

**CHARTER TOWNSHIP OF CHOCOLAY
PLANNING COMMISSION MEETING
Monday, May 12, 2008 @ 7:30 PM**

I. MEETING CALLED TO ORDER / ROLL CALL

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

Absent:

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

II. APPROVAL OF APRIL 14, 2008 MEETING MINUTES

Dennis Magadanz motioned to approve the April 14, 2008 meeting minutes as written, seconded by Estelle DeVooght.

Ayes 7. Nays 0. Motion approved.

III. ADDITIONAL ITEMS/APPROVAL OF AGENDA

Steve Kinnunen motioned to approve the agenda, seconded by Dennis Magadanz.

Ayes 7. Nays 0. Motion approved.

IV. PUBLIC HEARINGS

A. C.U.P. #80 Blondeau Trucking

George Meister, Engineer for TriMedia Consultants, stated that Blondeau Trucking is requesting a Conditional Use to demolish the old truck garage and construct a new similar building to consist of 3 drive through truck bays, install a wash bay, widen the driveway to establish a safer area for pulling onto U.S. 41, landscape the area, patch the asphalt, and address the contamination issues,

David Blondeau, owner of Blondeau Trucking, showed some of the photographs from their Gladstone operation and stated that the construction of a new building would be similar except the roof would be within the Chocolay Township Zoning Ordinance height restriction of 30 ft. Mr. Blondeau stated that the 3 drive through bays would virtually eliminate the noise the residents are hearing now.

Mr. Blondeau also reported that he would use the same contractors as he used to build the Gladstone garage and they will construct the garage according to what the state, DEQ, and Township requires. Mr. Blondeau stated that he would like to increase the number of trucks they operate from 20 to 25 or 30 to offset the large investment he will be making to construct the new building and make the area more appealing. Mr. Blondeau is looking for support from the Planning Commission before he proceeds further and incurs unnecessary expenses. He stated that Blondeau Trucking has been in the Township for 62 years and hopes to be here for many years to come. If the Township supports his request, he will then begin work with the DEQ and follow their recommendations. He will also begin work on having a detailed site plan drawn up to present to the Planning Commission for approval in the future. Mr. Blondeau also stated that he would like to demolish the old building this Summer and not begin construction on the new building until Fall. He hopes to have the entire project complete within 2 years.

Dennis Magadanz asked about the sand trap maintenance schedule.

David Blondeau stated that he will follow the same type of schedule he uses in Gladstone, which will be to have the sand trap cleaned whether it needs it or not, every 2 years or whatever is required.

Andy Smith, asked about the hours of operation that Blondeau Trucking uses.

Dave Blondeau said they usually begin at 5:00-5:30 AM and all outside work is moved indoors by 9:00 PM.

V. PUBLIC COMMENT

Dave St. Onge, TriMedia Consultants, reported that Blondeau Trucking is trying to clean-up the former diesel fuel spill. Mr. St. Onge has worked with Blondeau Trucking since 1996 to address the ground water contamination issue. Demolishing the existing building would allow the remaining contamination to be addressed and eliminated.

Mark Maki, 370 Karen Road, stated that he is very familiar with the history of Blondeau

Trucking and the contamination issue. Mr. Maki stated that Blondeau Trucking is a trucking and transportation company and not a contractor's yard. Mr. Maki inquired how to how this got into the zoning ordinance. He stated that Blondeau Trucking has been trying to get their property rezoned for many years, but were always turned down by Mr. Summer's the Township Attorney. He also stated that there is a stipulated injunctive order against Blondeau Trucking.

Stan Huebert, Owner of the Dry Dock Tavern, stated that if anyone would be affected by the Conditional Use request by Blondeau Trucking it would be him and his business. Mr. Huebert stated that he feels Dave Blondeau and the Blondeau family are honest hard working people and he fully supports their request.

Calvin Atwell, asked what type of contaminants are on the property?

Dave St. Onge, stated that it is diesel fuel contamination of the ground water.

Bob Young, former Main Street resident, asked why 12 years have gone by trying to alleviate the contamination issue? Mr. Young also asked if the wells are being monitored in the area?

Dave St. Onge, TriMedia Consultants, stated that there is a cluster well on Kellogg Street that is monitored as well as the well located on Blondeau's property. He also stated that Blondeau Trucking is not the only entity involved in the contamination from 12 years ago as there was multiple businesses involved, i.e., Harvey Oil, Shaw's Service Station, etc. Blondeau Trucking is and has been working to treat the contamination and also monitors the wells of the residents around their business. The removal of the old building will allow for more aggressive treatment and elimination of the problem.

VI. OLD BUSINESS

A. SNOWMOBILE TRAIL #417

Jennifer Thum reported that at the Township Board meeting on March 17, 2008, Marc Schwengel from the Alger County Snowmobile and Off-road Vehicle Association approached the Board about the use of snowmobile trail #417 east of the Ojibway Casino. The Association would like to use this specific portion of the trail for ORV's.

Jennifer Thum reported that she did some research into Snowmobile Trail 417 and is not sure why they are requesting support by the Township as she believes they are within the law to utilize the trail for ORV's

Due to no one from the DNR being in attendance Estelle DeVooght, Moved, Dennis Magadanz, Second, to table this item until someone from the DNR can attend and inform the Township why they need their support and answer any pertinent questions.

Ayes 7. Nays 0. Motion approved.

VII. NEW BUSINESS

A. BLONDEAU TRUCKING, C.U.P. #80

Blondeau Trucking has requested Planning Commission review of a Conditional Use Request to demolish two homes, the existing moving and storage facility and build a new building for their trucks and a new moving and storage building located at 5025 US 41 South, Chocoday Township.

Dennis Magadanz Moved, Ken Tabor Second, that after review of Conditional Use Request #80, the STAFF/FILE REVIEW – SITE DATA AND ANALYSIS, Sections 211, 403, and 701 of the Zoning Ordinance, the site plan and application provided, and subsequently finding compliance with the standards for approval of the request found in Section 701 of the Zoning Ordinance, the Planning Commission approves Conditional Use Request #80 with the following conditions:

1. Blondeau Trucking maintains a 30 ft. buffer where it abuts residential property. TriMedia will provide Chocolay Township with an “as planted” plan showing what was planted and where. Approved plantings will be maintained throughout the duration of the permit.
2. That Blondeau Trucking is permitted to keep 25 trucks on site.
3. Approved hours of operation will be from 5:00 AM to 9:00 PM.
4. That Blondeau Trucking keep Chocolay Township apprised of their correspondence with the DEQ.
5. During construction, the applicant should make sure that best management practices are placed onsite. Blondeau Trucking will need to fill out an application with the Marquette Conservation District for their Soil Erosion Control Permit.
6. Blondeau Trucking will provide the Fire Department with a set of plans indicating where utility shut offs are located and where flammable/hazardous materials will be stored. All flammable liquids shall be kept in metal cabinets. Finally, the Fire Chief will tour the facility upon completion.
7. If the Police Department determines that Blondeau Trucking is making too many left-hand turns after 7AM, Chocolay Township will be allowed to revisit the issue.
8. Once comments are received from the MDOT Corridor Committee, these comments will be reviewed by staff and TriMedia and incorporated into the plans.
9. Trimedia will work with Chocolay Township staff and our Engineering Consultants, Mike Pond from STS to ensure that all Township concerns are met and to work with Mike Pond and our DPW supervisors throughout this process.
10. That any lighting shall be designed to reflect light downward and away from adjoining residential properties in accordance with the requirements of Section 500 of the Zoning Ordinance.
11. A zoning compliance permit shall be obtained from the Chocolay Township Zoning Administrator.
12. A zoning compliance permit shall not be issued until all other necessary permits as required by Federal, State, and Local Agencies, are acquired.

B. INVESTMENT FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES

Jennifer Thum, Director of Planning and Community Development, reported that she was made aware of a possible grant/loan from the federal government for communities that want to work

on projects that expand and upgrade infrastructure to attract new industry, technology developments, redeveloping Brownfield's, promoting eco-industrial development and supporting heritage preservation development. Ms. Thum would like approval from the Planning Commission to move forward with this project, and allow the Planning Department to research this grant/loan opportunity to see if it's something that could benefit Chocolay Township.

Steve Kinnunen Moved, Dennis Magadanz, Seconded that the Planning Commission supports the Planning Departments desire to research this grant/loan opportunity through the federal government in order to attract new industry to Chocolay Township.

Ayes 7. Nays 0. Motion approved.

VIII. PUBLIC COMMENT

Mark Maki, 370 Karen Road, stated that there are 3 signs erected at Lakanen Land and it is his understanding that there was a sign ordinance in the Township and would like to know why this isn't being addressed. He also stated his concern about a contractor's yard located on the top of Green Garden Hill that is not in compliance with the zoning ordinance.

IX. COMMISSIONER'S COMMENTS

Andy Smith, new Planning Commissioner, gave a brief description of his background. Mr. Smith grew up in Chocolay Township, went to college out of state, then returned to raise a family. He is the owner of Smith Paving in Marquette and employees 45 people.

X. DIRECTOR'S REPORT

Jennifer Thum reported that she is going to Houghton tomorrow for software training to assist in generating road condition reports by entering various data elements as she travels throughout the Township.

Ms. Thum reported that U.P. Engineering submitted an invoice that was \$7,000 more than their original quote for drawings of maps, etc. for the Township. The Township was able to negotiate the cost down to \$2,000.

Ms. Thum reported that the Engineering proposals to provide services to the Township are due Monday, May 19th. The list of proposals will be provided to the Commission at a future meeting.

Ms. Thum reported that a request for a Home Occupation to be operated on Lakewood Lane (Martin's) granted in Court. The Township of Chocolay is going to appeal this decision.

Jennifer Thum reported that the Chocolay Downs Project has obtained an easement for a second access road by the Varvil Center. This will be revisited at the June meeting.

XI. INFORMATIONAL ITEMS AND CORRESPONDENCE

- A. Planning and Zoning News
- B. Water Testing Results

XII. ADJOURNMENT

Dennis Magdanz motioned, Al Denton seconded to adjourn the meeting. The meeting adjourned at 8:40 p.m.

Albert Denton, Chairperson