

**CHOCOLAY TOWNSHIP  
PLANNING COMMISSION**

**Monday, January 22, 2024 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)  
Rebecca Sloan (Vice Secretary)  
Don Rhein (Board)  
Stephanie Gencheff  
Kendall Milton

Members absent at roll call:

Donna Mullen-Campbell (Secretary)

Staff present:

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

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

Soucy requested that the new business conditional use item be moved ahead of unfinished business on the agenda to accommodate the conditional use request.

*Rhein moved, Meister seconded, to approve the agenda as changed.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

**IV. Minutes**

**A. December 18, 2023 regular meeting**

*Rhein moved, Milton seconded, to approve the minutes as presented.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

**V. Public Comment**

None

**VI. Presentations**

None

## **VII. New Business**

### **A. Conditional Use Permit CU 24-01 – Proposed School 1510 M-28 East**

#### **Staff Introduction**

Throenle stated that the application in front of the Commissioners was from Marquette-Alger Regional Educational Services Agency (MARESA) for a proposed school to be located in the church located at 1510 M-28 East that is owned by the Marquette Unitarian Universalist Congregation. He added that the school use would begin after purchase of the church is completed.

Throenle stated that 48 notifications were sent out, with four being returned as undeliverable. He stated that there were no comments received either by phone, email or at the office regarding the project. He added that there were no open permit requests for the property, that lot size and frontage were in conformance with the zoning ordinance, and that staff did not have any concerns regarding the proposed project, and that no construction is proposed for the project.

#### **Commissioner Discussion**

Anthony Bertucci, MARESA Chief Financial Officer, introduced Dr. Jennifer Krzewina, MARESA Director of Mental Health Services, and Dr. Gregory Nyen, MARESA superintendent. He described the project as a school for students that had an individualized education plan, and that the building would be used as it is with no current intentions of adding on to the building. He added that a perimeter fence would be put up in the rear of the building to separate the school from the surrounding neighbors, and that no lighting or signage changes would occur.

Krzewina described the proposed school as one that would provide mental health services to students that needed additional resources. She stated that the school would be conducted in partnership with Great Lakes Recovery for therapy for the students. She stated that initially there will be 12 students in the building with a potential increase to 30 over time. She added that students will be coming in from the 13 school districts within MARESA's boundaries, and students would return to those schools after they progressed through the program. She added that there would be seven staff members on site, and that school would be open from 8 AM through 3 PM.

Soucy asked if the expected drop off and pickup of students was 8 AM and 3 PM; Krzewina replied that would be the scheduled times, and transportation would be provided by the student's home school.

Sloan asked how far away students would be coming from; Krzewina explained that MARESA covered schools both in Marquette and Alger County, and that students could come from any one of the 13 schools in that area.

Gencheff asked if the school would be operated in the summer; Krzewina responded that the school would operate on a school calendar, and generally would not be open in the summer.

Gencheff asked about the partnership with Great Lakes Recovery and if students would be those involved in drug rehabilitation; Krzewina stated that the students in the

program would be those students that struggled with mental health issues and would be students outside of the some of the services of Great Lakes Recovery. She added that they would not be coming for drug rehabilitation services.

Gencheff asked about staffing; Krzewina stated that the staffing would be seven initially.

Gencheff asked about the age range of the students; Krzewina responded that students would be eligible through the program only through senior year of high school.

Gencheff added that that she was looking forward to this program coming to the area.

Sloan asked about funding for the program; Bertucci responded that funding was in place for the program, and that MARESA would keep the program going well into the future. He added that the program was a pilot program and that they would be seeking additional funds in the future.

Sloan asked if MARESA was renting or purchasing the building; Bertucci responded that MARESA was purchasing the building.

Milton asked if MARESA has fire marshal approval for the building; Bertucci responded they were working with fire officials to address any concerns, and that MARESA would also be working with County Building Codes for additional permits for interior construction.

Meister asked if there were possibilities of expansion on the site; Bertucci stated that they are looking to expand to 30 students, and that there was sufficient building space remaining if the program grew larger. Krzewina added that the desire was for the program to become a model program that could be placed in other locations throughout Michigan.

Soucy asked about kitchen facilities; Bertucci stated that the kitchen would be utilized primarily to receive food prepared in other school districts.

Rhein stated that as a resident of the area near the building he was in support of the project.

### **Commissioner Decision**

*Meister moved, Sloan seconded, that after Commissioner and staff review and analysis in consideration of Conditional Use application CU 24-01, and the understanding that the proposed use is compliant with all terms of Section 16.2 Conditional Use Permits, the Planning Commission approves Conditional Use Permit 24-01 as presented.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

Throenle asked Soucy if the Commissioners could continue with new business to finish up those items; Soucy agreed.

## **B. Election of Planning Commission Officers**

### **Staff Introduction**

Throenle stated that elections of Planning Commission officers were required each year and added that Mullen-Campbell requested to be considered for the Secretary position even though she was unable to attend the meeting due to illness.

### **Commissioner Discussion**

*Rhein moved, Sloan seconded, to elect Soucy as Chair.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

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

*Vote: Ayes: 6 Nays: 0 Motion carried*

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

*Vote: Ayes: 6 Nays: 0 Motion carried*

*Gencheff moved, Meister seconded, to elect Sloan as Vice Secretary.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

## **C. Planning Commission Bylaws and Procedures Review**

### **Staff Introduction**

Throenle stated Planning Commission bylaws and procedures were presented each year to see if there were any changes required.

### **Commissioner Discussion**

Gencheff asked if there were any revisions in the packet; Throenle stated there were none.

Soucy stated that the Pledge of Allegiance should be added to the bylaws. Throenle stated that it could be added as Article IV, Section 9, and that it would read "Chocolate Township Planning Commission meetings, after being called to order, will have the Pledge of Allegiance".

Milton asked if the Pledge would be done twice if there was a joint meeting. Sloan suggested that the language be modified to say "with the exception of a joint meeting."

### **Commissioner Decision**

*Rhein moved, Sloan seconded, to accept the Bylaws with the changes discussed.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

## **D. 2023 Planning Commission Annual Report**

### **Staff Introduction**

Throenle stated the *Michigan Planning Enabling Act* requires a report to be put together and presented to the Board every year. He added that the report in the packet showed Planning Commission activities, Planning Director activities, and the Planning Commission decisions for 2023.

### **Commissioner Decision**

*Rhein moved, Milton seconded, to forward the 2023 Planning Commission Annual Report as presented to the Township Board.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

## **E. Joint Meeting Discussion**

### **Staff Introduction**

Throenle asked the Commissioners to provide items that they would like to have discussed at the joint meeting with the Board.

### **Commissioner Discussion**

Gencheff asked if accessory dwelling units and FlashVote utilization could be added.

Soucy asked to add housing as a discussion; Gencheff asked to add where that housing would occur.

Gencheff asked to add discussion regarding base zoning for State lands.

Gencheff asked about Township ordinances regarding solar and wind. Meister stated that it should be a discussion item; Rhein stated that it was a question at the Board level already.

Gencheff asked how the email address setup was going to receive the newsletter; Meister stated that was a staff issue to address and not for Board discussion.

Both Meister and Sloan stated that the Board should provide more direction on the use of FlashVote.

### **Commissioner Decision**

*Rhein moved, Meister seconded, to present the following discussion items to the Board for consideration at the joint meeting:*

- 1) Accessory dwelling units guidance*
- 2) FlashVote utilization and steps to use it*
- 3) Housing in the Township, with consideration for variety, perspective, location, etc.*
- 4) Base zoning for State lands*
- 5) Discussion of zoning for wind and solar ordinances*

*Vote: Ayes: 6 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 maps in the packet were updated as the Commissioners requested at the December meeting, and they were open for another review. He requested that the Commissioners look at the maps to determine if there were any additional changes.

#### **Commissioner discussion**

Commissioners discussed the similarity between the 1977 zoning map and the proposed zoning map. Sloan pointed out that the growth areas were very similar to the presented maps.

Gencheff asked about conforming properties and the connection to the Township master plan. She stated concerns that some of the parcels would be put in districts that they should not be in, especially if they are already conforming.

Rhein stated that property owners should be permitted to do what they want on their property, particularly if splits are considered in the future; Gencheff expressed her concern that three acre parcels were too small. Throenle stated that in order to divide, the parcels had to have access to the parcel, and that the parcels would have to meet the minimum frontage for the split; Rhein added that splits would be limited over a ten year period to six.

Commissioners discussed extensively parcels in different locations throughout the Township (Mangum Road and Kawbawgam, Maple Road, Green Garden and County Road BR, Fassbender Road, and West Branch Road) to determine if they should be either AG 2 or AG 3.

During the discussion, Throenle asked Gencheff what her primary concern was; Gencheff responded that it was open space and the loss of forestry with the new districts; Meister stated that the designation was primarily wording, and that forestry was not going away. Additional discussion was added regarding PUDs, subdivisions, site condominiums, roads, and uses to address Gencheff's concern about development on three acre parcels.

Throenle later added that the Planning Commission was making recommendations only, and that the Board would make the final decision regarding the map. He showed the map changes from the previous month to the current map.

To further address Gencheff's concerns, Throenle added later that prior to the final decision that there will be a public hearing and two readings at the Board level where additional public comment can be heard, and that the affected parcel owners would be receiving a notification regarding the upcoming public hearing.

Meister asked Jill Bradford, who was in attendance, if she had concerns about the changes. She expressed that she felt she would be losing rights on her property;

Meister explained that her agricultural changes would not go away. Throenle pulled up the latest proposed uses table; Bradford realized that she did not have the latest version of the document, which calmed her concerns.

**Commissioner decision**

*Rhein moved, Sloan seconded, that the map be accepted with the change of the two parcels at the end of County Road BR from AG 2 to AG 3.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

Throenle asked the Commissioners to vote on the public hearing for the map. He asked Rhein to rescind the motion for public hearing in February and reschedule the public hearing to March 18.

*Rhein moved, Meister seconded, to rescind the motion for a public hearing on February 12.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

*Rhein moved, Sloan seconded, to have the public hearing on March 18 at the Planning Commission meeting.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

Throenle added that the public hearing will include both the language and the map.

**IX. Public Comment**

Richard Bohjanen, Township Supervisor

Requested that the Planning Commission annual report be included in the packet materials for the joint meeting on February 12.

**X. Commissioner's Comments**

Rhein

Stated that it was a great job working on the language and the maps, and expressed hope that the public will be receptive to the work completed.

Sloan

Seconded Rhein's comments.

Milton

"Happy New Year" to everyone.

Gencheff

Expressed her appreciation of Chocolay Township and that the Township is different than the City of Marquette.

Soucy

Expressed a thanks to staff for the annual report.

Meister

Expressed that he was happy to complete the agriculture work and is looking forward to discussing other items.

**XI. Director's Report**

Planning / Zoning Administrator Throenle

He stated that there would be two meetings on February 12; the joint meeting would be at 5:30 PM, and the regular meeting at 7:00 PM. He added that there will be a formal site plan review for Dollar General as the only item on the regular agenda.

He thanked the Commissioners for all their hard work and discussion on the agriculture topic.

**XII. Informational Items and Correspondence**

- A. Township Board Minutes – 12.11.23
- B. Township newsletter – December 2023
- C. City of Marquette Planning Commission minutes 11.14.23
- D. City of Marquette Planning Commission minutes 12.19.23

**XIII. Adjournment**

*Rhein moved, Meister seconded, to adjourn the meeting.*

*Vote: Ayes: 6 Nays: 0 Motion carried*

Soucy adjourned the meeting at 7:33 PM

Submitted by:

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Planning Commission Secretary

Donna Mullen-Campbell