

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MEETING MINUTES
MONDAY, FEBRUARY 1, 2010**

I. MEETING CALLED TO ORDER AT 7:30PM/ ROLL CALL

Present: Chairman Al Denton, Dr. Ken Tabor, Kendell Milton, Andy Sikkema, Andy Smith, Estelle De Vooght and Vice Chair Steve Kinnunen

Excused:

Staff Present: Jennifer B. Thum, (Planning Director/Zoning Administrator)

II. APPROVAL OF NOVEMBER 2, 2009 MINUTES

Dr. Ken Tabor moved, Andy Sikkema, Seconded, to approve the November 2, 2009 Planning Commission meeting minutes as written.

III. ADDITIONAL ITEMS/APPROVAL OF AGENDA

Chairperson Al Denton stated that there will be two additional items under, VIII New Business, Update on Zoning Issues and MDOT Pedestrian Bridge to the agenda. Steve Kinnunen, moved to add to VIII New Business, F. Update on Zoning Issues and VIII. G. MDOT Pedestrian Bridge to the agenda for discussion, Seconded by Al Denton to approve the agenda for February 1, 2010.

IV. PUBLIC HEARINGS

A. Proposed Zoning Amendment 34-10-01, Section 17.2 of the Township Zoning Ordinance.

No comments from the public.

Ms. Thum stated that changes had to be made to the current Ordinance, since the Planning Director and Zoning Administrator are one position. In the event that the Zoning Administrator is absent for more than five (5) days, the Township Board could appoint someone or the Township Assessor could fill in. It's up to the Planning Commission to decide what wording should be placed in the Ordinance.

V. PUBLIC COMMENT

No public comment was given.

VI. PRESENTATION

No presentations scheduled

VII. OLD BUSINESS

A. Junk Car Ordinance

Ms. Thum reported that over the last couple of months she has been working with the Township Attorney to make sure the language works for both the Township staff and residents. The Planning Commission reviewed the proposed Vehicle Storage and Parking Ordinance and did not have any changes to it as of yet. Andy Sikkema and Steve Kinnunen stressed that we should not do anything further until the Police Department had submitted their suggestions. They would like for the Police Department to review and then they will look it over one final time, before sending it the County and then the Township Board.

Steve Kinnunen, Motioned to table this item until the Police Department can review it Ken Tabor, Seconded to table this item until the Police Department can review it.

VIII. NEW BUSINESS

A. Proposed Section 17.2 of the Township Zoning Ordinance

Ms. Thum went over the background of the Township Zoning Ordinance and that it states that the Township Zoning Administrator shall be appointed by the Township Board. The current Zoning Ordinance in Section 17.2 provides for the Planning Director to be allowed to issue Zoning Compliance Permits in the event that the Zoning Administrator is absent for a period of five (5) consecutive business days due to illnesses, vacation, etc.

Ms. Thum stated that at the beginning of this year she took over the responsibilities of Zoning Administrator and, therefore, that section in the Ordinance will need to be changed. Ms. Thum stated that either the language could read the Township Board could appoint someone or, the language could just state that Township Assessor would be able to assume the duties of the Zoning Administrator when she would be absent for those five (5) days.

Ms. Thum went over the procedure and the next step to adopting this amendment change.

Al Denton, Motioned, Ken Tabor, Supported to approve the language stating that in the event that the Zoning Administrator is absent from work for a period of more than five (5) consecutive days due to illness, vacation, or for any other reason, the authority to issue a Zoning Compliance Permit in accordance shall devolve upon the Township Assessor and the duties shall remain with the Township Assessor for the duration of such vacancy or absence.

B. TOP PRIORITIES FOR 2010

Ms. Thum stated that this is the same thing that they did last year. The Planning

Commission needs to choose a couple of items that they can focus on for 2010. Ms. Thum stated some of her thoughts for 2010 were:

- Park at Township Marina
- MDOT Enhancement Grant
- Township Comprehensive Plan Update
- Recreational Plan Update

The Commissioners discussed a couple of other items and felt that updating the Township Sign Ordinance should be on the list and doing something with the Bowler property as well.

Steve Kinnuen stated that the Sign Ordinance revision should be the top priority for right now and that it needs to get on the next Planning Commission Agenda.

Al Denton inquired about the Bowler property and if we could donate it to NMU. Ms. Thum explained that she believed that, according to the agreement, the Township has to retain it, but the site is supposed to be something that the Township kids can utilize.

Ms. Thum stated that she did contact a Biology Professor at NMU (also a Chocolaty Township resident) and was stated that she would pass on the information to the Biology Department Head. As of the meeting, Ms. Thum has not heard from the Department Head.

The List of the Planning Commission Top Priorities are as follows and in no particular order:

1. Township Recreational Plan update
2. Township Comprehensive Plan update
3. Review all the Township properties.
4. Sign Ordinance
5. MDOT Enhancement Grant
6. Brower Property
7. Intersection at US 41/ M-28 (landscaping)

C. COMPREHENSIVE PLAN UPDATE

Ms. Thum went over the proposed work plan and stated that there could be some possible changes. She will work on a couple of dates for community work sessions for our next meeting. She asked for a couple of individuals on the Planning Commission that might be interested in serving on the Sub-Committee.

Estelle DeVooght stated that she would be intersted, and so did Andy Sikkema. Ms. Thum stated that the Township Board will probably suggest Dr. Ken Tabor, but she is not sure. Ms. Thum stated that she does have commitments from a couple of the residents who would sit on the Sub-Committee.

The Planning Commission approved the Township Comprehensive Work Plan

Update.

D. NOISE ORDINANCE

Ms. Thum explained that she received a phone call from Dr. Scott Emerson stating that he had concerns about the “jake brakes” use in our Township. Al Denton explained what “jake brakes” were and went over how the only community in Marquette County that regulated them was the City of Negaunee. Andy Sikkema explained that the State of Michigan can not regulate their use on any State owned road which would be US 41 and M-28. The Township could look at doing something for Cherry Creek Road. Andy Smith stated that he advises his guys not to use them. The other Commissions agreed that revising the noise ordinance to not allow “jake brakes” was not necessary at this time.

E. POSSIBLE ZONING AMENDMENTS

Ms. Thum explained that she was speaking with a local realtor concerning the old Bell Hospital in Harvey. Under the new Township Ordinance, medical centers are not listed as a Conditional Use for the R-2 (Harvey) District. Ms. Thum also thought the Planning Commission could review adding a couple of additional items to that list. The Commissioners asked about the number of amendments. Ms. Thum stated that we might have some more down the road. She is going to try and go over the Ordinance page by page and compare it to the old one to see what else was left out.

Steve Kinnunen, Motioned, Ken Tabor, Seconded, to hold a public hearing next month to update Section IV, Zoning District Regulations, Permitted and Conditional Uses to see if additional language is needed.

F. UPDATE ON ALL OUTSTANDING ISSUES

Ms. Thum explained that she was asked to discuss with the Planning Commission and the Zoning Board of Appeals several issues in the Township that were raised by both Trustee Maki and the Township Board. Ms. Thum went down the list and the Planning Commission responded to each one.

G. MDOT PEDESTRAIN TUNNEL

Ms. Thum explained that she was contacted by Al Anderson from MDOT concerning a possible change to the tunnel design. A spokesperson from UP Concrete and Pipe went over the possible changes to the tunnel. Andy Sikkema also made comments about the proposed changes. He was concerned with the sidewalk and it would not be narrower due to the change in the headwall. Ms. Thum also stated that was her concern as well.

Andy Sikkema, Motioned, Al Denton, Seconded to let staff work with Al Anderson from MDOT concerning the tunnel and there would be no need for this project to go back to the Townships.

IX. PUBLIC COMMENT

No public comment provided

X. COMMISSIONER'S COMMENT

Steve Kinnuen mentioned that we really do need to do something about the signs. The other Commissioners felt that we should look at technology and how it's going to affect our sign ordinance.

Al Denton mentioned that he would be retiring from the Planning Commission in April due to personal reasons.

XI DIRECTOR'S REPORT

Ms. Thum talked about the County notice of working on the Zoning Chapter of the Marquette County Comprehensive Plan.

More discussion about the Brower property.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Marquette Township Planning Commission Minutes, December 14, 2009 and December 16, 2009.
- B. City of Marquette Planning Commission Minutes, December 15, 2009
- C. Planning and Zoning News, January 2010

XI. ADJOURNMENT

Al Denton, Chairman