7:15 PM			
Subm	nitted by:			

Planning Commission Secretary

Donna Mullen-Campbell

# CHOCOLAY TOWNSHIP

### **PLANNING COMMISSION**

### Monday, April 18, 2022 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)

Eve Lindsey (Vice Secretary)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

None

Staff present:

Bill DeGroot (Township Manager), 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: 7 Nays: 0 Motion carried

### IV. Minutes

Rhein moved, Sloan seconded, to approve the March 21, 2022 minutes as written.

Vote: Ayes: 7 Nays: 0 Motion carried

### V. Public Comment

None

### VI. Public Hearings

None

### VII. Presentations

None

### VIII. New Business

### A. Planning Commission Training Session – Zoning Ordinance Rewrite

Township Manager Bill DeGroot presented a session to the Commissioners regarding the project for the Township zoning ordinance. He stressed that the ordinance would be a

complete rewrite, not an update to the current ordinance.

DeGroot showed the Zoning Board of Appeals appeal references to identify what non-conforming conditions should be considered as part of the new ordinance.

He reminded the Commissioners that the ordinance would follow the previously approved master plan.

He showed a flow chart of the process for the development and delivery of the new ordinance.

Sloan asked if the process would be similar to the master plan process. DeGroot stated it would not. He stated that the language had to be developed first, starting with the definitions. He added that a cross reference of land use would be added to lay the groundwork for the document. He stressed that there is not a definite timeline for this project.

Milton asked if the Zoning Board of Appeals would have input. DeGroot stated they would be able to review the new ordinance similar to the public, but the workload belonged to the Planning Commission.

Soucy stated he felt that the Commissioners would become "experts" on the ordinance since they were developing the ordinance from the ground up. DeGroot suggested that it would be a desired outcome of the project.

DeGroot stated the Board was looking for a survey-type software that would be able to quickly poll the residents as one method of getting information for the ordinance project. Mullen-Campbell stated the current water survey was a good example.

Mullen-Campbell asked about legal review. DeGroot stated the Township attorney would be reviewing the document to ensure that the ordinance would endure legal challenges.

Meister asked what the best format for the ordinance would be. DeGroot responded that many different forms were available, but that the custom form that would be a combination of land use based and form based would probably be the outcome of this project. He emphasized that State acts such as the *Right to Farm Act* would play a large part in the development process.

DeGroot stated again that the ordinance would be a rewrite and that the schedule would be flexible to accommodate the best development of the ordinance and to accommodate the public vision.

Rhein asked if the sign portion of the ordinance would be revisited. DeGroot stated it may be revisited, but other issues such as the AF district and overlay district would also be part of that discussion.

Mullen-Campbell asked if the water issues would be part of the discussion. DeGroot stated that it was more a policy issue than a zoning ordinance issue.

Soucy asked about the format of the document, such as graphic descriptions. DeGroot stated it would depend on what was trying to be represented to detail the explanation of the text as to the format of the final document.

### **B.** Housing Discussion

Soucy indicated that there was an inter-governmental group from the area that is discussing common housing issues in the area and gave an overview of the purpose of the group.

Meister pointed out there was media information out about tiny homes and asked if there was community information or studies related to how tiny homes are received in various communities, including governmental issues. Rhein also mentioned that disposal of waste should be considered in that research.

Sloan asked if there was a need for a tiny home solution in the Township. Discussion ensued regarding housing costs and number of people possibly living in the units.

Throenle stated that staff has received an increase in the number of calls from potential home builders looking to start with a smaller footprint than what is currently permitted. He indicated that the callers were from various income levels, and many were looking for a smaller footprint for retirement. He added that there have also been calls looking to build accessory structures for the parents to live on the same property as their children. Discussion ensued regarding how to accommodate accessory structures in the Township. Rhein added that well and septic systems need to be considered in the discussion too.

Throenle added that multi-family units such as apartments and duplexes should also be considered, and public safety issues should be addressed, especially in relation to fire

Meister added that PUD (Planned Unit Development) could address some of the housing concerns.

#### C. May Meeting

Soucy stated that on the night for the May 16 meeting, there would be a training session regarding planning for solar energy related zoning. He said he would be attending the session and would not be available for the meeting.

Other Commissioners expressed an interest in attending the training. Throenle stated he would not be available that evening either, as he would be attending a conference.

Commissioners discussed moving the meeting to a different night or cancelling the meeting.

#### **Commissioner Decision**

Meister motioned, Rhein seconded, to cancel the May 16 meeting to allow Commissioners to attend the training session.

Vote: Ayes: 7 Nays: 0 Motion carried

#### IX. Unfinished Business

None

### X. Public Comment

None

# XI. Commissioner's Comments Milton Asked Throenle when the new computers for the Commissioners would be available. Throenle stated they had not be ordered yet, but would be soon. Sloan No comments. Rhein No comments. Soucy No comments. Lindsey Stated there was a lot to learn, and she was pleased with the discussion that took place. Meister Agreed with Lindsey, especially regarding the topics related to housing and solar energy. Mullen-Campbell Stated it was nice to have a project to work on again. XII. Director's Report Planning / Zoning Administrator Throenle Told the Commissioners the next meeting would be in June.

# XIII. Informational Items and Correspondence

- A. Minutes Township Board 03.14.22
- B. Township Newsletter March 2022
- C. City of Marquette Planning Commission minutes 03.01.22
- D. Information American Planning Association QUICKNOTES
- E. Information MSUE-Planning and Zoning for Solar Energy Systems

### XIV. Adjournment

Donna Mullen-Campbell

Rhein	motione	ed, Meister	seconded,	to adjourn t	the meeting.
١	/ote:	Ayes: 7	Nays: 0	Motion	carried

Soucy adjourned the meeting at 7:08 PM

Submitted by:	
Planning Commission Secretary	

### **CHOCOLAY TOWNSHIP**

#### PLANNING COMMISSION

### Monday, June 20, 2022 Minutes

### I. Meeting Call to Order

Vice Chair George Meister called the meeting to order at 6:00 PM.

#### II. Roll Call

Members present at roll call:

George Meister (Vice Chair)

Donna Mullen-Campbell (Secretary)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

Ryan Soucy (Chair)

Eve Lindsey (Vice Secretary)

Staff present:

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

### III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

#### IV. Minutes

Rhein moved, Sloan seconded, to approve the April 18, 2022 minutes as written.

Vote: Ayes: 5 Nays: 0 Motion carried

#### V. Public Comment

### Don Schnell, Associate Broker with Select Realty

Representing a Township resident in regard to splitting a non-conforming parcel (17.2 acres) zoned as Agriculture / Forestry (AF). He asked Commissioners to review the size of agricultural parcels to accommodate splits on the properties to accommodate family inheritances.

Meister recommended the property owners keep track of the meetings in the future as the Commissioners will be working on the rewrite of the zoning ordinance.

### VI. Public Hearings

None

#### VII. Presentations

None

#### VIII. New Business

### A. Planning Commission By-Laws and Procedures

Throenle introduced the proposed rewrites of the by-laws to the Commissioners for consideration. He outlined where the changes were in the document and the intended purpose of the changes.

Meister stated he had questions regarding the Capital Improvement Program in section VII, item 2. He wanted to know how that process would work.

Throenle stated the process was to develop a plan each year, with the intent that it would be presented to the Board in time for Board budget considerations.

Sloan asked about the documents and who would prepare them. Throenle responded that staff would generate the documents and present them in a timely fashion to the Commissioners so that they would have time to work through the details.

Sloan asked how the documents would be presented to the Board. Bohjanen stated the intent would be to present the document at a joint meeting in August so that items that were approved could be placed in the budget for consideration before the end of the year.

Throenle pointed out there will be detailed training available for the process.

Meister had questions regarding article 4, section 7 regarding missing meetings. He felt that the Township Supervisor should have more discretion regarding this section.

Throenle changed the language to incorporate the proposed discretion phrase.

Meister had questions regarding the newly-added section on conflict of interest. Commissioners discussed what conflict of interest actually means. Throenle pointed out that the sub items in the section get more explicit on what is considered a conflict.

Sloan had a question regarding article X, section 2 regarding training. Commissioners discussed if this was a requirement to stay as a Commissioner. After considering the language, the section was revised, and sections 2 and 3 were removed.

Throenle directed the Commissioners to article XII. There was an extended discussion regarding the notice of changing the bylaws. The section was shortened to allow for changes at any regular or special Planning Commission meeting.

#### **Commissioner Decision**

Rhein motioned, Sloan seconded, to change the bylaws as discussed.

Vote: Ayes: 5 Nays: 0 Motion carried

Throenle stated that the participation policy had been updated to add Township staff to the policy with a right to speak. He went over the additional minor changes that were in the policy. The Commissioners had no comments on the changes.

#### **Commissioner Decision**

Sloan motioned, Rhein seconded, that the language proposed for the Planning Commission Public Meeting Participation Policy be accepted as presented.

Vote: Ayes: 5 Nays: 0 Motion carried

### B. Township Zoning Ordinance Current Definitions and Current Land Uses

Throenle stated the sections presented were an extract from the current zoning ordinance for consideration for the new ordinance. He stated that the Commissioners should look at the definitions with the intent of determining whether the definition fits the practices that are in place or should be in place in the future.

Throenle showed a diagram that showed the way staff measured height to show an example of conflict between definition between and staff practice.

Rhein stated that definitions should be changed to the practice in place so that the language can be supported.

Throenle stated the Commissioner's task was to review the definitions to determine if the definition was still needed, and if so, determine if the definition made sense.

Commissioners discussed the best approach for working on the definitions. Rhein suggested that the definitions be spread across a three month period so that they could be covered more thoroughly.

Throenle also presented the land use categories in the zoning ordinance with the intent that the Commissioners would review those in the future.

Commissioners decided that the review would occur of both over the next three meetings. Meister requested that any definitions in the Township master plan be included for discussion.

### C. Planning and Zoning for Solar Energy Systems Training

Throenle reviewed the documents that were presented at the training. He pointed out that there was no language in the zoning ordinance that related to solar energy systems.

Rhein stated the training was very informative and stated that the training provided resources that would help in the development of the language in the zoning ordinance.

Mullen-Campbell asked if the new motel owner received a grant to cover the installation of the panels on the roof. Throenle stated he did not know.

Meister stated that consideration for farms had to be considered, especially when developing large solar arrays.

Rhein stated that part of the process should include the cost of cleanup when the project mechanical reaches the life expectancy. He also stressed that the training emphasized not rushing into the project.

#### IX. Unfinished Business

None

#### X. Public Comment

None

### XI. Commissioner's Comments

No comments were presented.

### XII. Director's Report

Planning / Zoning Administrator Throenle

Told the Commissioners that Eve Lindsey had resigned from the Planning Commission.

Sloan asked Bohjanen if there were applicants for the position. He stated that there were three, and he asked the Commissioners to let him know if there were others.

### XIII. Informational Items and Correspondence

- A. Minutes Township Board 05.09.22 draft
- B. Township Newsletter May 2022
- C. City of Marquette Planning Commission minutes 04.12.22
- D. City of Marquette Planning Commission minutes 04.19.22

### XIV. Adjournment

Donna Mullen-Campbell

Meister adjourned the meeting at 7:30 PM

Submitted by:	
Planning Commission Secretary	

# CHOCOLAY TOWNSHIP PLANNING COMMISSION

### Monday, July 18, 2022 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)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

Donna Mullen-Campbell (Secretary)

Staff present:

Dale Throenle (Planning Director / Zoning Administrator)

### III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

### IV. Minutes

Rhein moved, Milton seconded, to approve the June 20, 2022 minutes as written.

Vote: Ayes: 5 Nays: 0 Motion carried

### V. Public Comment

### Deborah Mulcahey, 633 Lakewood Lane

Spoke on concerns about conflict of interest affecting Commission discussions, identified errors in the supporting maps for the proposed zoning map, and gave comments regarding the discussions relating to the non-conforming AF district parcels. She also requested that the draft meeting agenda be published a week prior to the due date for public comment so that the public could provide feedback on agenda items.

### VI. Public Hearings

None

#### VII. Presentations

None

#### VIII. Unfinished Business

### A. Planning Commission Bylaws and Procedures

Commissioners expressed that the proposed bylaws document reflected the desired changes from the previous meeting. Throenle indicated the items highlighted in yellow were specifically discussed in the previous meeting.

#### **Commissioner Decision**

Meister motioned, Rhein seconded, that the language proposed for the Planning Commission Bylaws and Procedures be accepted as presented.

Vote: Ayes: 5 Nays: 0 Motion carried

Throenle asked for Commissioner consideration on the public policy procedures. Commissioners agreed that the changes indicated were sufficient.

#### **Commissioner Decision**

Meister motioned, Rhein seconded, that the language proposed for the Planning Commission Public Meeting Participation Policy be accepted as presented.

Vote: Ayes: 5 Nays: 0 Motion carried

#### IX. New Business

### A. Township Zoning District Maps

Throenle stated the purpose of the first map in the packet was to have an official zoning map that reflected the zoning districts within the Township, and that the map was a requirement of the Michigan Zoning Enabling Act. He stated the last map was published in October of 2017, and that the new map reflected all zoning changes that were approved since that time. He added that the map also reflected the recent change of KBIC-owned parcels into a Federal trust status.

Sloan asked what the process for the maps should be, and who approves them. Throenle stated that the maps are discussed and approved at the Commission level, with the intent of a public hearing and final approval at the Board level.

Meister asked if the four additional maps were part of that process. Throenle stated the four additional maps were intended to provide a close-up view of the total zoning map by dividing the map into four quadrants. He stated the additional maps were not considered official.

Sloan asked what changes were reflected on the maps. Throenle stated the changes were reflective of zoning changes and any parcel changes that may have occurred since the last maps were published. He showed the Commissioners the example of changes in zoning from R-1 to WFR along the river, and changes in zoning from WFR to R-1 along Kawbawgam Road. He added that the changes in those zoning districts was completed through a process that included notification to all affected residents, a public hearing and final approval from the Board.

#### **Commissioner Decision**

Rhein motioned, Sloan seconded, that the proposed zoning maps be sent to the Township Board for public hearing and consideration as presented.

### B. Township Zoning Ordinance Definitions A through H

Throenle stated the zoning ordinance definition discussion was based on the decision in the June meeting to discuss the definitions over a three month period. He stated he split the definitions into three groups, with the intent of getting through A through H during the meeting. He stated the document that was provided in the packet was set up with five columns; the first three were the definition language extracted from the zoning ordinance, column four was the sections in the ordinance where the definition was applied, and column five was the pages in the ordinance where the definition was referenced.

Meister indicated that he was looking at the definitions with the intent of determining if there was a need for each definition. He stated he preferred to look at each definition to determine if it was still needed, and if so, that the language be looked at to determine if it should be updated. He stated that he wanted to make the definitions easier to read for the public and to reduce issues where several definitions were stating the same thing.

Commissioners decided to review each definition with Meister's suggestion and spent a considerable amount of time reviewing each definition. Their review consisted of four possibilities: 1) keep the definition as is, 2) modify the language, 3) cite language within a definition that appeared to be more legislative than definition to be moved to the body of the new ordinance or 4) delete the definition.

The Commissioners added a definition for agritourism that did not exist.

Commissioners reviewed 64 definitions in sections A through F. The definitions were recorded as:

- 2 required an addition of ordinance text
- 16 required changes
- 25 were deleted
- 16 were kept as is
- 5 required further staff research

Commissioners tabled sections G and H until the next Planning Commission meeting.

### C. Agriculture / Forestry Zoning District (AF) Non-Conforming Parcels

Throenle stated the Board wished to discuss non-conforming parcels at the joint meeting in August, with a particular look at the parcels in the Agriculture Forestry (AF) zoning district. Throenle stated the purpose of the Commissioner discussion was to prepare for the joint meeting discussion.

Throenle gave a brief history on the non-conforming parcels in the Township and related how the parcels in the RR-1 and RR-2 from the 1977 zoning ordinance were all combined into the 2008 ordinance as Agriculture Forestry (AF), which required a new minimum of

20 acres to be conforming to the district.

Using an electronic version of the maps, Throenle presented the non-conforming districts map, then overlayed those districts with the zoning map that existed prior to 2008. He then added the current zoning map that gave a perspective to the Commissioners as to where the primary non-conformances were.

Sloan asked what the major impact of the non-conformance was. Throenle stated that the parcel owner could still build on a non-conforming property if the setbacks of 30 feet were met, but that owner could not divide the property if the owner did not have at least 40 acres as a parcel size. He reminded the Commissioners of the public comments made at the June meeting that expressed the desires of a family to divide their parcel of 18 acres that could not be done because the acreage did not meet the minimum of the district.

Sloan asked what the Zoning Board of Appeals process was for this. Throenle stated that for setbacks, the Zoning Board of Appeals could grant a variance if the owner could prove that the conditions were not self-created.

Meister asked if an owner could take a land split to the Zoning Board of Appeals. Throenle stated he would have to research that question as he did not have an answer.

Meister indicated that the non-conformances should be considered with a look at the parcel size and to keep the character of the AF district. He suggested a new zoning district, naming it RR1, to accommodate parcels of a smaller size.

Commissioners discussed this option and concluded that option would be a good starting point for the discussion.

Meister took a copy of the non-conforming parcel map and drew in suggested areas that could be combined into the new district. He showed the Commissioners his suggested combinations and gave the map to Throenle for staff to research other possibilities. Primary areas were located along US 41 South and M-28.

#### X. Unfinished Business

None

### XI. Public Comment

None

### XII. Commissioner's Comments

Soucy

Reminded the Commissioners that the joint meeting was set for 5:30 PM on August 15. He stated that it was to be determined if there would be a regular Planning Commission meeting scheduled after the joint meeting.

### XIII. Director's Report

Planning / Zoning Administrator Throenle

Reminded the Commissioners again to mark their calendars for 5:30 PM for the joint

meeting on August 15.

## XIV. Informational Items and Correspondence

- A. Minutes Township Board 06.13.22
- B. Township Newsletter June 2022
- C. City of Marquette Planning Commission minutes 05.10.22
- D. City of Marquette Planning Commission minutes 05.17.22

# XV. Adjournment

Donna Mullen-Campbell

Soucy adjourned the meeting at 9:00 PM

Submitted by:	
Planning Commission Secretary	

# **PLANNING COMMISSION**

# Monday, August 15, 2022 Minutes

# I. Meeting Call to Order

Chair Ryan Soucy called the meeting to order at 7:43 PM.

### II. Roll Call

Members present at roll call:

Ryan Soucy (Chair)

George Meister (Vice Chair)

Donna Mullen-Campbell (Secretary)

Rebecca Sloan

Members absent at roll call:

Don Rhein (Board)

Kendall Milton

Staff present:

Dale Throenle (Planning Director / Zoning Administrator), Kendra Symbal, Board Representative

# III. Additional Agenda Items / Approval of Agenda

Meister moved, Mullen-Campbell seconded, to approve the agenda as presented.

Vote: Ayes: 4 Nays: 0 Motion carried

### IV. Minutes

Sloan moved, Mullen-Campbell seconded, to approve the July 18, 2022 minutes as written.

Vote: Ayes: 4 Nays: 0 Motion carried

### V. Public Comment

None

# VI. Public Hearings

None

### VII. Presentations

None

### VIII. Unfinished Business

None

#### IX. New Business

# A. Board Joint Meeting with the Planning Commission Discussion

#### **Commissioner Discussion**

Soucy requested input from the rest of the Commissioners regarding the joint meeting that was held prior to the meeting.

Mullen-Campbell responded that she learned a great deal from the meeting and was glad to be part of it.

Meister stated that he felt that the AF district was the primary issue. He also stated that he would like to see issues that affected residents addressed as soon as possible, rather than wait until the ordinance was completed. He asked Throenle if that were possible.

Throenle clarified that the primary issue with the AF district was the ability for residents to split their properties, as the current requirement is a minimum of 40 acres before a split could occur. He stated that a structure could be built on a non-conforming lot as long as setbacks could be met.

Sloan asked if the current ordinance could be modified, and what would the process be. Throenle responded that the current ordinance could be updated via a zoning ordinance amendment process that was already in place.

Meister expressed that his primary concern was preserving an open space vista throughout the Township, while at the same time addressing the smaller acreage possibilities. Sloan expressed a similar opinion.

After reviewing a map showing the zoning districts from 1977, Meister expressed that the RR-1 district from that map should be reconsidered. Sloan stated that the Commissioners should review the map that Meister designed at a previous meeting to see if that would be a good starting point.

Both Commissioners Meister and Sloan expressed a disbelief that the 2008 map showed the combining of the 1977 zoning districts into the 2008 zoning districts as they are today. Sloan stated that she did not realize that the affect was as bad as it is.

Throenle stated the current trend is to look more toward a rural acreage size that is manageable. He indicated that conversations with real estate agents showed that new owners were not necessarily interested in farming, but they were interested in having chickens, horses, and doing small agricultural-type activities such as hoop houses.

Meister stated that he was seeing a change from the desire to have chickens and growing from home as a result of coming out of the pandemic. Throenle followed that with a general direction of people moving from other areas to the upper Midwest as an exodus from other parts of the country.

Throenle pointed out if there is a change in the lay of the land, the question has to be asked what the other changes in infrastructure and public safety that may occur as the land changes go into effect.

Further discussion occurred regarding the size of the parcels, and how to accommodate

a future split. Throenle pointed out that the maps in the master plan could serve as the starting point for discussions on the different characters.

Meister asked about land uses within a character based system. Throenle pointed out that the descriptions for the character areas had those recommendations already outlined.

Meister asked if staff would provide documents for future meetings for discussion. Throenle stated that providing documents would be part of the process.

Sloan asked what the future land uses were and how they were defined. Soucy replied that the future land use was designed to show what projected uses were for an area, and that zoning would be a set of regulations for that area and projected uses. Meister further explained that the future land use is what potential infill might be. He explained that the 70 acres on Cherry Creek Road would be an example of that infill as a residential project in the AF district.

Meister asked if the issue was truly the ability to build on a parcel. Throenle stated that the real issue is that the ability to split a smaller parcel was removed with the 2008 ordinance.

Commissioners decided that character area maps and zoning maps should be used as the starting point for the process. Throenle indicated that the future design should include input from the police department, fire department, and public works as part of the discussion.

# **B.** Marquette County Citizen Planner Classroom Program

### **Commissioner Discussion**

Throenle stated the Citizen Planner program was designed for both Commissioners and the public, and an opportunity to participate is coming to Marquette.

Soucy stated he had reached out to MSU Extension to determine if select classes could be attended, as the class requires a six-week commitment. He stated the reply was no option was available to attend selected sessions.

Commissioners in general did not see how it would be possible to attend all the classes. Soucy indicated the training was a special package of classes offered to those that attend in Marquette.

Throenle pointed out that the Commissioners could attend at no cost to them. Symbal asked if Commissioners could be paid if they attended the class. Throenle stated that would have to be addressed with the Township Manager and Township Supervisor.

Soucy asked Throenle to view the Zoom options to determine if they were the same as the in-person classes. Throenle confirmed that they were.

Sloan stated she would look into attending the classes in person.

#### X. Public Comment

Kendra Symbal, 100 Aspen Drive

Wanted to know what was available for residents regarding the environmental options in Page 3 of 4

the area when considering climate change.

Soucy indicated that he and Throenle had attended a local training for solar training.

Symbal asked about charging stations and potential locations within the Township. Meister asked how a government agency could charge for the electricity for the charging stations, and what type of infrastructure would be required to do the process. Soucy also pointed out that there would be an increase in demand on the grid. Throenle added that the Township would not be involved in relation to the demands on Township staff. He further added that the Township was looking at private locations within the Township.

### XI. Commissioner's Comments

None

# XII. Director's Report

Planning / Zoning Administrator Throenle

Told the Commissioner that the target for the next meeting would be definitions and character-based discussion.

# XIII. Informational Items and Correspondence

- A. Minutes Township Board 07.11.22 draft
- B. Township Newsletter July 2022
- C. Marquette County Planning Commission minutes 07.06.22 draft
- D. City of Marquette Planning Commission minutes 06.21.22
- E. City of Marquette Planning Commission minutes 07.19.22

# XIV. Adjournment

Soucy adjourned the meeting at 9:40 PM

Submitted by:	
Planning Commission Secretary	
Donna Mullen-Campbell	

### PLANNING COMMISSION

# Monday, September 19, 2022 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)

Kendall Milton

Members absent at roll call:

Rebecca Sloan

Staff present:

Dale Throenle (Planning Director / Zoning Administrator)

# III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

#### IV. Minutes

Rhein moved, Meister seconded, to approve the August joint meeting minutes and the August regular meeting minutes as written.

Vote: Ayes: 5 Nays: 0 Motion carried

#### V. Public Comment

David Denise, 3090 M-28 East

Requested that the Commissioners consider changing the parcels in his neighborhood on the east side of the Township to a zoning similar to residential that would change setbacks to allow for more build space on smaller parcels.

Deborah Mulcahey, 633 Lakewood Lane

Opposed to considering reducing the acreage size in the agricultural zoning district to any size less than 20 acres. She spoke on the size of lots in waterfront, and rural character, suggesting that no changes should be made to parcel sizes in the Township. She stated she did not understand the documents that were included in the packet regarding the parcel non-conformances.

# VI. Public Hearings

None

### VII. Presentations

None

### VIII. Unfinished Business

# A. Township Zoning Ordinance Definitions

### **Staff Introduction**

Throenle stated there were two parts to the discussion about the definitions. He said the first part was to review the definitions that had already been discussed to determine if there were additional changes, and the second part was to begin a review on additional definitions.

### **Commissioner Discussion**

For part 1, Commissioners reviewed the revised definitions for letters A through E and made minor changes. Throenle added that the definition for woodlot was added as it was part of the exclusions in the Agriculture definition.

For part 2, Commissioners addressed definitions beginning with the letter F and continued through the letter M. Throenle stated he would split the Lighting Related definition into individual definitions for review at the next meeting. Soucy requested that relevant definitions from Upper Peninsula Food Exchange (UPFE) be added as well.

Meister left the meeting for a personal emergency at 6:44 PM. Commissioners continued and completed the review of the definitions through the end of the document.

#### IX. New Business

### A. Zoning Districts and Related Non-Conformances Discussion

### Staff Introduction

Throenle asked Commissioners to consider tabling this item until the next meeting, as he felt this was one of the most critical sections to be discussed for the project. He added that more Commissioner input would be more valuable to the process.

# **Commissioner Discussion**

Rhein moved, Mullen-Campbell seconded, to table the discussion until the next meeting.

Vote: Ayes: 4 Nays: 0 Motion carried

### X. Public Comment

Deborah Mulcahey, 633 Lakewood Lane

Asked Commissioners to look more closely at the definition for laundry and laundromat.

### XI. Commissioner's Comments

Rhein

Recommended that the Planning Commission meeting be moved to the Township Fire Hall for the next meeting. Throenle stated that accommodations could be made as the facility supported the use of the TV and noise would be limited. He said he would check with the Fire Chief to determine if the room was available.

Rhein moved, Mullen-Campbell seconded, to move the Planning Commission meetings to the Fire Hall.

Vote: Ayes: 4 Nays: 0 Motion carried

# Soucy

Brought up that there were issues with the FCC awards for the broadband auctions in the Township. Starlink, one of the bidders, was no longer eligible to retain their portions of the bid, which has opened some of the areas in the Township to new potential bidders. He mentioned that he would be looking at this at the MTA conference, as it was one of the conference topics. Milton added that TDS, a company from Alger County, had fiber installed on Green Garden Road. Soucy stated that Connect Michigan was starting a program to map the fiber network throughout the Upper Peninsula.

Mullen-Campbell

Stated progress was good, and she hoped to see an ordinance by the end of the year.

### XII. Director's Report

Planning / Zoning Administrator Throenle

Reminded the Commissioners that the next meeting will be October 17. He told the Commissioners that Mullen-Campbell would not be at the next meeting as she would be attending training. He added that the Board approved a new Commissioner, who should be at the next meeting.

### XIII. Informational Items and Correspondence

- A. Minutes Township Board 08.15.22 draft
- B. Township Newsletter August 2022
- C. City of Marquette Planning Commission minutes 08.16.22
- D. Correspondence Denise

### XIV. Adjournment

Donna Mullen-Campbell

Soucy adjourned the meeting at 8:13 PM

Coucy	adjourned	uic iiic	curig	at o.	101
Submitted by:					
<u> </u>					
Planning Com	imission Se	ecretary	/		

### PLANNING COMMISSION

# Monday, October 17, 2022 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)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

Donna Mullen-Campbell (Secretary)

Staff present:

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

# III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

# IV. Minutes

### A. September 19, 2022 Meeting

Rhein moved, Meister seconded, to approve the September meeting minutes as written.

Vote: Ayes: 5 Nays: 0 Motion carried

### V. Public Comment

Phillip Toutant, 722 Pine Street, Marquette Michigan

Spoke on behalf of Nancy Richards, who inherited a property at 495 County Road 480. Requested that the Commissioners consider changing the size in the Agriculture / Forestry (AF) district to a smaller parcel size. He explained that Richards wanted to divide the 17-acre property among her siblings but could not because of the 20 acre minimum acreage requirement in the AF district.

Deborah Mulcahey, 633 Lakewood Lane

She stated she did not understand the documents that were included in the packet regarding the parcel non-conformances. She requested that a definition be included for laundromat and requested changes for other definitions that were being reviewed.

# VI. Public Hearings

None

# VII. Presentations

None

### VIII. Unfinished Business

# A. Zoning Districts and Related Non-Conformances Discussion

### **Staff Introduction**

Prior to the introduction, Throenle stated Mr. Beach would not be part of the Planning Commission due to a job change that will take him out of the area for several months. He added that Commissioner Mullen-Campbell was not in attendance as she was participating in the Citizen Planner training.

Throenle stated that the zoning district discussion was tabled at the last meeting due to a small number of Commissioners being present for the meeting. He asked the Commissioners to begin the discussion of the issue by looking at the document in the packet that outline proposed changes to sections 6.1 and 6.2 of the Township Zoning Ordinance.

He stated the proposed changes include a rewrite of existing language, removal of footnotes under the table in section 6.1, and a table with the proposed changes in zoning district names, lot sizes and setbacks. He stated that the proposed changes included the renaming of the Agriculture / Forestry (AF) zoning district to Resource Production (RP), the renaming of the Waterfront Residential (WFR) zoning district to Shoreline Residential (SR), and would incorporated a new zoning district called Rural Residential (RR) that would have a minimum lot size of two acres. He added that there is a proposed change from 125 feet to 100 feet for minimum lot width in the RP, RR and SR zoning districts.

Throenle then used the remaining documents and maps in the packets to show how the decisions were made regarding the proposed changes.

### **Commissioner Discussion**

Sloan asked if there was a map layout of what was proposed. Throenle responded that the map was not designed yet, as he was waiting on the outcome of the discussion before developing the map.

Meister proposed that AF parcels in the triangle above County Road 480 and west of US 41 South should be included in the R1 zoning district to resolve the non-conformances. He further proposed that changing lot sizes down to two acres and establishing them as rural residential in the areas south of County Road 480 to address the non-conformances that exist in those areas. He added that the AF uses would be the same for those rural residential properties.

Sloan asked what the new districts would be. Throenle stated the districts would be R1 (residential), R2 (high density residential), AF would be changed to RP (resource production), and a new district RR (rural residential) would be added with a two acre minimum for the district.

Meister added that not all non-conformances would be addressed, as some parcels would still be below the two-acre minimum. He stated he liked the idea of bringing back the rural residential district, especially for the smaller AF parcels.

Throenle stated that the rural residential district would incorporate the AF feel, and land uses could further define what could be done in that district. Rhein added that it would eliminate many of the issues that exist in the AF district today.

Sloan asked about the non-conformances along Lakewood Lane. Throenle stated the primary purpose for reducing the non-conformances along the shoreline was to change the lot size to 100 feet as the primary issue was lot width, not lot size. He pointed out that the land uses would not change. He also stated that the footnote in the zoning ordinance for placement of anything up to 720 square feet would be removed in the new language.

Throenle asked the Commissioners to consider a setback requirement for any structure under 100 square feet. He stated that based on the current zoning ordinance, anything under 100 square feet could be placed anywhere on a property, including on the lot line. Milton questioned the purpose of a setback if this placement was acceptable. Meister asked if there were complaints regarding sheds on the lot line; Throenle responded there were not. Milton added that there was a 15 foot fire separation requirement between structures.

Rhein asked what would happen to existing sheds if this was changed; Throenle stated those sheds would be permitted to remain where they were. Meister added that his understanding was that the 15 foot fire separation requirement was between occupied structures.

Throenle reviewed the proposed replacement table with the Commissioners that showed the proposed districts, acreage sizes, and lot width. Rhein stated that he did not have issues with how the table was defined; Meister agreed with Rhein.

Throenle added that the steps remaining would be to look at the table, define where those districts would be, and what the uses would be for the districts. Milton stated that he liked the four to one ratios; Throenle added that the Township was required to follow that for land splits.

Soucy asked how many of the sample communities included in the packet had a two acre minimum. Throenle walked through each and provide the size for each; two were at five and one was at two. Rhein added that the two-acre minimum and the 20 acre resource production was a good compromise; Meister agreed.

Sloan stated she wanted to make sure that the rural character was preserved as part of the process. She stated that the sizes were good, but she was concerned as to how this would be mapped out. Meister responded that the fit will be determined for what makes sense for residential and rural residential.

Meister suggested that the proposed table be used going forward, and that the next step be to being mapping the solution; Rhein supported the suggestion.

Sloan asked Throenle to provide maps for the next meeting that showed the separation in acreage sizes between the acreage sizes. Throenle stated that staff would provide maps for the two, five, ten, and twenty acres mapped out for the next meeting. Milton asked that under two acre parcels be represented too.

Throenle added that land use discussion would be part of the process for the next meeting.

Soucy asked if an open house could be set up for the public to review the potential changes. Throenle responded that it would be a good idea, but that it might have to wait until March or April so that the residents that are out of the area for the winter could be included. Meister asked if that could be set up as a virtual session; Throenle said that it could.

Bohjanen was asked for his input to the discussion. He stated that the Township will be using a multi-media product called Flash Vote to gain additional opinions from the community. He added that he would like to see a consideration for a sliding scale in property sizes, and to add a RPR (resource production residential) to allow for contiguous properties around one of the RR zones (five acres or less) to do farming related activities. Meister agreed that another layer of five acres may be a good idea. Throenle added that the requested change could also be added to the table.

# B. Township Zoning Ordinance Current Definition Review

#### Staff Introduction

Throenle reminded Commissioners that definitions beginning with A through E had already been reviewed. Throenle stated the Commissioners should start with the list of definitions provided in the packet for second review.

### **Commissioner Discussion**

Commissioners reviewed the revised definitions for letters F through a portion of L and made minor changes. Commissioners stopped at the definition of Lodging; they will resume the review at the next meeting.

### IX. New Business

None

#### X. Public Comment

None

# XI. Commissioner's Comments

Rhein

No comments.

Milton

No comments.

Sloan

No comments.

Meister

No comments.

Soucy

No comments.

# XII. Director's Report

Planning / Zoning Administrator Throenle

Reminded the Commissioners that the next meeting will be November 21. Commissioners decided to keep the meeting as scheduled.

Throenle thanked the Commissioners for the effort and discussion during the meeting.

# XIII. Informational Items and Correspondence

- A. Minutes Township Board 09.07.22 special
- B. Minutes Township Board 09.12.22
- C. Township Newsletter September 2022
- D. Marquette County Planning Commission minutes 09.19.22 draft
- E. City of Marquette Planning Commission minutes 09.06.22
- F. City of Marquette Planning Commission minutes 09.20.22
- G. Correspondence Denise

# XIV. Adjournment

Rhein moved, Sloan seconded, to adjourn the meeting.

Vote: Ayes: 5 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:10 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

### PLANNING COMMISSION

# Monday, November 21, 2022 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)

Donna Mullen-Campbell (Secretary)

Don Rhein (Board)

Kendall Milton

Rebecca Sloan

Members absent at roll call:

George Meister (Vice Chair)

Staff present:

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

# III. Additional Agenda Items / Approval of Agenda

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

Vote: Ayes: 5 Nays: 0 Motion carried

### IV. Minutes

# A. October 17, 2022 Meeting

Throenle stated there were minor changes required for the minutes. He stated the Mullen-Campbell absence was duplicated, and that Neumann was not added to the staff in attendance.

Rhein moved, Sloan seconded, to approve the October meeting minutes as amended.

Vote: Ayes: 5 Nays: 0 Motion carried

### V. Public Comment

None

Meister arrived at 6:03 PM.

# VI. Public Hearings

None

### VII. Presentations

None

#### VIII. Unfinished Business

# A. Zoning Districts and Related Non-Conformances Discussion

#### Staff Introduction

Throenle stated that staff was directed at the last meeting to develop a map of parcel sizes of less than two acres through acreage over twenty throughout the Township. He introduced the map and related findings.

He also included a map that Meister provided through email earlier in the day.

He stated staff was recommending a parcel size for the AF district of five acres. He added that language could be specified in the ordinance language regarding what could be done based on acreage sizes.

#### **Commissioner Discussion**

Sloan asked about Meister's map legend. Meister stated he was sketching in different zoning areas in an attempt to group by parcel size. Throenle pointed out that the discussion for the meeting was not to decide where the parcels were to be located, but acreage size. He emphasized that Meister's map was for information only.

Throenle added that if AF was changed to R-1, it would severely limit what residents could do in that new zoning, and Sloan added that the firearms ordinance would be another consideration.

Sloan asked about the staff map. Throenle pointed out that there were large acreages throughout the Township, and stated staff recommended acreage size be the starting point while looking at the language would come later. He walked through the percentages of non-conformances that would be achieved based on acreage size, and added that regardless of minimum size there would be parcels that would remain non-conforming.

Rhein stated he had no problem with the minimum acreage size, as that would be a good move to remove the non-conforming parcels. Soucy added he would be comfortable setting the acreage to five, as two acres would seem to change the overall character of the district.

Meister stated that the Commissioners should look at planning for the future and not for removal of non-conformances. He stated that five acres was small and should be either ten or fifteen acres. He added that parcels above County Road 480 should be included in a residential setting.

Throenle stated that adding individual zoning districts would convolute the process of removing the non-conformances from the AF district, as it would add more zoning districts that would further split up the AF district. He stated staff reviewed the non-conformances with the future in mind.

Meister stated that five acres would not provide the open fields and vistas that larger acreages would. Sloan added that the process would reduce the non-conformities while addressing the future.

Rhein stated that regardless of size, putting a house in the middle of the acreage does not solve the view problem. He stated that the objective could still be met with property

efficiency with a five acre minimum. Meister stated he wanted the residential feel along the corridors while preserving the larger acreages. Throenle added that could be controlled through the zoning ordinance language; he showed the language from the current ordinance that outlined acreage minimums.

Rhein added that larger acreage splits would be more difficult to access because of the cost of building roads into the larger acreage.

Sloan asked for an example what would happen with an acreage split. Throenle stated that houses can be built on any size parcel in the Township as long as setbacks could be met. He added that a house could be built right on the road regardless of the size of the parcel; he added that this negates the vista protection as houses built on the road do not give a clear view of the property behind it.

Meister asked for opinions from the Commissioners regarding lot size. Mullen-Campbell asked if language could be written to permit smaller lot sizes to be split; Rhein stated that it could not, as that would not be allowed in the language.

Meister stated the issue is not the split size, but the size of the acreage. He emphasized that lots above County Road 480 should be considered residential and not AF.

Soucy asked if a variable could be added where boundaries could be established as areas were developed. He asked if this could be added with an overlay.

Meister added that he wanted to see several zoning districts established across the AF district to accommodate the smaller acreages. He stated a concern that once a large parcel of 40 acres was split, then the land would be lost for future farming. Sloan disagreed. Throenle added that a family in the area had just done that reversal in the North Big Creek area.

Sloan asked Meister about the properties along the lakeshore. Meister stated that those properties would probably be zoned as residential or rural residential.

Soucy asked Bohjanen for his opinion. Bohjanen stated that an overlay district would be one solution. He added that the entire area could not be rezoned, that the citizens would have to petition to rezone the property. Soucy interjected that spot zoning could not be introduced to fix the problem.

Meister asked about the concept of spot zoning. Soucy stated the future land use map would help in that decision. Bohjanen stated that spot zoning in itself was not necessarily illegal, and that ordinance language could be established that would cover the issue. Throenle pointed out that the future land use map approved in the Township master plan designated all those areas as AF.

Commissioners discussed the 1977 zoning maps versus the 2008 zoning ordinance. Milton asked what Sands Township was doing with development. Throenle responded that Sands Township was concentrating its development around the crossroads area.

Commissioners agreed that the 1977 map seemed a good starting point for the solution to the problem. Throenle added that the master plan did have language in it to get the problem resolved. He added that documentation could not be found to determine how the 2008 decision was made to make everything AF.

Throenle asked the Commissioners if staff should take the issue back to determine how

to move the parcels back to what they were in 1977. Rhein stated that would make better sense as to get the solution in place. Throenle added that simply reducing a parcel to five acres would not necessarily allow for building, especially if wetlands and bodies of water existed on the parcel.

Meister added that his preference is to keep development where it is and maintain the large open areas as open areas.

Sloan asked Throenle about the proposal regarding the acreage sizes. Throenle stated that the future land use map in the master plan was the governing factor for the decisions that will be made for zoning. He added that the question was what to do with all of the parcels within the AF zoning districts that were changed and how to accommodate the fixes needed to correct the situation.

Throenle requested that staff be given an opportunity to go back and review the process, and to provide the best options for the problem.

Sloan asked Bohjanen about rezoning a property. Bohjanen stated that in 2008 the zoning was changed, and that staff has asked for legal assistance from Township legal council to get the direction for getting the issue resolved.

Commissioners asked staff to revisit the issue and to bring back recommendations for consideration. Throenle stated that would take some time, and the earliest the Commissioners could expect to see something would be at the January meeting, especially with the holiday schedule coming up. Soucy asked that sliding scale be included in the considerations.

### B. Township Zoning Ordinance Current Definition Review

#### Staff Introduction

Throenle reminded Commissioners that they stopped at the definition of lodging, and that section of definitions from the previous meeting would need to be completed. In addition, He added that Commissioners should review definitions beginning with N through Z to complete the definitions.

### **Commissioner Discussion**

Commissioners reviewed the revised definitions from lodging through the letter M, and made minor revisions. Commissioners continued the review starting with the letter N, and requested a review of the definitions for nonconforming building, nonconforming lot, nonconforming structure, and nonconforming use. Commissioners requested the State definition for nursing home and requested a rewrite of the definitions for rural character and setback. Commissioners made minor changes to several other definitions. Milton requested a definition for riparian rights.

#### IX. New Business

### A. Land Use Discussion

### **Commissioner Discussion**

Commissioners tabled the discussion on this item to a future meeting.

### X. Public Comment

None

### XI. Commissioner's Comments

Mullen-Campbell

Gave an update on her Citizen Planner training and was very impressed with what was made available. She recommended that others consider taking the class.

Rhein

No comments.

Sloan

No comments.

Milton

No comments.

Soucy

Offered a happy Thanksgiving to everyone.

Meister

No comments.

# XII. Director's Report

Planning / Zoning Administrator Throenle

Reminded the Commissioners that the next meeting will be December 19, and that the meeting will be in the Fire Hall. He also wished a happy Thanksgiving to everyone.

# XIII. Informational Items and Correspondence

- A. Minutes Township Board 10.10.22
- B. Township Newsletter October 2022
- C. City of Marquette Planning Commission minutes 10.04.22
- D. City of Marquette Planning Commission minutes 10.18.22
- E. City of Marquette Planning Commission minutes 11.01.22

### XIV. Adjournment

Rhein moved, Sloan seconded, to adjourn the meeting.

Vote: Ayes: 6 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:18 PM

Submitted by:	
Planning Commission Secretary  Donna Mullen-Campbell	

### PLANNING COMMISSION

# Monday, December 19, 2022 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)

Kendall Milton

Stephanie Gencheff

Members absent at roll call:

Rebecca Sloan

Staff present:

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

# III. Additional Agenda Items / Approval of Agenda

Soucy moved, Rhein seconded, to move new business in front of old business.

Vote: Ayes: 6 Nays: 0 Motion carried

### IV. Minutes

### A. November 21, 2022 Meeting

Rhein moved, Mullen-Campbell seconded, to approve the November meeting minutes as presented.

Vote: Ayes: 6 Nays: 0 Motion carried

#### V. Public Comment

Jennifer Baldwin, 6565 US 41 South

Stated her concerns about the ability to sell her home that is currently located in the Industrial zoning district. She asked the Commissioners to consider a solution to her dilemma.

### Beth Johnson, 313 Lakewood Lane

Stated comments related to an attemp to purchase the property located at 6565 US 41 South. She requested the Commissioners review the zoning ordinance for potential changes that would allow her to both purchase and rent the property after purchase as a residential use.

# VI. Public Hearings

None

#### VII. Presentations

None

#### VIII. New Business

# A. Preliminary Site Plan Review - M-28 East

### **Staff Introduction**

Throenle stated that the applicants are planning to build an education center on M-28 East between Nagelkirk and the America's Best Value Hotel. He added that the applicants have met with Township staff several times to go over the plan, and that staff recommended the applicant do a preliminary site plan review with the Planning Commissioners prior to a formal site plan review application. He stated that the project is designed as a low use, low traffic project.

### **Commissioner Discussion**

Peter Dupuis, project manager for Gundlach Champion, indicated that Gundlach Champion has been chosen as the design builder for the project for Iron Workers Local 8.

He spoke about the engineered drawings and indicated that a driveway application had been filed with MDOT.

He explained that during the year, there would be two employees at the site, with additional use of the building from March through October for training purposes. He added that the estimated maximum number of people training at the site at one time would be approximately ten people. He added that the front of building would be used for offices and classrooms. He indicated that the building would be 100 feet wide by 160 feet long and thirty feet tall, and that an area in the rear of the building would possibly be built down to accommodate the training cranes that would be installed.

He stated that the Ironworkers Local 8 own the property. He stated some of the trees on the property would be removed, but the intent is to keep the remainder as buffer between neighboring properties. He added that the waste collection would be an onsite septic field and that soil borings still had to be completed, and the well would be in the front of the building. He indicated that the intent is to run three-phase power to the property, and lighting would be minimal.

He stated they would not build a fence unless required, as they intend to use the trees as a natural fence. The building would be a prefabricated metal building, with interior design still to be determined. He covered the diagrams and plans shown on page two and three of the submitted plans.

Dupuis stated the bike path would be considered as part of the project, especially for vehicle traffic. He stated that the project, if everything was in place, would be completed by the end of 2023, and added the proposed schedule for the project.

Soucy asked Throenle what the driveway spacing was according to the access management plan. Throenle stated that this project was outside that management plan and added that the management plan stops approximately 300 feet from the intersection of US 41 South and M-28 East. Dupuis added that he hoped there would not be a traffic study as there would be a small amount of traffic accessing or leaving the property.

Meister asked if the driveway could be moved to the east side of the property; Dupuis said that he would consider that change.

At 6:24 PM Commissioner Sloan joined the meeting.

Meister requested that the storm water flow be considered; Dupuis stated that a stormwater basin would be considered.

Milton asked about deliveries and if there would be an overhead door; Dupuis responded that the location would be added to the final site plan.

Gencheff asked if all activities would be indoors; Dupuis stated that would be the case. Gencheff was concerned with noise affecting the wedding venue located next door, especially during the training months.

Gencheff asked if the site would be clear cut; Dupuis stated that the cutting would be kept to a minimum while providing access for the septic field in the rear and the placement of the building.

Meister asked Throenle if there was a required buffer for the project; Throenle stated there was none for the commercial properties and that the only area of concern would be the residential properties at the rear of the project. Throenle added that the buffer from the residential properties could be a fence.

Meister stated the project made sense for the location and was looking forward to seeing the final plans. Soucy added that workforce development and training is good for the region.

Sloan asked about the access to the rear of the property; Dupuis stated that the final plans will show the access from the front and the rear.

Soucy reminded Dupuis to use the site plan checklist for the final site plan presentation.

Sloan asked about noise impact; Throenle stated that the operation of the site would be primarily during daylight hours and would not be a concern for night time noise.

Dupuis asked about submission dates for the final site plan review. Throenle stated the submission date is twenty-one days prior to the meeting that the applicant wished to be on the agenda. Soucy added that the meeting in February would be on February 13, 2023.

# B. 2023 Meeting Dates

#### Staff Introduction

Throenle stated the dates in the packet are proposed dates for the Planning Commission meetings in 2023. He added that the Board had already approved the dates. He said that the two meetings with the Board could not be changed.

### **Commissioner Discussion**

Soucy asked the Commissioners if the dates were good; Commissioners agreed that they were.

Meister moved, Rhein seconded, that the meeting dates for 2023 be accepted as presented.

Vote: Ayes: 7 Nays: 0 Motion carried

### C. Industrial Zoning District Conditional Use Discussion

#### Staff Introduction

Throenle stated that a situation existed at 6565 US 41 South regarding a residential use in the Industrial zoning district. He added that public comment regarding that situation had been heard earlier in the meeting. He showed an electronic map with the location of the parcel.

Throenle outlined the situation, stating that if the residence was destroyed for whatever reason, it could not be rebuilt as a residence since that was not an available use in the Industrial zoning district.

Throenle stated that staff is recommending that the Commissioners consider adding a residential conditional use to the Industrial zoning categories in the *Zoning Ordinance*. He stated that Commissioners could consider rental of the properties as an additional consideration for the district.

### **Commissioner Discussion**

Soucy stated that he believes the Commissioners are interested in finding a solution. Rhein stated he had no problem moving forward with finding an answer. Meister asked what the ramifications would be to other properties within the Industrial district and if the owner could have both a residence and a business on the same property.

Throenle responded that each property owner within the district would have to apply for a conditional use permit on the property unless Commissioners decided that single family residential would be a permitted use. He stated that uses throughout the Industrial district at this time were primarily light industrial. He added that Commissioners could establish conditions as part of the approval process.

Soucy asked Throenle if Throenle had seen the resource that Soucy had sent regarding Class A non-conforming uses for a property; Throenle stated he had not, but that he would look into it.

Meister stated he did not see a reason why people could not have a house where they work; Gencheff added that they should be able to rent the house as well. Meister added that this would not be considered a dangerous industrial situation, as there was no heavy industrial use around the property. Soucy stated that the Township industrial districts are primarily light industrial as opposed to heavy industrial.

Throenle stated the proposed schedule would be to bring back the ordinance changes to the Commissioners at the January meeting.

# D. Zoning Districts and District Intent Statements

#### Staff Introduction

Throenle stated that staff has taken a direction of writing some of the language for the ordinance. He stated that the direction was to determine what the name will be for the zoning district and the intent of the district.

### **Commissioner Discussion**

Soucy suggested that the Commissioners start with the agriculture intent statement. He stated that the proposed intent language for that district did not have any reference to residential.

Meister asked Throenle if there would be two intent statements – one in the master plan and one in the zoning ordinance. Throenle responded that the intent statement in the zoning ordinance would be a one-sentence summary of the master plan direction.

Soucy asked Throenle if the language would be considered a legal statement; Throenle responded that the intent statement was not designed to be a legal statement but was to be used to determine permitted and conditional uses within a zoning district.

Meister suggested one change in the phrasing; the rest of the Commissioners agreed.

Commissioners then discussed Commercial. Throenle stated that the intent of the district would be to remove the overlay district and establish the district as mixed use.

Soucy recommended that the district name be changed to Neighborhood Commercial; Commissioners agreed.

Meister suggested that staff look at the intent statement in the Casco Township zoning ordinance; Throenle responded that staff would look at that and bring back a version of that for the next review.

Commissioners moved on to the Conservation Recreation district. Throenle pointed out that those areas that cannot be developed be potentially set aside for this district. Meister stated the language looked good and suggested that the language include what could be put in the area outside of habitable homes.

Discussion continued about where this zone would be located.

Discussion on the industrial district centered on the differences between light and heavy industrial. Throenle identified the areas of industrial zoning throughout the Township. Meister felt that the Fraco industrial area was heavy, and the rest would be

light industrial. Rhein added that the Lakenen crane business should be considered heavier industrial.

Milton asked about the auto salvage yard. Throenle stated that it was a salvage yard located on South Big Creek that is now closed and will not be reopened as a salvage yard.

Meister suggested that the area on US 41 South be changed in zoning from Industrial to Commercial, which he felt would eliminate the house question within the district. Rhein agreed with the suggestion.

After considering the changes, the Commissioners decided to keep the Industrial zoning district name, with the intention of changing the industrial zoning on US 41 South to Commercial.

Commissioners chose to change the name of Municipal Properties zoning district to Government Properties and kept the proposed language for the new district.

Throenle stated he struggled with the naming of the Residential Development district, and Commissioners discussed this at length, with a concentration on mobile home parks. Throenle suggested that Commissioners look at the High Density Residential to determine if that met the need. Commissioners decided that the Residential Development language be removed as the High Density language met the criteria. Commissioners determined that mobile home parks would be considered later as part of the uses within each district.

Commissioners reviewed the Residential zoning district and kept the language as written.

Commissioners reviewed the new Rural Residential zoning district. Throenle pointed out that the Rural Residential district is not in the current zoning ordinance but was included in the 1977 zoning ordinance. Meister added low-density to the intent statement; Commissioners agreed with the change.

Throenle stated that Waterfront Residential was changed to Shoreline Residential for two reasons: one, anyone that had a property bordering a body of water (Lake Superior, Chocolay River, and related), and two to remove the idea of waterfront. He stated that many owners within that district believe the front of the house is on the water side, and that the zoning ordinance specifies that the front is the access to the property.

Commissioners agreed that the new name should be shoreline residential, and they retained the intent statement.

#### E. Land Use Discussion

# **Staff Introduction**

Throenle explained that the chart the Commissioners were using was extracted from the current Township zoning ordinance. He explained that there were three categories on the chart: P, which indicated permitted use in a zoning district, C for conditional use, and greyed box neither being allowed.

#### **Commissioner Discussion**

Using the three categories, Commissioners worked through the first two pages of the document, discussing the categories for each land use. At the end of page two, they decided to continue the discussion at a future meeting.

### IX. Unfinished Business

### A. Township Zoning Ordinance Current Definition Review

### **Commissioner Discussion**

Commissioners tabled the discussion on this item to a future meeting.

Rhein moved, Soucy seconded, to table the discussion until a future meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

### X. Public Comment

None

### XI. Commissioner's Comments

Mullen-Campbell

Felt the Commissioners did well during the meeting, especially when listening to the public comment presented earlier.

Rhein

Welcomed Gencheff to the Planning Commission.

Gencheff

No comments.

Sloan

No comments.

Milton

Offered a Merry Christmas to everyone.

Soucy

No comments.

Meister

Offered a Merry Christmas and a Happy New Year to everyone.

### XII. Director's Report

Planning / Zoning Administrator Throenle

Offered a Merry Christmas and a Happy New Year to everyone.

Reminded the Commissioners that the next meeting will be January 16, 2023, and that the meeting will be in the Fire Hall. Meister asked how long that would continue; Throenle stated the meetings would continue in the Fire Hall until the sound issues were resolved in the Township Hall.

Throenle reminded the Commissioners that the meeting date in February would be on

February 13. He stated there would be two meetings that evening; the first will be the joint meeting with the Board, and the second would be the regularly scheduled meeting.

**Grant Planning Neumann** 

Offered a Merry Christmas to everyone.

# XIII. Informational Items and Correspondence

- A. Minutes Township Board 11.14.22
- B. Township Newsletter November 2022
- C. Marquette County Planning Commission minutes 11.02.22
- D. City of Marquette Planning Commission minutes 11.15.22

# XIV. Adjournment

Rhein moved, Meister seconded, to adjourn the meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:50 PM

Submitted by:
Planning Commission Secretary
Donna Mullen-Campbell