

**CHARTER TOWNSHIP OF CHOCOLAY  
PLANNING COMMISSION MEETING MINUTES  
Monday, May 3, 2010**

**I. Meeting Called to Order at 7:30 P.M. / Roll Call**

Present: Chairman Albert Denton, Estelle DeVooght, Ken Tabor, Kendell Milton and Andy Smith.

Absent excused: Andy Sikkema

Absent resigned: Steve Kinnunen

**II. Approval of April 5, 2010 Minutes**

*Ken Tabor*, move *Kendell Milton*, Second to approve the April 5, 2010 Planning Commission meeting minutes.

AYES 5 NAYS 0 MOTION CARRIED

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

*Ken Tabor*, move *Kendell Milton*, Second to approve the May 3, 2010 Planning Commission agenda as presented.

AYES 5 NAYS 0 MOTION CARRIED

**IV. Public Hearings**

A. Proposed Zoning Amendment 34-10-02, Add conditional uses to:

**Section 4. Zoning Districts Regulations:**

4.2 High Density Residential District (R-2) (Harvey)

**(C) Conditional Uses**

8. General Office

9. Nursing Homes

10. Medical/ Veterinary Clinics.

B. Proposed Zoning Amendment 34-10-03, Add the following definitions to:

**Section 2. Definitions:**

**General Office:** A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. An office shall not include a clinic or the production, distribution or sales of goods or commodities which are physically located on the premises

**Veterinary Clinics:** A place used for the diagnosis, care, and treatment of sick, injured, or infirmed animals or those in need of medical or surgical attention. Such a place may include provision for temporary boarding of animals for treatment, observation, or recuperation.

C. Proposed Sign Ordinance- to review a draft ordinance to repeal Section 18. Signs and Fences; of the Chocolay Township Zoning Ordinance to clarify, and provide new substantive regulations concerning the placement of signs within and throughout the Township.

D. Proposed Zoning Amendment 34-10-04, Add conditional uses to:

**Section 4. Zoning Districts Regulations:**

4.7 Agriculture/ Forestry District (AF)

**(C) Conditional Uses**

11. Churches and Schools

E. Conditional Use Permit #84: The applicant Mr. Robert Pascoe has Petitioned to propose that his business UP Custom Cabinetry be allowed to operate out of his garage at 825 Willow Rd, in the R1 District

F. Conditional Use Permit #85: The applicant Chocolay Township Zoning

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Administrator has petitioned to permit an existing band shell as an accessory structure to an existing sculpture park located at 2800 M-28 E, in the AF District

G. Conditional Use Permit #86: The applicant Heritage Baptist Church has petitioned to allow for building of a church at property located at 8405 US 41 S, in the AF District.

**V. Public Comment**

*Public meeting item (E)*

Larry Urban 820 Willow Rd- Lives across the street and is in favor of the request for Home Occupation.

Colleen Pascoe 831 Willow Rd- Not in favor of the request for Home Occupation.

Neil Hayward 831 Willow Rd- Not in favor of the request for Home Occupation.

*Public meeting item (F)*

Robert Pascoe 825 Willow Rd- Commented the sculpture park was an asset to the Community

Daniel Lakenen 110 Timberlane- At the meeting to represent Tom Lakenen who could not attend. Stated- Tom would probably be OK with minimal restrictions for use of the Band shell.

Lisa Lakenen 108 Timberlane- At the meeting to represent Tom Lakenen who could not attend.

Patricia Lakenen 112 Timberlane- At the meeting to represent Tom Lakenen who could not attend. Commented on the past bad history between Township and Tom.

**VI. Presentations**

A. None scheduled

**VII. Old Business**

A. Zoning Amendment 34-10-02, Section 4, of the Township Zoning Ordinance

*Ken Tabor, move Estelle DeVooght, Second to Approve Proposed Zoning Amendment #34-10-02 which would add the following conditional uses under Section 4. Zoning Districts Regulations: 4.2 High Density Residential District (R-2) (Harvey) (C) Conditional Uses: 8. General Office, 9. Nursing Homes 10. Medical/ Veterinary Clinics, and to recommend approval by the Chocolay Township Board.*

AYES 5 NAYS 0 MOTION CARRIED

B. Zoning Amendment 34-10-03, Section 2, of the Township Zoning Ordinance

*Ken Tabor, move Andy Smith, Second to Approve Proposed Zoning Amendment #34-10-03 which would Add the following definitions to: Section 2. Definitions: General Office: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. An office shall not include a clinic or the production, distribution or sales of goods or commodities which are physically located on the premises. Veterinary Clinics: A place used for the diagnosis, care, and treatment of sick, injured, or infirmed animals or*

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those in need of medical or surgical attention. Such a place may include provision for temporary boarding of animals for treatment, observation, or recuperation, and to recommend approval by the Chocolay Township Board.

AYES 5 NAYS 0 MOTION CARRIED

- C. Proposed Sign Ordinance- to review a draft ordinance to repeal Section 18. Signs and Fences; of the Chocolay Township Zoning Ordinance to clarify, and provide new substantive regulations concerning the placement of signs within and throughout the Township.

*Estelle DeVooght*, move *Ken Tabor*, Second to *Table* the draft ordinance until it has been reviewed by the Township Attorney.

AYES 5 NAYS 0 MOTION CARRIED

- D. Proposed Alternative Energy Ordinance- to review a draft ordinance to provide new substantive regulations concerning the use of alternative energy sources within and throughout the Township

*Kendell Milton*, move *Estelle DeVooght*, Second to *Table* the draft ordinance until it has been reviewed by the Township Attorney.

AYES 5 NAYS 0 MOTION CARRIED

- E. Fire Hall Locations-

Fire Chief Gary Johnson- Informed the planning commission on additional locations located behind Wahlstrom's Restaurant and the AT&T building as possible locations to locate the Fire Hall and provide a training area.

- F. Planning Commission Vacancies-

*Albert Denton* move, *Estelle DeVooght* second, to recommend to the Township Supervisor that he re-appoint Andy Smith to the Planning Commission.

AYES 5 NAYS 0 MOTION CARRIED

*Albert Denton* move, *Estelle DeVooght* second to recommend to the Township Supervisor that he consider appointing Applicant Eric Meister to fill the first vacancy on the Planning Commission.

AYES 5 NAYS 0 MOTION CARRIED

*Estelle DeVooght* move, *Albert Denton* second to recommend to the Township Supervisor that he consider appointing Applicant Jamie Tomczyk to fill the second vacancy on the Planning Commission.

AYES 4 NAYS 1 (Andy Smith) MOTION CARRIED

- G. Annual Election of Officers-

*Albert Denton* move, *Estelle DeVooght* second, to appoint Kendell Milton as Chairperson.

AYES 5 NAYS 0 MOTION CARRIED

*Albert Denton* move, *Estelle DeVooght* second, to appoint Andy Smith as Vice Chairperson.

AYES 5 NAYS 0 MOTION CARRIED

*Albert Denton* move, *Ken Tabor* second, to appoint Estelle DeVooght as Secretary.

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AYES 5 NAYS 0 MOTION CARRIED

*Albert Denton* move, *Estelle DeVooght* second *to table* the appointment of a Vice Secretary until member vacancies have been filled.

AYES 5 NAYS 0 MOTION CARRIED

**VIII. New Business**

A. Zoning Amendment 34-10-04, Section 4, of the Township Zoning Ordinance

*Albert Denton* , move *Ken Tabor*, Second to *Approve* Proposed Zoning Amendment #34-10-04 which would add the following conditional uses under Section 4. Zoning Districts Regulations: 4.7 Agriculture/ Forestry District (AF) (C) *Conditional Uses*. 11. Churches and Schools, and to recommend approval by the Chocolay Township Board.

AYES 5 NAYS 0 MOTION CARRIED

C. Conditional Use Permit #84: Pascoe, 825 Willow Rd

*Albert Denton* , move *Estelle DeVooght*, Second to *Approve* Conditional Use Permit #84 with the Planning Commission's recommended restrictions and conditions.

1. Zoning Administrator is to conduct periodic inspections of the property to confirm the outdoor wood burning boiler is operated within the standards of Section 6: 6.5 of the Chocolay Township Zoning Ordinance.
2. The Applicant must provide at their expense yearly water testing between the months of May and June and submit the results to the Zoning Administrator.
3. Home Occupation Permit #84 will expire within 3 years from this date of approval.

AYES 5 NAYS 0 MOTION CARRIED

D. Conditional Use Permit #85: Lakenenland, 2800 M-28 E

*Albert Denton* , move *Andy Smith*, Second to *Approve* Conditional Use Permit #85 with the Planning Commission's recommended restrictions and conditions.

1. Conditions for use regulated under Township Ordinance #45

AYES 5 NAYS 0 MOTION CARRIED

D. Conditional Use Permit #86: Heritage Baptist, 8405 US 41 S

*Estelle DeVooght* , move *Ken Tabor*, Second to *Table* Conditional Use Permit #84 until the June 7, meeting.

AYES 5 NAYS 0 MOTION CARRIED

E. Application for Amendments to the Zoning Ordinance:

*Ken Tabor* move, *Albert Denton* second to *Table* the proposed list of amendments to the Chocolay Township Zoning Ordinance ( as amended April 21, 2008) submitted by the petitioner Mr. Mark Maki. The petitioner will need to resubmit the proposed amendments before May 6, for staff review for information and language acceptable for publication and a public hearing

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to be held by the Planning Commission on June 7.

AYES 5 NAYS 0 MOTION CARRIED

**IX. Public Comment**

Dick Arnold 312 W Branch Rd- Considers the Township Sign to be more of a hazard than most other signs in the area.

**X. Commissioner's Comment**

Ken Tabor , move Kendell Milton, Second for the Chocolay Township Board to support a "Resolution of Appreciation" for Albert Denton.

AYES 5 NAYS 0 MOTION CARRIED

**XI. Director's Report**

Tina Fuller commented on the cleanup of property located on Timberlane Rd and the future sale of the Salvage Yard on Big Creek Rd

**XII. Informational Items and Correspondences**

- Detroit News: Article concerning digital billboards
- Planning for Urban Agriculture
- Planning and Zoning News

**XIII. Adjournment**

*Ken Tabor , move Kendell Milton, Second to adjourn the meeting at 9:00 PM.*

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Kendell Milton, Chairperson