

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MEETING MINUTES
MONDAY, NOVEMBER 2, 2009**

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

Present: Chairman Albert Denton, Ken Tabor, Kendell Milton,
Andy Sikkema, Andy Smith, Estelle DeVooght, Steve Kinnunen

Excused:

Staff Present: Jennifer Thum (Planning and Community Development),
Laurie Vashaw-Eagle (Recording Secretary)

II. APPROVAL OF OCTOBER 12, 2009 MEETING MINUTES

Estelle DeVooght, Moved, Albert Denton, Seconded, to approve the October 12, 2009, Planning Commission minutes as written.

Ayes 7. Nays 0. Motion approved.

III. ADDITIONAL ITEMS/APPROVAL OF AGENDA

Steve Kinnunen, Moved, Estelle DeVooght, Seconded, to approve the agenda as written for the November 2, 2009, Chocolay Township Planning Commission meeting.

Ayes 7. Nays 0. Motion approved.

IV. PUBLIC HEARINGS

A. CONTINUATION OF VEHICLES AND TRAILER PARKING AND STORAGE ORDINANCE

No comments from the public.

V. PUBLIC COMMENT

No public comment provided.

VI. PRESENTATION

No presentations scheduled.

VII. OLD BUSINESS

A. PROPOSED ZONING AMENDMENT #34-09-09, DEFINITION AND ACREAGE

Ms. Thum reported that last month the Planning Commission discussed parks and the Lakenenland property. The new definition was discussed by the Planning Commission last month, but Ms. Thum believes nothing was approved. There was discussion about private vs. public parks and the consensus was to leave a park as public. For this month's discussion, Ms. Thum reported she included a couple of examples for a definition of Private Park, in case you would like to include them in the zoning ordinance. A while ago a proposed zoning amendment did go to the Board for a definition of a park, but this can be changed.

The Township Supervisor would like the Planning Commission to come up with a decision on how to handle the permit that was issued for the band shell at Lakenenland. Ms. Thum stated that the Planning Commission can leave the permit sit, as parks will be added into AF districts shortly (as a conditional use permit) or the permit can be revoked and then have Mr. Lakenen apply for a band shell under a CUP permit. The previous definition for parks stated:

“Park, a noncommercial, not-for-profit, parcel of land, with or without a structure, designed to serve the recreational needs of the residents, including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities.”

There was much discussion by the Planning Commissioners that the definition for a park is a totally separate issue from the Lakenenland issue. The Commissioners agreed to determine the definition for a park at this meeting and address the Lakenenland issue at a later time.

Andy Sikkema, Motioned, Ken Tabor, Seconded to approve the definition of a public park as listed below:

Park, a publically owned parcel of land, as:

- A. Maintained for recreational and ornamental purposes.
- B. A landscaped Township square.
- C. A large tract of rural land kept in its natural state and usually reserved for the enjoyment and recreation of visitors.
- D. Protected area in its natural or semi-natural state that may consist of rocks, soil, water, flora, fauna and grass areas.
- E. A place where people can hold public festivals/events.

Ayes 7. Nays 0. Motion approved.

B. VEHICLE AND TRAILER PARKING AND STORAGE ORDINANCE

Ms. Thum stated that last month there was discussion about the junk car ordinance. As noted last month, the current ordinance does not place regulations on RV's, which is becoming a problem in our Township. With the proposed ordinance, we are hoping to be able to clean up the Township. Ms. Thum discussed that she would like to have the Planning Commission take time putting this ordinance together. She reported that it has also been sent to the police and Township Attorney for their review.

The Commissioners provided some additional revisions to the ordinance, which Ms. Thum will address. The Commissioners agreed to table this until further input from the Township Attorney and Police are received.

Andy Sikkema, Motioned, Ken Tabor, Seconded, to table this until the next meeting to further review and await Township Attorney and Police Department input.

Ayes 7. Nays 0. Motion approved.

VIII. NEW BUSINESS

A. BLONDEAU FENCE APPLICATION

Jennifer Thum reported that normally Township Staff can approve a fence permit, but since Blondeau Construction is a commercial use, they have to go before the Planning Commission. Staff contacted Mr. David Blondeau about the fence and he stated the reason he was asking for a permit, was that an individual recently fell off of the retaining wall that the fence would sit on. This incident did involve the State Police, so staff sent a FOIA request to Lansing for a copy of the report. Ms. Thum stated that in her opinion, the report shows justification for the fence. Ms. Thum also stated that staff has no problem with the fence, and does feel that one is needed.

Ken Tabor, Motioned, Al Denton, Seconded, to permit Blondeau Construction to install a 4 ft. high chain link fence located on a block retaining wall, permit #2009-94.

Ayes 7. Nays 0. Motion approved.

B. BROWERS RECREATIONAL AREA

Ms. Thum reported the local parks not only serve a recreational purpose, but they also enhance the quality of life for the communities. Each month staff will give an overview of the Township properties and the Planning Commission is to decide if the property is being used to serve our residents. Local parks focus on recreational activities that are generally more intensive and often require highly developed infrastructure (e.g., ball fields, golf courses, and swimming pools), though many local parks also preserve important land and water resources. When reviewing the properties, please look at the

neighboring residential development and see if that park fits their needs. The Township is almost all residential and the more places we can offer to them to enjoy locally the better.

Browers Recreation Area

History: In 1999 Don Bower donated this 48 acre parcel of land to the Township with hopes that we could use the land to educate the public about nature.

His one request was that it had to be developed for youth by the youth. A local youth resident was seeking his Eagle Scout badge and took on this project. He organized a plan, presented it to the Township Board, and added some additional thought on how to use the property (attached).

Location: 430 Kawbawgam Road (see attached map)

Size: 48 acres

Zoning: MP

School: None

Observation:

Currently the area is used for recreational purposes. There is a gravel parking lot at the site, but we have problems with resident's dumping their brush at this site. Also, there is no signage so Ms. Thum stated she doesn't believe the Township residents know where the site is. Ms. Thum thinks this would be a great spot to get the local kids involved and to add some much needed signage. This area has a rough trail for hiking with minimal nature signage.

Implementation

Strategies: Staff has looked at utilizing this area for cross country skiing.

Ms. Thum requested approval from the Commissioners to contact Northern Michigan University to see if they have any groups interested in working to enhance this recreational area. Ms. Thum also reported that in January, 2010, she will bring some sample mission statements and an inventory sample for the Township parks that are being reviewed. She stated that staff will also be looking at the 2010 budget to see if funds for signage can be obtained for the Township parks as some are not identified and hard to find.

Ayes 7. Nays 0.

C. HOLIDAY GAS STATION SIGN

Ms. Thum reported that as requested by the Commission, she has reviewed Section 18 of the Zoning Ordinance relating to signage and its application to the recently installed signage at the Holiday Gas Station. She also reviewed the sign permit dated July 9th, 2009, attached site plan and supplemental; information submitted with the permit.

Since the question at hand is the color electronic message signage, Ms. Thum will concentrate her reference of the ordinance to the pertinent section. Section 18.9 Sign Illumination states that "No sign except time and temperature and similar signs shall have blinking, flashing, fluttering lights, exposed bulbs or other illuminating devices which have a changing light intensity, heightness of color, or any form of animation or moving device.

With every person you ask, you will get a slightly different opinion, but the generally accepted version of a time and temperature sign is the red LED small lights with the black background that shows a static display the temperature. It is also customary that the date appears as well. Beyond that type of display you have an electronic message center and in this case one with several messages, heightness of color, and changing light intensity.

Andy Sikkema suggested to Ms. Thum to contact the Michigan Department of Transportation to make sure the sign isn't in the right-of-way.

IX. PUBLIC COMMENT

No public comment provided.

X. COMMISSIONER'S COMMENT

No Commissioner's comments provided.

XI. DIRECTOR'S REPORT

Jennifer Thum reported that in January, 2010, an Intern will be working with the Township who is interested in Planning. Ms. Thum is putting together her 2010 Work Plan and will send the Commissioners a hard copy when she's finished. The Township has applied for a

grant to replace all of the current lights along the highway with LED lights from M-28 to the Township border by Sand River. The grant is for \$63,000. She hopes they'll hear something by December, 2009 or March, 2010. Ms. Thum also reminded everyone that there will not be a Planning Commission meeting in December. She will send everyone a reminder of the January meeting date in the near future.

XII. INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Planning and Zoning New, October, 2009

XIII. ADJOURNMENT

Ken tabor, Moved, Al Denton, Seconded, to adjourn the meeting as there was no further business to address. The meeting adjourned at 8:27 p.m.

Albert Denton, Chairperson