

ISABELLA COUNTY
PLANNING COMMISSION

September 11, 2008

A Regular Meeting of the Isabella County Planning Commission was held on September 11, 2008 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: John Benaske, Richard Recker, Craig Schripsema, Christine Alwood, Marilyn Fosburg, Vance Johnson, Roger Trudell.

MEMBERS ABSENT: Bob Thompson, Gale Willoughby, Jerry Neyer

SUPPORT STAFF PRESENT: Michael Zalewski, Planner/Zoning Administrator
Brandy Freed, Recording Secretary

The meeting was called to order by Vice-Chairperson Recker at 7:02 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

The Vice-Chair requested if there were any additions or deletions to the agenda.

A motion was made by Mr. Schripsema, supported by Ms. Alwood, to approve the agenda.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.

No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the August 14, 2008 regular meeting were circulated to the Commission prior to the meeting for their review.

Ms. Fosburg stated that on page 3 of the August 14th minutes, she purposely asked Mr. Nolt if the septic tank was on his property. The minutes should reflect that Mr. Nolt stated he was not sure if the septic tank was on his property.

A motion was made by Mr. Trudell, supported by Ms. Fosburg, to approve the minutes of the June 12, 2008 meeting as amended.

Yes: Benaske, Recker, Trudell, Schripsema, Fosburg, Johnson.
No: None.
Abstain: Alwood.

Motion carried.

LIASON REPORTS

Parks & Recreation Commission – Ms. Alwood stated that there is an art in the parks event at Deerfield Township on November 3, 2008.

ZBA – Mr. Schripsema reported that last month was a very busy meeting, most of the variances were in the L-R district and all were approved.

Board of Commissioners – Ms. Alwood stated that there are some concerns with the budget. The board will hold a budget meeting where department heads can come in and address the board if they have concerns. This meeting will be held at 5:00 p.m. on September 18.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

Jackie Curtis, Denver Township, stated that she would like to thank Mike Zalewski for sending the letter and resolving the issue that she brought to the board at last months meeting. The trailer was removed and the people were out of there in 2 days.

John Graham, Gilmore Township, stated that he would like to thank Craig Schripsema and Mike Zalewski for attending their board meeting.

PUBLIC COMMENT

None heard.

SITE PLAN REVIEW #08-05

Mr. Recker stated that the Commission will consider taking action on a site plan submitted by Alpena Marc, LLC to construct a 36' x 68' addition to an existing building and to establish the building as a medical clinic. The property is located at 11775 N. Isabella Road in Section 2 of Vernon Township and is zoned C-1.

Mr. Jeff Konczak, of Alpena Marc, LLC explained that they would be renovating an old unused building. He also explained that they would be using the LEED program to complete the project. This building needs to be expanded for Veterans Administration. This expansion would allow Veterans to be able to get care closer to home.

Ms. Alwood clarified that this building has a Clare address, but is still in Isabella County.

Mr. Schripsema stated that the Site Plan appears complete and the application was put together very well.

A motion was made by Mr. Schripsema, supported by Ms. Alwood to approve SPR #08-05 as submitted

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.

No: None.

Motion carried.

ZONING AMENDMENT #08-08

Mr. Recker stated that the Commission will conduct a public hearing on the proposed text amendment of the Isabella County Zoning Ordinance. This Proposes to amend the site plan review procedures outlined in Article 11 of the Isabella County Zoning Ordinance to allow certain site plan reviews and minor changes to approved site plans to be approved by the zoning administrator. This language was reviewed by the Planning Commission at the August meeting and set for public hearing. Staff has no concerns with the proposed language.

Ms. Fosburg asked where in this amendment it says that if the applicant is denied by the zoning administrator they are able to appeal the decision.

Mr. Zalewski stated that the applicant has the opportunity to appeal the decision of the Zoning Administrator to the zoning board of appeals. There would have to be a reason that the Site Plan was denied.

Ms. Alwood stated that if the applicant wanted to go to the Planning Commission would they be allowed to request this.

Ms. Fosburg stated that this should be spelled out in this Zoning Amendment.

Mr. Zalewski stated that this could be added in section 11.02 (c).

The public hearing was opened at 7:29 p.m.

Mr. Zalewski clarified that the amendment would allow the Zoning Administrator to review simple site plans and approve them without having to come before the Planning Commission. The change that was made to the amendment states that if the applicant would like to appear before the Planning Commission they have the opportunity to do so.

Mr. Graham, Gilmore township official, stated that the Zoning Administrator should keep the board abreast of what cases he has taken care of in the office.

Mr. Zalewski stated that there would be monthly or annual reports to the board.

Ms. Alwood stated that this will speed up the process for the applicant.

Mr. Schripsema asked if a different fee schedule should be used because the person would not be coming before the board.

Ms. Alwood stated that now would be the time to take a look at the fee schedule because budget meeting are currently being held with the departments.

The public hearing was closed at 7:35 p.m.

A motion was made by Ms. Fosburg, supported by Mr. Johnson to recommend ZA #08-08 to the Board of Commissioners for approval.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.
No: None.

Motion carried.

Mr. Recker asked if the fee schedule would be something that the Board of Commissioners would act right now during the budget meetings.

Ms. Alwood stated that she would first ask what other municipalities in the area are charging. She also asked when the last time the fees were raised.

Mr. Zalewski stated that he thought it was at least 10 years ago.

ZONING AMENDMENT #08-09

Mr. Recker explained that the Planning Commission will conduct a public hearing on the proposed text amendment of the Isabella County Zoning Ordinance. This proposes to amend the Isabella County Zoning Ordinance by removing all references to 'zoning official' and replacing with 'zoning administrator'. This language was reviewed by the Planning Commission at the August meeting and set for public hearing. This will make the zoning ordinance consistent and attempt to avoid any confusion with the different terminology. Staff has no concerns with the proposed language.

The public hearing was opened for public comment at 7:43 p.m.

The public hearing was closed at 7:43 p.m.

A motion was made by Ms. Alwood, supported by Mr. Trudell to recommend ZA #08-09 to the Board of Commissioners for approval.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.
No: None.

Motion carried.

PROPOSED LANGUAGE FOR AUCTION FACILITIES

Mr. Zalewski explained that this language was reviewed by the Planning Commission at the August meeting and the Planning Commission directed staff to make some changes. The following changes were made:

- The use name was changed from Auto Auction to Auction Facilities
- #3 was changed to read ‘up to a six....’
- #4 was changed to read ‘...in accordance with current storm water management requirements set forth by the controlling or receiving agency.’
- #6 was changed to read ‘At no time shall parking or the loading and unloading of vehicles....’
- #9 was changed to read “Access to the site shall be located at least two hundred (200) feet from any intersection as measured from the center line of the intersection to the centerline of the access drive.”

Ms. Alwood stated that in #7 the use of external audio equipment shall be acceptable providing that no decibels greater than 45 can be observed at the site property line. She stated that a decibel is something that you hear, it can not be observed, it should be changed to detected.

Mr. Zalewski stated that it could be used either way because you would be reading a decibel meter. It could be changed to read observed or detected.

Mr. Johnson stated that ‘measured’ might be the better word to use.

It was the consensus of the Commission to use the word ‘measured’.

A motion was made by Mr. Trudell, supported by Mr. Schripsema to set a public hearing for the proposed language for Auction Facilities on October 9th at 7:00 pm in room 225 of the Isabella County building.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.
No: None.

Motion carried.

PROPOSED LANGUAGE FOR WECS

Mr. Zalewski explained that staff sent the language from the proposed 2005 ordinance to

Mark Wyckoff for his review. He had Kurt Schindler, Land Use Educator with MSU Extension review the language for us. He provided us with his comments as well as a draft sample ordinance. Staff has spent a considerable time researching this use and reviewed the comments received, the sample ordinance, the State siting guidelines for WECS and the proposed language from 2005. From this, we prepared the draft ordinance. There are a few items that were recommended in the state guidelines and the sample ordinance that was not inserted in the proposed draft. Those are mainly the environmental impact analysis, the avian and wildlife impact analysis and a complaint resolution process. Staff was unsure if the Commission would want to require these items of the applicant or not, so we left them out for discussion purposes. If you approve this proposed language, we can set a public hearing for the October 9th meeting.

Mr. Zalewski explained that there are many people for wind energy conversion systems, but there are also just as many people who are opposed to them. Those who are opposed, sight that they impact the environment, animals and the affect on neighbors.

Ms. Alwood stated that the feedback that was sent back from Mark Wyckoff was interesting. She also stated that the feedback stated that the proposed language does not make a distinction between Wind Energy Turbine and a Utility Wind Energy Turbine.

Mr. Zalewski explained that it is made distinct as on site WECS and utility grid WECS are now defined. In the 2005 proposed ordinance it was not clearly defined. It has been clarified and now follows the states guidelines.

Ms. Fosburg stated that not all wind turbines look the same.

Mr. Zalewski showed a slide show of the 32 wind turbines that are located in Elkton, MI.

Mr. Trudell stated that the Central Michigan may never see a wind turbine because we just do not have the wind power to warrant building them.

Mr. Zalewski stated that the larger Wind turbines need wind speeds of approximately 7-8 miles per hour to operate.

Ms. Alwood asked why the minimum lot size required changed from 5 acres to 1ft per 1 ft of turbine height.

Mr. Zalewski stated that the 1ft per 1ft of turbine height was determined based on the information gathered and it was determined that there is not a need for 5 acres, they utilize very little land. The setbacks of the tower will determine the minimum lot size.

Ms. Fosburg stated some problems with the language are that there is no definition of rotor, there are no zones sighted for the smaller wind turbines, the wildlife impact should be addressed, and the applicant that builds the WECS should have to have permission from the land owner.

Mr. Zalewski stated that as with all zoning permits this would require the owners permission.

Ms. Fosburg stated that the wildlife impact needs to be addressed even if all that is done is sight the sources that are needed.

Mr. Schripsema stated that the state recommend 20 meters, which converts to 65' 7". If kits are built to the state guidelines should the requirement be equal to this in the proposed language.

Mr. Zalewski stated that they could change the requirement to either 66 ft or 20 meters, but both should not be used because 20 meters is not equivalent to 66 ft. The easiest way would be to use 66 ft because this would slightly exceed the state guidelines.

It was the consensus of the Commission to change the height from 65 ft. to 66ft. and to add language that all turbines must comply with the Natural Resources and Environmental protection act.

A motion was made by Ms. Fosburg, supported by Mr. Schripsema to set a public hearing for the proposed language for Wind Energy Conversion Systems as amended on October 9, 2008 at 7:00 pm in room 225 of the Isabella County building.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.

No: None.

Motion carried.

CHIPPEWA TOWNSHIP TEXT AMENDMENT

Mr. Recker explained that Chippewa Township is proposing to add language regulating mobile homes. The first comment that staff would make is regarding the terminology. As you are aware, we recently amended the County Zoning Ordinance to remove all references to mobile home and replaced it with manufactured homes. Staff would recommend that Chippewa Township consider changing the language to manufactured homes as that is the correct terminology for homes manufactured after 1976. Secondly the proposed language states that each home shall be provided with a permanent concrete pad or foundation. The building code does not allow for manufactured homes to be constructed on a concrete pad. So staff would recommend changing the language to simply read '...provided with a permanent foundation...' Staff has no other concerns with the request.

Ms. Alwood asked if Chippewa Township changed the minimum size of a mobile home earlier in the year.

Mr. Zalewski explained that they changed the minimum square footage of all dwellings.

It was the consensus of the board to provide this feedback to Chippewa Township.

UNION TOWNSHIP REZONING REQUEST

Mr. Zalewski explained that the request was to rezone 23.5 acres from R1 to AG (Agricultural). The Township Master Plan has this property designated as R1. However, the adjacent properties are designated for AG. Staff has no concerns with the request.

The Planning Commission had no concerns with the request and it was the consensus to forward the comments to Union Township.

SUBCOMMITTEE UPDATES

Communications Subcommittee – Mr. Schripsema stated that they have visited a few different township meetings. They will continue to do this throughout September and October.

Ms. Alwood stated that there has been positive interest in GIS projects.

PUBLIC COMMENT

Mr. John Graham, Gilmore Township, stated that a landscaped fence should have been required around the auto auction facility.

Mr. Schripsema stated that the new language does correct this problem.

Mr. Zalewski stated that the auto auction facility applied as a salvage yard.

STAFF COMMENTS

None heard.

PLANNING COMMISSIONER'S COMMENTS

Ms. Alwood stated that the sesquicentennial beard contest has started, but applicants can still apply at any time. Activities will be coordinated with the County fair because they are going to be held in the same week. There will be activities at the fair grounds as well as around the county.

ADJOURNMENT

A motion was made by Ms. Alwood, supported by Mr. Trudell to adjourn at 8:35 p.m.

Yes: Benaske, Recker, Trudell, Schripsema, Alwood, Fosburg, Johnson.

No: None.

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Motion carried.

Jerry Neyer, Secretary

Brandy Freed, Recording Secretary