

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION**

Monday, December 18, 2023 Minutes

I. Meeting Call to Order

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

II. Roll Call

Members present at roll call:

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

Members absent at roll call:

None

Staff present:

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

III. Additional Agenda Items / Approval of Agenda

Soucy requested that new business be moved ahead of unfinished business on the agenda to accommodate the site plan review.

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

Vote: Ayes: 7 Nays: 0 Motion carried

IV. Minutes

A. November 20, 2023 regular meeting

Mullen-Campbell pointed out that the date at the end of the previous minutes should have been December 18 and not December 17.

Rhein moved, Mullen-Campbell seconded, to approve the minutes as changed.

Vote: Ayes: 7 Nays: 0 Motion carried

V. Public Comment

Frank Stabile, 121 Vista Hills Trail

Spoke on the proposed changes for the Agriculture / Forestry (AF) zoning district.

Frank Jeffries, 545 Mangum Road

Spoke on the proposed changes for the Agriculture / Forestry (AF) district and keeping development at a minimum surrounding his property.

VI. Presentations

None

VII. New Business

A. Preliminary Site Plan Review – Dollar General Store # 30520

Staff Introduction

Throenle pointed out that the applicant representative was attending via Zoom.

He stated that Dollar General purchased the property at the corner of US 41 South and Silver Creek Road. He added that the plan had gone through review by the Corridor Committee with no recommendations for any changes.

Commissioner Discussion

Rusty Doss, representing Dollar General, gave an overview of the project. He stated the store would be the largest footprint that Dollar General has, with the intent of having a larger selection of groceries.

He added that MDOT would be reviewing the application with a recommendation that would be coming on January 12, 2024.

He stated that 15 feet of the tree line along the property lines would be retained as part of the project.

He walked through the plan, showing snow storage, well locations, utility connections, and addressed a proposed lighting plan.

Doss stated that he would take the Commissioner comments and the MDOT comments and present those as a formal site plan review in the near future.

Meister expressed that his biggest concern was already being addressed with the MDOT review. Rhein stated that his concern was the snow storage area, and if it would be large enough.

Sloan asked if the entire site drained to the proposed drainage area. Doss stated that the runoff would be piped to the stormwater area in the southwest. Meister added that for the final review to indicate if any of that water would be flowing over to Silver Creek Road. Doss added that storm water storage would be part of the MDOT review.

Meister stated that a minor change would be in the landscaping area; he indicated that the cotoneaster and privet shrubs were semi-invasive and suggested that they be replaced with something more native to the area. Doss said he would change the plantings as requested.

Throenle added that the Corridor committee recommended that stop signs be placed on the bike path on both sides of the of the entrance; Doss stated he would add that to the plans.

Meister asked about the retaining wall. Doss stated that the wall would be primarily used for grading purposes but could be heightened if necessary.

Gencheff asked about a deceleration lane into the property, and access from Silver Creek Road. Meister commented that would be addressed from the MDOT review.

Sloan asked about the existing building. Doss stated that there was some interest from the neighboring property regarding moving the building, and that it was being handled through the real estate division of Dollar General.

Soucy asked about the market research and the support of two similar establishments in the Township and what would happen if the market expectations were not met. Doss stated that the real estate folks did the research with the intent of making the location successful.

Milton asked who the current owner of the property was; he was told that Portage Creek LLC was the current owner.

B. Proposed 2024 Planning Commission Meeting Dates

Commissioner Discussion

Mullen-Campbell asked if the January 15 meeting could be moved to January 22. Commissioners did not have an issue with the change.

Meister asked if November 18 could be changed. After discussion, the Commissioners changed the date to November 25.

Commissioner Decision

Rhein moved, Mullen-Campbell seconded, that the meeting dates proposed for 2024 Planning Commission meetings be accepted with a change from January 15 to January 22 and November 18 to November 25.

Vote: Ayes: 7 Nays: 0 Motion carried

VIII. Unfinished Business

A. Proposed Zoning Ordinance Amendments for the Agriculture / Forestry (AF) Zoning District (34-23-02)

Staff introduction

Throenle stated that the language being presented was the same that was presented over a series of previous meetings, with slight changes to the intent language. He added that the direction was to have the language incorporated into the current zoning ordinance. Throenle stated that the zoning ordinance would be changed by:

- 1) Removing section 4.7 Agriculture / Forestry Zoning District (AF)
- 2) Renumbering section 4.8 Municipal Properties (MP) to section 4.7.
- 3) Renumbering section 4.9 District Planned Unit Development (see Article X) to section 4.8.
- 4) Renumbering section 4.10 Special Uses in Designated Zoning Districts to section 4.12.

- 5) Inserting the proposed sections 4.9 AG 1 – Agriculture 1, 4.10 AG 2 – Agriculture 2, and 4.11 AG 3 – Agriculture 3.

Throenle suggested that Commissioners review the document with the intent of either presenting it for a public hearing or bringing it back for another review prior to a public hearing. He added that the document presented showed the markup as to how the language will look in the zoning ordinance.

Commissioner discussion

Soucy asked if the language included the proposed size of the zoning districts; Throenle responded that it did.

Gencheff asked about the zoning maps; Throenle stated that the map discussion was a separate agenda item.

Sloan asked about the setbacks; Throenle stated that the language was what was presented at the Townhall meetings.

Meister stated that the acreage size was the remaining discussion item for him. He added that he would prefer that the discussion be completed at this meeting.

Commissioners discussed the acreage sizes and retained the acreage sizes as written. Throenle added that residents in the new districts would have the right to petition to change their zoning for their property assuming that their property bordered a district that they wanted to be changed to. He added that no one will be required to split and go to a smaller acreage size.

Sloan suggested that the language be changed for AG 3 to remove “large scale” from the language; Meister concurred.

Commissioner decision

After Commissioner review, Meister moved, Rhein seconded, that the Township zoning ordinance be amended as amendment number 34-23-02 to accomplish the following:

- 1) *Remove section 4.7 Agriculture / Forestry Zoning District (AF).*
- 2) *Renumber section 4.8 Municipal Properties (MP) to section 4.7.*
- 3) *Renumber section 4.9 District Planned Unit Development (see Article X) to section 4.8.*
- 4) *Renumber section 4.10 Special Uses in Designated Zoning Districts to section 4.12.*
- 5) *Insert the proposed sections 4.9 AG 1 – Agriculture 1, 4.10 AG 2 – Agriculture 2, and 4.11 AG 3 – Agriculture 3 and related language as revised*

with the following findings of fact:

- 1) *The proposed ordinance changes are in congruence with the Master Plan statements for future land use*
- 2) *62 percent of the parcels in the Agriculture / Forestry district do not conform to our ordinance regulations on minimum parcel size*

- 3) *The Planning Commission sent post cards to all Agriculture / Forestry parcel owners, held three public workshops, and received substantial input from 84 residents*
- 4) *Page 89 in the master plan refers to rural residential zoning, page 48 is the problem statement, pages 63 to 65 in the master plan appendix are the future land use maps, page 93 in the appendix is the section on future zoning, and page 111 is the strategy*

and that the proposed language be presented for a public hearing at a future Planning Commission meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

Rhein moved, Mullen-Campbell seconded, that the public hearing be held at the February 12 meeting at 7 PM.

Vote: Ayes: 7 Nays: 0 Motion carried

B. Proposed Zoning Map for the Agriculture / Forestry (AF) Zoning District (34-23-02)

Staff introduction

Throenle stated that the maps in the packet covered the discussions that have taken place from the beginning of the map discussions.

He explained that the proposed zoning maps had three sections: 1) proposed AG zoning districts, 2) proposed AG zoning districts with the surrounding current zoning; and 3) wetlands laid over the proposed AG zoning districts.

Gencheff asked about development in the wetland districts and the purpose of changing the zoning. Throenle stated the primary purpose was to give residents the choice of uses on their parcels while reviewing the wetland requirements.

Throenle showed a hand drawn map used at the previous meeting that was used to determine the maps presented to the Commissioners.

Commissioner discussion

Gencheff expressed several concerns regarding the drawing of the proposed maps. Rhein and Meister stated that the maps were drawn based on recommendations from the previous meeting to staff to put on new maps.

Meister made a statement regarding spot zoning and that the districts should be set up as contiguous runs representing the same district. He recommended that the Commissioners look at the quadrants and discuss the changes. He sent a drawing to Throenle of what he was proposing so that the maps could be updated and walked through the changes with the Commissioners.

Commissioners reviewed the changes presented and discussed the differences between the AG 2 and AG 3 possibilities.

Commissioner decision

Meister moved, Rhein seconded, that staff proceed with the changes discussed and bring the map back for discussion at the next meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

Throenle stated if a decision was made at the next meeting, time would be sufficient for notifications to be mailed to all parcel owners in the Agriculture / Zoning district regarding the upcoming public hearing for both the language and the map.

IX. Public Comment

Kevin Taylor, pastor of Silver Creek Church

Spoke on the upcoming Dollar Store project and the removal of the building that is on the property.

Jill Bradford, 555 Little Lake Road

Spoke on the discussion on the agriculture zoning process, and thanked the Commissioners for both the discussion and the maps that were online. She also wished the Commissioners a safe and healthy "Merry Christmas."

X. Commissioner's Comments

Rhein

Wished everyone a "Merry Christmas". Stated that it was a great discussion; expressed things are heading the right direction and glad to see that things are getting done.

Mullen-Campbell

Stated that it was a good meeting of discussion, and that things were moving along at a good pace. She added that 2024 would be an interesting year and added a "Merry Christmas" and "Happy New Year" to everyone.

Milton

"Merry Christmas" to everyone.

Sloan

Not excited about two dollar stores in town, especially what it says economically about the community. Wished a "Merry Christmas" and "Happy Holidays" to everyone.

Gencheff

Expressed that she also is not excited about the dollar store. Wished "Merry Christmas" to everyone.

Soucy

Wished a "Merry Christmas", "Happy New Year" and "stay safe" to everyone.

Meister

Expressed that he can see that the calendar is beginning to line up with decisions.

Wished a “Merry Christmas” to everyone.

XI. Director’s Report

Planning / Zoning Administrator Throenle

Stated the next meeting will be January 22. Wished a “Merry Christmas” and “Happy New Year” to everyone, and he thanked the Commissioners for their effort.

XII. Informational Items and Correspondence

A. Township Board Minutes – 11.13.23

B. Township newsletter – November 2023

XIII. Adjournment

Rhein moved, Soucy seconded, to adjourn the meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:22 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell