

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

4484 W. Curtis Street

January 14th 2008

Members Present:

Wesley Jourden, Chair
Rick Jones, Vice-Chair
Brenda Case
Ed DeWitt
Ron Munro, Secretary
Leroy Schell
Lorri Peake

Members Absent:

Also Present: Zoning Administrator Cindy Oliver, Dick Oliver, Marv Bestman and Danette Rose

The meeting was called to order at 6:35pm by Chairman Wes Jourden.

#1 Moved: by Brenda Case, supported by Rick Jones to approve the agenda. Motion Passed.

#2 Moved: by Rick Jones, supported by Leroy Schell to approve the minutes for December 10 2007 Regular Meeting and December 18th 2007 Special Meeting. Motion passed.

Public Comment: None

Zoning Administrator Oliver Presented: Danette Rose who has a Zoning permit application issue. Each PC Member was given a packet of information on the issue. Zoning for R1 requires a 10ft setback. The person needs a variance for Arbor Ridge Estates lots 91 & 92 in order to build a garage which would cross over both sections as the original home structure was built in the middle of the lot not allowing enough room to ad the second structure. However, the Condo Assoc. bylaws forbid the building of only a free standing garage on a single lot. Also Mr. Gary Collins of Collins Development, was working on this partly by trying to change the lot to allow people to build in this manner but not have the lots combined so that Arbor Ridge could collect dues on both parcels. According to Administrator Oliver she informed Mr. Collins this would not conform with KCT Zoning and he was advised that a situation like this would require a zoning variance. According to Mr. Collins they are working on changing their Master Deed in order to fix part of this. Mrs. Oliver has been working on this issue for a while and has kept the Planning Commission informed along the way. At this time Mrs. Rose was informed of the steps she need to do in order to complete her project and that this is an issue of;

1. The Zoning Board of Appeals for a variance.
2. Have Mr. Collins complete the changes to the Master deed and present the Zoning Administrator a copy of said changes.
3. As a courtesy the Planning Commission will send a letter to Mr. Collins asking him to expedite this matter.

#3 Moved: by Brenda Case, supported by Ed Dewitt to send Mr. Collins a letter explaining that the commission is aware of this situation and asking him to expedite the matter and keep us informed of his progress. Motion Passed.

New Business:

Complaint about woodstove: A complaint about smoke from a woodstove was passed on to Wes from Supervisor Oberle. Smoke from an outdoor woodstove was bothering a citizen the PC discussed the matter, Wes brought up the fact that the nuisance ordinance all ready would cover this. Rick mentioned that other places were looking at this like the Sault because of the closeness of structures as a fire hazard but this would not apply here. Ron mentioned that without more detail we do not want to bring the township into the middle of a neighbor dispute also with only one complaint we should wait to see if any other problems or complaint arise in the future. It was decided to take no action at this time.

Citizen Planner on line courses: This is a course for the PC online provided by MSU Extensions, Cindy recommends we each take the course. Wes said he will check into it more along with cost and report back at the next meeting.

Home Occupation: It was discussed that since the Fire Chief has ignored our repeated request in this matter that the Planning Commission will adjust the ordinance, Wes will fix it and bring in the new ordinance to our next meeting for review.

Comprehensive Plan: Wes provided an update from the December 18th special meeting. The next meeting is set for February 13th 2008 @ 6:30pm at the Township Hall.

Other Business: Ron informed everyone of a section in the new MAP Planning Commission Toolkit that states it is better for commissioners to pay attention at the meetings and to have a staff member record the minutes, as Marv was at this meeting Ron shared it with him also.

Public Comment: None

Meeting Adjourn at 7:42pm.

Next meeting set for February 11th 2008 at 6:30pm.

Ronald Munro Secretary

**Kinross Charter Township
Planning Commission
Special Meeting**

February 21, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Lorri Peake

MEMBERS ABSENT

Wesley Jourden
Rick Jones
Leroy Schell

Also present: Kelly Drake and Bill Sanders of UP Engineers & Architects, Inc. and Judy Wright

After Zoning Administrator, Cindy Oliver, apologized for not being able to attend the meeting she volunteered to call absent members.

UPEA began a slide presentation of the progress of the Master Land Use Plan at 6:55 PM. A printed copy of the presentation is attached to these minutes. Ms. Drake asked that Members advise them of any noticeable discrepancies in the data as presented. At the close of the presentation, Mr. Sanders briefly described the different formats for public meetings, which would be the next step in the process.

#1 Moved: by Ed DeWitt, seconded by Brenda Case, to plan the public meeting for May 12, 2008, at the Recreation Center with refreshments being served. Motion carried.

Meeting adjourned at 8:30 PM.

Ron Munro, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting
March 10, 2008**

March 10, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Lorri Peake
Leroy Schell
Rick Jones

MEMBERS ABSENT

Wesley Jourden

Also present: Judy Wright

The meeting was called to order at 6:45 PM by Vice Chair Jones. Ms. Wright apologized for not mailing the agenda packets. There had been a staff shortage and a minor emergency in the Administrative office on Thursday, March 6th.

Members reviewed of the minutes of February 11, 2008. **It was moved by DeWitt, seconded by Schell that “motion carried” be added to both Motion #3 & #4 of the February 11, 2008 minutes.** Motion carried.

Members reviewed the minutes of the February 21, 2008 special meeting. **It was moved by Case, supported by Munro, that “there was lengthy discussion about the methods used to gather information, sources of information, who was responsible to gather updated information, and the dated nature of the data gathered thus far.”** Motion carried.

It was moved by DeWitt, seconded by Munro, to add the following items to the March 10, 2008 agenda: 1) Home occupation ordinance, 2) Update regarding the May 12th public meeting, 3) Citizen Planner classes, and 4) Responsibilities of the Committee Chair. Motion carried.

Home Occupation: The proposed changes to Section 3.13 Home Occupations were discussed at length. Munro had several issues that he felt were not properly addressed. Among those items were the phrase “or personal hobbies” in the introduction. Many hobbies involve toxic and/or flammable materials, for example paint, etc. Jones stated that crafts are regulated by the State of Michigan and therefore should not be included in the scope of this section. Item 10 states that the hours shall be 8 AM -8 PM. Munro stated that this provision would be excessively prohibitive. He offers an independent notary service and frequently his clients need to come to his home later than 8 PM. Peake asked what the difference was between a home occupation and home business.

Peake also asked just exactly what the Commission was trying to accomplish with this re-write. Case explained the history of Liquid Liners having been granted a home occupation by a previous Commission. That decision has since been found to have been in error. This Commission would like to re-write the section to ensure that this type of error will be less likely in the future. **It was moved by Jones, supported by Schell, that this item be tabled until Peake is able to further research what is the best route to pursue.** Motion carried.

May 12th Public Meeting: Munro informed the Committee that he had taken the initiative to contact Rec Center Administrator Frasure about the availability of the gym at the Rec Center for May 12, 2008. She was able to move some groups to different rooms to accommodate the Commission's use on that date. As no one was sure about the time for the meeting, Munro and Wright will try contact UPEA to determine the time frame that the room will be needed. Additionally, Munro has contacted tribal offices regarding the tribal housing in the Township. He has two sources that will be providing information to him so that the numbers can be compared.

Citizen Planner: Munro asked what the next step is in participating in the Citizen Planner training. How long does the class take? When does it start? Case said that Jourden had all that information and has not shared it with the rest of the Committee.

Responsibilities of the Committee Chair: Case asked if anyone had been in touch with Committee Chair Jourden as she had found him to be less than forthcoming with information that the Committee should be receiving. No other members have had any communications with Chair Jourden.

Public Comment: None

Meeting adjourned at 8:00 PM.

Next meeting is April 14, 2008 at 6:30 PM.

Ron Munro, Secretary

**Kinross Charter Township
Planning Commission
Regular Meeting
March 10, 2008**

March 10, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Lorri Peake
Leroy Schell
Rick Jones

MEMBERS ABSENT

Wesley Jourden

Also present: Judy Wright

The meeting was called to order at 6:45 PM by Vice Chair Jones. Ms. Wright apologized for not mailing the agenda packets. There had been a staff shortage and a minor emergency in the Administrative office on Thursday, March 6th.

Members reviewed of the minutes of February 11, 2008. **It was moved by DeWitt, seconded by Schell that “motion carried” be added to both Motion #3 & #4 of the February 11, 2008 minutes.** Motion carried.

Members reviewed the minutes of the February 21, 2008 special meeting. **It was moved by Case, supported by Munro, that “there was lengthy discussion about the methods used to gather information, sources of information, who was responsible to gather updated information, and the dated nature of the data gathered thus far.”** Motion carried.

It was moved by DeWitt, seconded by Munro, to add the following items to the March 10, 2008 agenda: 1) Home occupation ordinance, 2) Update regarding the May 12th public meeting, 3) Citizen Planner classes, and 4) Responsibilities of the Committee Chair. Motion carried.

Home Occupation: The proposed changes to Section 3.13 Home Occupations were discussed at length. Munro had several issues that he felt were not properly addressed. Among those items were the phrase “or personal hobbies” in the introduction. Many hobbies involve toxic and/or flammable materials, for example paint, etc. Jones stated that crafts are regulated by the State of Michigan and therefore should not be included in the scope of this section. Item 10 states that the hours shall be 8 AM -8 PM. Munro stated that this provision would be excessively prohibitive. He offers an independent notary service and frequently his clients need to come to his home later than 8 PM. Peake asked what the difference was between a home occupation and home business.

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Citizen Planner: Munro asked what the next step is in participating in the Citizen Planner training. How long does the class take? When does it start? Case said that Jourden had all that information and has not shared it with the rest of the Committee.

Responsibilities of the Committee Chair: Case asked if anyone had been in touch with Committee Chair Jourden as she had found him to be less than forthcoming with information that the Committee should be receiving. No other members have had any communications with Chair Jourden.

Public Comment: None

Meeting adjourned at 8:00 PM.

Next meeting is April 14, 2008 at 6:30 PM.

Ron Munro, Secretary

**Kinross Charter Township
Planning Commission
Regular Meeting**

April 14, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Wesley Jourden
Leroy Schell
Rick Jones

MEMBERS ABSENT

Lorri Peake

Also present: Judy Wright

The meeting was called to order at 6:4 PM by Chair Jourden.

Members reviewed of the minutes of March 10, 2008. **It was moved by Case, seconded by Jones to accept the minutes as written.** Motion carried.

A motion by Jourden, seconded by Case, to accept the agenda as presented. Motion carried.

Comprehensive Plan: It was discussed that the public meeting needed to be scheduled for a different date. UPEA is putting a survey online for residents to complete. A sample press release announcing the date and time of the public meeting has been received by Case. A copy is attached. Secretary Munro has secured a listing of tribal owned properties that he will pass on to UPEA. **A motion was made by DeWitt, seconded by Jones, to hold the public meeting on May 14, 2008, 4:00 PM-9:00 PM, at the Recreation Center.** Motion carried.

Citizen Planner: Munro, Case & Schell expressed interest in taking the online course. They will not enroll until the Township Board appoints new members.

MSU Land Policy Institute: Information about upcoming training was briefly discussed. A decision will be made next month about which members will be able to attend.

Home Occupation Ordinance: After a short discussion, it was agreed that this subject would be revisited when Peake was able to report her findings. Enforcement is also a concern.

NEW BUSINESS:

Resignation: Chair Jourden submitted his letter of resignation effective immediately. Vice Chair Jones expressed his desire to leave the Commission, due to family concerns, as soon as more members were on board.

Public Comment: None

Meeting adjourned at 7:25 PM.

Next meeting is May 12, 2008 at 6:30 PM.

Ron Munro, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

May 12, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell

MEMBERS ABSENT

Lorri Peake
Rick Jones

Also present: Cindy Oliver and Judy Wright

The meeting was called to order at 6:40 PM by acting Chair Munro.

Members reviewed of the minutes of April 14, 2008. **It was moved by Case, seconded by DeWitt to accept the minutes as written.** Motion carried.

The following items were added to the agenda: A & L, Thompson, New Member, the meeting of December 18th, 2007, and Committee Organization.

Thompson: Oliver distributed a copy of the letter that was sent to June & Lee Thompson regarding complaints that have been received about their salvage yard and quarry operation.

A & L: Oliver informed the Committee that A & L was having a problem with people accessing the property at night through a service road at the back of the property. They are looking into constructing a ditch across the road to curtail the trespassing and theft. The Committee will be kept apprised of the progress.

Comprehensive Plan: Munro stated that Ms. Frasure will be purchasing the refreshments for the public meeting on Wednesday. Case plans on knocking on doors to get people out. Munro will be making posters to put in local businesses.

MSU Land Policy Institute (Michigan Planning Act Update): Case would like to attend the June 11th session. Munro will select a date after confirming other commitments. **THE COMMITTEE RECOMMENDS that the Township Board approve to send two members to the Michigan Planning Enabling Act Workshop in St. Ignace or Newberry at a cost of \$105.00 each.**

Home Occupation Ordinance: After a short discussion it was decided that each member should review the ordinance that was presented by Mr. Jourden at the March 10, 2008, meeting and bring suggestions to the June meeting.

NEW BUSINESS:

New Member: Oliver stated that she has contacted Mark Rice, who is currently on the Zoning Board of Appeals, about serving on the Planning Commission. He would be interested if he is able to work out a scheduling conflict. Case will contact Rice and see what can be worked out. **THE COMMITTEE RECOMMENDS that the Township Board direct Office Manager Gaines to advertise for three new members.**

December 18, 2007 meeting: Case informed the Committee that there was an error in the minutes of the December 18, 2007, meeting in that she was in attendance but was not marked as such. **On a motion by DeWitt, seconded by Schell, the minutes of the December 18, 2007, meeting will be amended to reflect that Case was in attendance.** With Case abstaining, the motion carried.

Organization: There was some discussion about the lack of members available to fill the positions necessary. **On a motion by Case, seconded by DeWitt, Munro will act as Chairman until a future date when enough members are available to fill necessary positions.** Motion carried.

Future Plans: Once the Comprehensive Plan is adopted the Committee will begin looking at the ordinances for necessary updating.

Public Comment: None

Meeting adjourned at 8:00 PM.

Next meeting is June 9, 2008 at 6:30 PM.

Ron Munro, Secretary

**Kinross Charter Township
Planning Commission
Special Meeting**

May 14, 2008

43 Wood Lake Road

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell

MEMBERS ABSENT

Rick Jones
Lorri Peake

Also present: UP Engineers & Architects representatives, and 27 residents.

The meeting was called to order at 4:00 PM by acting Chair Munro.

UP Engineers and Architects had already set up a display of the charts, maps, and various documents they had prepared. Planning Commission members greeted residents and helped serve refreshments. Beginning at 6:00 PM UPEA began their presentation of the Comprehensive Plan which was in an open question and answer format.

Meeting adjourned at 8:45 PM.

Ron Munro, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

June 9, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: Cindy Oliver and Judy Wright

The meeting was called to order at 6:40 PM by acting Chair Case.

#1 Moved: by DeWitt, seconded by Schell to accept the minutes as written. Motion carried.

#2 Moved: The following items were added to the agenda: Weiss Auto and Tribal/Township ordinance coordination. **It was moved by Bernhardt, seconded by Wiley, that the amended agenda be approved.** Motion carried.

#3 Moved: by Bernhardt, seconded by Case, Munro was elected to the Chairman's position by unanimous ballot. Motion carried.

#4 Moved: Case was nominated to the Vice Chairman's post on a motion by Munro, seconded by Schell. By unanimous ballot, presented by Bernhardt, supported by Wiley, Case was elected to the Vice Chairman's position. Motion carried.

#5 Moved: by DeWitt, seconded by Calkins, Wiley was elected by unanimous ballot to the position of Secretary. Motion carried.

Home Occupation Ordinance: The committee reviewed and revised the Proposed New: Section 3.13 Home Occupations. It was discussed that the Township should be notified each year of day care homes, adult foster care facilities, etc. that are licensed and regulated by the State of Michigan. This would prove to be very beneficial for public safety in the event of a disaster. A copy of the revised proposed Section 3.13 follows these minutes. The committee will review this document at the next meeting and if complete and correct, will forward same to the Township Board.

Comprehensive Plan Public Forum: There was a good turn out, 31 people, for the forum. UPEA has given the committee a timeline for completion of the updated comprehensive plan. UPEA has asked to meet with the committee on June 30th to discuss plan goals and objectives, current and future land use.

Michigan Planning Enabling Act: Oliver distributed copies of SB206 (Michigan Planning Enabling Act) to each member. She, along with Munro and Case, will be attending a workshop on Wednesday, June 11th, to learn what impact this act will have on future actions.

NEW BUSINESS:

Kooiman-Kauer Land Division: It was cited by Bernhardt that the access to the child parcel is not indicated as being a driveway from an existing road or a recorded easement for ingress and egress. Additionally, it was noted that the position of the mobile home does not meet the Township's set back requirements (Zoning ordinance section 3.10).

Due to these factors, the land split, as submitted for parcel #008-030-007-25 by application dated May 16, 2008, is denied.

Weiss Auto: Oliver informed the committee that State regulations require that any auto sales have a mechanic, whether on premises or by agreement with a licensed mechanic. Weiss Auto (parcel #008-075-014-00) has told her that they are looking at expanding their facilities to have an onsite mechanic.

Tribal/Township ordinance coordination: It was discussed that Township Ordinances are not enforceable on Tribal owned properties making it very difficult to maintain the character of the neighborhood. Mr. Bernhardt stated that housing on tribally owned property is subject to the Homeowners Association covenants and conditions and as such, an individual homeowner would have recourse to correct problems with lawns not being mowed, trash not properly contained, etc. What the committee needs to do is to contact the Tribal Chairman about the Tribe adopting mirror ordinances that would be enforced through the Tribal Courts.

Public Comment: None

Meeting adjourned at 8:45 PM.

Next meeting is June 30, 2008 at 6:30 PM.

Leo Wiley, Secretary

**Kinross Charter Township
Planning Commission
Special Meeting – Comprehensive Plan**

June 30, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: George Cowell and Kelly Drake (of UP Engineers & Architects), Cindy Oliver, Jason Oberle, Rick Southwell, and Judy Wright

The meeting was called to order at 6:32 PM by acting Chair Case.

Mr. Cowell began presenting the land use information gathered to this point by UP Engineers & Architects for the purpose of updating the Comprehensive Plan. He explained that they were focusing on what the land is actually being used for, not what would be the best use of the land given soil conditions, etc. He distributed a draft listing of goals that they had developed for the Township to include in the updated plan including: a) insuring a sustainable future, b) economic development, c) industrial development, d) tourism promotion, e) residential development, f) quality-of-life issues, g) connectivity of the community, h) exurban (rural) development, i) zoning plan, j) public services, and k) public facilities. A copy of the goals draft will be filed with these minutes.

During the discussion of the economic development portion of the goals, Supervisor Oberle presented three items for the Commission to consider including in the Plan: 1) a Downtown Development Authority, 2) an Industrial Development District, and 3) Renewable Energy Renaissance Zones. He explained that including these items in the Plan at this time would eliminate having to revise the Plan when the economic development of the Township would benefit from their existence in the near future. He informed the Commission that a Downtown Development Authority would benefit the Township by capping the property value at the rate established at the time of creation of the Authority, making the revenue from the value of improvements available to the Authority for further development. The Industrial Development District and Renewable Energy Renaissance Zones would also offer property tax incentives for businesses to locate within these specially designated areas within the Township. These types of districts within the Township would help accomplish some of the goals of protecting and enhancing property values by separating residential and commercial properties. It was

suggested that these items be included in the Plan along with a general statement that the Township would also use similar types of economic development tools that may be passed by the legislature.

Ms. Drake briefed the members on the trend to Form Base Code zoning where standards are set for commercial structures, requirements for parking area, etc. that eliminates much of the need for site review on each individual business locating within the Township. This approach is especially helpful for smaller businesses because standard are already set and they know what to expect. The fact that Kinross Charter Township has zoning in existence will be included in the Plan. In order to encourage commercial growth it would be beneficial to create a clearly defined area within the urban core (the area of higher population density) where businesses would be located within walking distance of the primary residential centers. Definition of this area could be accomplished by landscaping, etc.

The public comment at the forum held on May 14, 2008, indicated that there is a need for housing diversification, i.e. multi-family housing and upscale housing. Neighborhood Enterprise Zones and USDA Housing Preservation grants might be helpful in accomplishing some of these goals. Other things suggested at the forum were the addition of horse trails, fishing access sites, and road improvement. Mr. Cowell informed the members that the State of Michigan has software and training available, at no cost, to help in evaluating road conditions. It was mentioned that the Township's Road Advisory Committee performed this function in the past.

Before adjourning the meeting at 9:30 PM, the Commission members were told that they should review the maps of current land use and brainstorm about future uses. The maps will be available in the Property Management office for members to review between now and the next meeting.

Next meeting is July 14, 2008 at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

August 11, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: John and Beverly Gaines and Judy Wright

The meeting was called to order at 6:40 PM by Chair Munro.

#1 Moved: by Calkins, seconded by Wiley to accept the minutes with the following corrections: page 2 & 4 correct the name Hawkins to read Calkins; page 2, paragraph 8 change weary to concerned; page 4, motion #4 include "...approve the Home Occupation Ordinance with correction *and submit the Ordinance to The Township Board...*"; and page 4, Motion #5 to include "...approve the Kooiman-Kauer Land Division *in accordance with the Land Division Act...*". Motion carried.

#2 Moved: The following items were added to the agenda: Woodsmoke regulation and Citizen Planner training. **It was moved by Wiley, seconded by Calkins, that the amended agenda be approved.** Motion carried.

Comprehensive Plan: Chair Munro distributed copies of the future land use maps and stated that the maps, prepared by UPEA, are also available on the firm's website www.upea.com as well as on the CD's that he prepared for each member. Ms. Drake informed him that individual chapters of the Plan will be available online for members to review and discuss as soon as possible. Case stated that the Restoration Advisory Board (RAB) has offered to share their maps and resources with the Commission for planning purposes. Chair Munro will contact someone from RAB about meeting with the Commission. The comment was made that multi-family housing units need to be defined in the residential density definitions.

Tractor-trailer Parking Problems: Calkins informed that he has observed several instances of loaded semi's parking within the residential area, often parked on front lawns in the areas of Parkside/Monterey, Woodside/Tamara Lynn, and Kincheloe/Kristen Circle intersections. He consulted with Zoning Administrator Oliver and found that that

no existing ordinances that address this issue. He expressed concerns for damages to both the water/sewer systems and roads that could be very costly in the future if something is not done to regulate this parking issue. Each Commission member is requested to research and report (at the next meeting) on any ordinances currently in use within the state.

Citizen Planner Training: It was discussed that the members of the Commission could change substantially after the November election.

#3 Moved: Enrollment in the online Citizen Planner Course will be postponed until after the general election, November 4, 2008, on a motion by Calkins, seconded by DeWitt. Motion carried.

Wood Smoke Regulation: DeWitt presented copies of Rudyard Township's regulations about this issue. Chair Munro stated that he has investigated the citizen's complaints and found that Kinross District Police will ask the person(s) with open fires to extinguish them if there is a complaint filed. If no complaint is filed, no actions have been being taken by the Police Department. Each member is asked to research what other municipalities are doing about this issue and report at the next meeting.

Public Comment: Mr. Gaines inquired as to the procedure to receive a zoning variance for an addition to a residence on his property on Kinross Road. He stated that in order to accommodate handicap access the addition would encroach on the set-back by about six feet. He was advised to contact Zoning Administrator Oliver for exact requirements.

Meeting adjourned at 7:40 PM.

Next meeting is September 8, 2008 at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

September 8, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: Richard Oliver, Cynthia Oliver, and Judy Wright

The meeting was called to order at 6:34 PM by Chair Munro.

#1 Moved: by Case, seconded by Wiley to accept the minutes as presented.
Motion carried.

#2 Moved: The following items were added to the agenda: Change of meeting date for October; Arbor Ridge Condo Association roads; Zoning variance; and Planning Commission compliance.

It was moved by Wiley, seconded by Calkins that the amended agenda be approved. Motion carried.

Public Comment: Danette Rose requested a refund of the \$150.00 fee that she was charged for a Zoning Board of Appeals variance hearing. Her request was based on the fact that before the hearing could be held, the Arbor Ridge Condo Association amended their bylaws so that she did not need a variance to build a garage on her second lot.

#3 Moved: by Case, seconded by Calkins to refund \$150.00 to Danette Rose for the zoning variance hearing that was not necessary. Motion carried.

Sign Ordinance: Zoning Administrator Oliver asked the Commission to consider adding minimum height requirements to the sign ordinance. When Hiawatha Behavioral Health contacted her about adding signs to the Urgent Care Clinic's signs, she realized that to do so might restrict the clear sight line of vehicular traffic.

Quarry Licenses: Zoning Administrator Oliver reported on the conditions at the following quarries and recommended the associated actions:

Chippewa County – There was a pond with cattails with no warning signs; gate open; there is a new managing engineer. **Moved by Calkins, second by DeWitt,**

to issue a conditional 60 day license. Motion carried.

Art Reid – Gate open; slopes non compliant; no berm around top of pit; inadequate signage; need updated site plan. **Moved by Calkins, second by Wiley, to issue a conditional 30 day license. Motion carried with one no vote.**

Great Lakes Excavating (Postma) – Did not apply for a renewal license; no activity; no license being issued.

State of Michigan - Have leased part of their facility to Payne & Dolan, however the part that Payne & Dolan are using is in Pickford Township; has posted signs around the perimeter even in our Township; gates locked. No license needed at this time.

Northern Sand & Gravel - no lock on gate; not much activity.

Tilson Hill Enterprises - Excellent example of compliance; all requirements are met or exceeded. The Commission would like to send a letter of appreciation with license.

Norris Contracting - Condition has deteriorated since last year. **Moved by Bernhardt, second by Calkins, to issue a 60 day conditional license. Motion carried.**

Thompson – There have been some improvements; much to be done yet; were issued a conditional license last year. **Motion by Bernhardt, second by Calkins, not to issue license until deficiencies from previous years are corrected and facility is up to standard. Motion carried.**

Annual Report to the Township Board: Zoning Administrator Oliver informed the Commission that a summary of the Commission's activities over the past year along with a proposed budget would satisfy the requirement according to the sources that she contacted.

Comprehensive Plan: Chair Munro is trying to coordinate a meeting with RAB. Kelly Drake, UPEA, will be contacted to ascertain the status.

Tattoo and Body Piercing Business: Zoning Administrator Oliver will investigate citizens' inquiries as to whether this business is licensed and in compliance.

Tractor/trailer parking: Each member is to review the sample ordinances presented by Case and investigate other issues related to an ordinance to regulate parking within the housing area.

Wood Smoke: Each member is to review the ordinance that Rudyard Township recently passed and research any additional information that may be helpful in establishing an ordinance to regulate wood smoke within the Township.

Change of Meeting Date: Case brought it to the attention of the Commission that a “Meet the Candidates” forum will be held on the second Monday in October, the regular date of the Commission’s meeting.

#4 Moved: by Bernhardt, second by Schell to change the October Planning Commission meeting to October 27th due to the Meet the Candidates forum being held on October 13th. Motion carried.

#5 Moved: by Case, second by Bernhardt to support the Township Board’s intention to have the Chippewa County Road Commission assume the responsibility for the roads within the Arbor Ridge Condo Association. Motion carried.

Zoning Variance: John Gaines has requested a variance for a handicap ramp to be constructed on his property by a grant by the Veteran’s Administration. Zoning Administrator Oliver asked the Planning Commission if they would support waiving the fee for the special hearing due to the fact that Mr. Gaines will be the only veteran in the Township that will qualify for the veteran’s exemption from property taxes.

#6 Moved: by Wiley, second by Case to recommend that the Township Board waive the fee for a special zoning hearing for a variance due to his veteran’s status. Motion carried.

Practical Application of Michigan Enabling Act: Anyone wanting to attend one of the workshops being held in October should let Judy Wright know so that registrations may be made at one time.

Meeting adjourned at 8:20 PM.

Next meeting is October 27, 2008 at 6:30 PM.

Leo Wiley, Secretary

**Kinross Charter Township
Planning Commission
Special Meeting**

October 16, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins

MEMBERS ABSENT

Rick Bernhardt

Also present: Lee Thompson, Dale Schell, and Judy Wright

The meeting was called to order at 4:02 PM by Vice Chair Case. The purpose of this meeting is to re-examine licensing of Thompson's Salvage Yard and Quarry.

Calkins explained that at the previous meeting of the Planning Commission he had made the recommendation not to issue a license because of the history of issues that have not been resolved. After visiting the site and speaking with Mr. & Mrs. Thompson he would like the rest of the Commission to consider granting a provisional license for the remainder of this season.

Areas of particular concern for the Zoning Administrator are items #1 and #4 listed in the CEASE AND DESIST letter of September 22, 2008. These items address the fencing, gates, and signage as described in Ordinances #1.107 Junk Yard/Junk Vehicle Ordinance and #047A Quarrying Ordinance.

MOVED #1 by Calkins, seconded by Case, to grant Thompson's Salvage Yard and Quarry a 90 day conditional license. Motion carried.

There was considerable discussion regarding the need for at least these particular issues being brought into compliance before a renewal license will be considered in the spring.

Meeting adjourned at 4:25 PM.

Next meeting is October 27, 2008 at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Special Meeting**

October 27, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: Wes Jourden, Kathy Noel, Dale Schell, Cynthia Oliver, and Judy Wright

The meeting was called to order at 6:30 PM by Chair Munro. The following corrections were noted to the previous two meetings' minutes:

September 8, 2008 – Page 2 – Motion regarding licensing of Thompson's Salvage Yard & Quarry should read "...Motion by Calkins, second by Bernhardt ..."

MOVED #1: by DeWitt, second Schell, to accept the minutes of September 8, 2008, as corrected. Motion carried.

October 16, 2008 – Motion #1 should read "MOVED #1 by Calkins, seconded by Case, to grant Thompson's Salvage Yard and Quarry a 90 day conditional license. Prior to application for renewal license in 2009 issues regarding fencing, gates and signage will be brought into compliance with Ordinances #047A Quarrying Ordinance and #1.107 Junk Yard/Junk Vehicle Ordinance."

MOVED #2: by Calkins, second by Schell, to accept the minutes of October 16, 2008, as corrected. Motion carried.

MOVED #3: by Case, second by DeWitt, to accept the agenda of October 27, 2008, with the following additions: woodstove update, home occupation update, appointments to DPW & Mascoma committees, UPEA/Master Plan update, reference books from MTA, RAB, portable signs, Tribal Law Enforcement.

PUBLIC COMMENT

None

Case stated that the members should be careful about discussing issues outside the meeting venue. Decisions should be formed after all information is presented during meetings.

MOVED #4: by Case, second by Bernhardt, to table creation of the Commission's budget until the November 10, 2008, meeting. Motion carried.

For the benefit of uninformed members, Mr. Jourden explained what RAB is and what it does. He stated that they have a planning subcommittee that would like to meet with the Planning Commission in the near future to discuss issues with future land use planning. Some areas designated to be developed have contamination issues that need to be considered. He requested that overlays of the future land use plan be secured that could be used in conjunction with their site maps to help determine possible areas of concern. He also stated that RAB would be forwarding a copy of the TAP contractor's findings regarding contaminated sites. At the November 10, 2008, meeting a date and time for a joint meeting with RAB will be addressed.

Zoning Administrator Oliver informed the members that Danette Rose did need to have a zoning variance hearing on February 11, 2008. Even though Arbor Ridge did amend their bylaws to allow residents with two lots to build across lot lines prior to February 11th, being that the condo area is platted land, they do not meet the required setback of the Zoning Ordinance.

MOVED #5: by Bernhardt, second by DeWitt, to rescind motion #3 of the September 8, 2008, meeting. ROLL CALL: Bernhardt-yes, DeWitt-yes, Wiley-yes, Case-no, Calkins-yes, Schell-yes, Munro-no. Motion carried.

Zoning Administrator Oliver informed the members that Pat Halfrisch of the DNR had contacted her in regards to damages to the area around Duke's Lake due to ORV traffic. Signs prohibiting the operation of ORV's in the area were not found and there has been considerable shoreline erosion. Calkins has observed the conditions Officer Halfrisch cited as well as incidents of the dumping of animal carcasses in the area. Oliver stated that the Commission should consider creating an ORV ordinance.

Oliver informed the Commission that A & L Salvage has made considerable improvements in their yard including fencing and a rock/boulder barrier to deter trespassing.

The Chippewa County Health Department has been contacted regarding the complaint of a resident operating a body piercing and tattoo establishment out of their home. Oliver will be informed as to whether there is a business operating and if it is licensed, if it does exist, as soon as the Health Department has completed its investigation.

Zoning Administrator Oliver informed the Commission that Reid's quarry operation has made improvements since the last meeting. Chippewa County has posted signs. There has been no activity at Thompson's that Calkins could discern.

Wright was instructed to respond to Pickford Township noting that Zoning Administrator Oliver will be the contact person for information regarding their Master Plan update.

Oliver has been in contact with the Tribal Chief of Police about meeting with the Planning Commission, or possibly serving as a member. He is very interested in coordinating enforcement activities.

Zoning Administrator Oliver asked that any member knowing of a business having a portable sign in use let her know. Our ordinance #1.128 only allows the use of this type of signage by non-profit entities. There are other options that businesses could use on a temporary basis for special sales, promotions, etc.

Chair Munro asked if the Commission intended that the Home Occupation Ordinance be put into effect as soon as possible, or to wait until a comprehensive review of the Zoning Ordinance was done.

Chair Munro stated that Rodney & Angela Carr, of Carr Farms of Rudyard, will be at the November 10, 2008, meeting to present the business and technical side of wood burning appliances. This information is intended to help the Commission, as well as the general public, become informed about available options that might be considered when creating a wood smoke ordinance. Wright was instructed to post a notice on the Township's website inviting the public to attend.

Chair Munro will verify the progress of UPEA on the Township's Master Plan.

Chair Munro is requesting that the Township Board approve the purchase of a "Red Book" (*Authorities & Responsibilities of Michigan Township Officials, Boards & Commissions*) for each Planning Commission member. Oliver suggested that copies of *Township Zoning & Planning Decision Making* and *Township Guide to Planning & Zoning* be purchased as well

Chair Munro appointed Wiley as the Commission's representative, and Bernhardt as alternate, to the DPW Advisory Committee. Munro stated that the Planning Enabling Act may require some changes to the DPW Advisory Committee's Bylaws.

Chair Munro and Secretary Wiley will be the Commission's representatives, with an alternate to be named after the general election, to the Mascoma Task Force.

Kathy Noel, of the Chippewa County EDC, explained the purpose of the Industrial Development District as being an area where businesses could locate and receive tax favored treatment of capital expenditures for up to twelve years. These expenditures have to be new projects, not anything that has already been completed. Therefore, the tax value of the existing structures, etc. would remain on the roll at the current values. Businesses that locate within the District would have to comply with all Township regulations. Wright distributed a copy of May 2, 2008, correspondence received from Superior Fabrication requesting that this district be formed.

MOVED # 6: by Bernhardt, second by Calkins, to support the Township Board creating an Industrial Development District pursuant to Act No. 198 of the Public Acts of 1974, in the parcel of land known as Industrial Development Plat No. 1, being part of Section 32, T45N, R1W, Kinross Charter Township, Chippewa County, Michigan, to be known as Superior Fabrication Industrial Development District No. 1. Motion carried.

Chair Munro distributed information from Clear Zoning that he received recently. The firm will create at user-friendly digital format of zoning ordinances with links to other sources of land use development regulations.

Chair Munro distributed a letter that he drafted on behalf of the Commission to send to the Township Clerk's office. Members suggested that he designate a deadline for submission of items for the agenda as the Monday prior to the meeting, that agendas could be emailed to members by Wednesday, and that they would pick up their packets at the Township offices.

DeWitt informed the Commission that EUP Regional Planning only has plans to erect a fence in the median of I-75 from St. Ignace to the Chippewa County line as far as rural transportation planning is concerned.

Meeting adjourned at 8:30 PM.

Next meeting is November 10, 2008 at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

November 10, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Ed DeWitt
Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

Also present: Gale Schell and Judy Wright

The meeting was called to order at 6:30 PM by Chair Munro. The following corrections were noted to the meeting minutes of October 27, 2008:

Page 3 – Last paragraph should read “...to the Mascoma sub committee of the Planning Commission.”

MOVED #1: by Bernhardt, second Case, to accept the minutes of October 27, 2008, as corrected. Motion carried.

MOVED #2: by DeWitt, second by Wiley, to accept the agenda of November 10, 2008, with the following additions: semi-truck parking discussion; appointments to sub committees for truck route, ORV, & wood stove ordinances; and business cards for members. Motion carried.

Chair Munro stated that Carr Farms would not be able to attend the meeting this evening due to scheduling problems. They plan to present the business side of the wood burning, wood smoke issue.

PUBLIC COMMENT

None

Case reported that the seminar that she and Chair Munro attended in Kalamazoo was very educational. They both have completed their Citizen Planner course and anticipate becoming Master Citizen Planners as soon as they complete their capstone projects.

Chair Munro reported that he and Zoning Administrator Oliver have been in touch with Kelly Drake of UP Engineers & Architects about the status of the Master Plan.

Information was needed from Sault Tribe of Chippewa Indians and the TAP contractor that RAB has contracted. Munro is trying to hasten the completion of this project.

Case will be contacting RAB officers to determine when the Planning Commission and the RAB members could meet.

The budget worksheet was completed. There was some discussion about how much text of ordinances must be published when there are changes. Wright will forward a copy to Accountant Hoolsema. A copy of the worksheet is attached to these minutes.

MOVED #3: by Bernhardt, second by Wiley, to accept the budget of \$35,500.00.
Motion carried.

Case asked if business cards could be purchased for members of the Commission. After discussing the prohibitive cost of having cards printed, Wright suggested that she could develop a sample for in-house printing for the next meeting.

There was a short discussion of the make-up of the Commission after the new Township Board takes office later this month. With a Trustee (DeWitt) and Trustee-elect (Case) currently on the Commission, after the appointment of the Township Board representative to the Commission, there will be one vacant seat.

MOVED #4: by Munro, second by Bernhardt, to ask the Township Board to advertise for persons interested in serving on the Planning Commission. Motion carried.

Chair Munro asked for volunteers to research and develop ordinances for semi-truck parking/truck routes, ORV's, and wood smoke. Calkins has been working with Oliver on the semi parking issues. Munro stated that we would need to have established truck routes to effectively regulate semi parking. Bernhardt will work with Calkins and Oliver to develop a working copy of an ordinance. Bernhardt stated that Chippewa County has recently adopted a good ORV ordinance. In his opinion there is no need for the Township to adopt its own ordinance when the County can now be called upon to enforce their ordinance anywhere in Kinross Township. He will investigate this matter and report back at the next meeting. Wiley will take wood smoke sample ordinances that have been gathered thus far and report back to the Commission. Calkins was appointed as alternate to the Mascoma sub-committee.

Meeting adjourned at 7:30 PM.

Next meeting is December 8, 2008 at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright

**Kinross Charter Township
Planning Commission
Regular Meeting**

December 8, 2008

4884 W. Curtis Street

MEMBERS PRESENT

Brenda Case
Ron Munro
Leroy Schell
Leo Wiley
Herman Calkins
Rick Bernhardt

MEMBERS ABSENT

David Gaines

Also present: Trustee Kauer, Gale Schell, Supervisor Palma, and Judy Wright

The meeting was called to order at 6:35 PM by Chair Munro.

MOVED #1: by Bernhardt, second Case, to accept the minutes of November 10, 2008, as presented. Motion carried.

MOVED #2: by Case, second by Calkins, to accept the agenda of December 8, 2008, with the following additions: capstone project presentation and streetscape discussion. Motion carried.

PUBLIC COMMENT

Trustee Kauer informed the members of zoning issues with West Fair Road and Golf Course properties that need to be considered in the Master Plan to accomplish development goals of the Township Board.

OLD BUSINESS:

Trustee Case presented her capstone project as required by the Citizen Planner course. She stated that it is crucial for the Planning Commission to always maintain high ethical standards and that their role is crucial to the growth of the community. There is a need for ethical standards of conduct in the bylaws of the Planning Commission.

Chair Munro stated that UPEA has not made any further progress on the Master Plan and that he has spoken to Supervisor Palma about the lack of progress. Comment was made that the members want to be sure to include necessary language in the Master Plan that Kinross Charter Township supports renewable energy businesses. Supervisor Palma told Chair Munro that he would contact UPEA about the situation.

Calkins presented his ideas regarding restricting semi-truck parking within the high density residential area. There was particular concern about whether the Township could

restrict parking on private property. The issue of defining low, medium, and high density housing areas within the Master Plan might alleviate some of the definition problems of where in the Township semi-truck parking would be restricted. Munro distributed copies of a proposed Truck Route ordinance. There was considerable discussion regarding the recent efforts in the Michigan Senate to void all existing township truck route ordinances on any county primary road unless the ordinance was approved by the county road commission by April 1, 2009.

MOVED #3: by Case, second by Schell, to direct the Secretary to send a letter to Representative McDowell protesting the plan to negatively affect the Township's authority to establish truck routes and further that if this amendment to HB4839 is passed that action is taken to require that the county road commission be elected positions. Motion carried.

In a discussion regarding the Streetscape Project, Supervisor Palma stated that he would be in contact with MDOT in Newberry to inquire as to whether they intended to mark the right-of-way on M-80 as they had agreed to do previously. Also, he would ask to have the time limit extended through the construction season of 2009. Waste Management has been contacted, with a future meeting yet to be set, to determine if funding might be available to assist with the Township's 20% match for the funds already allocated by the State.

NEW BUSINESS:

MOVED #4: by Bernhardt, second by Munro, to refund the \$20.00 home occupation application fee paid by Tonya Adair for Busy Bees Home Day Care as daycare homes do not fall under the jurisdiction of the zoning ordinance, but rather are regulated solely by State statute. Motion carried.

MOVED #5: by Case, second by Wiley, to ask the Township Board to post contact information and minutes for all advisory committees on the Township's website. Motion carried.

Wiley presented a draft of an outdoor wood burning boilers and appliances ordinance. The members were asked to review the document and bring ideas to the next meeting. He stated that there was a need for wording to "grandfather" in existing units and bring them up standard established in the ordinance over a period of time. Penalties and enforcement issues also need to be addressed in the final document.

MOVED #6: by Bernhardt, second by Calkins, to ask the Township Board to confirm that the maximum speed limit established for Country Club Drive was 45 mph and to post that maximum. Motion carried.

MOVED #7: by Bernhardt, second by Calkins, that the members of the Commission familiar with and trained in the new Planning Enabling Act draft an outline of the specific changes in policies and procedures, with reference to necessary section/paragraph numbers, for the Township to be in compliance. Motion carried.

Bernhardt reported on the Wind Energy Siting and Policy Issues workshop that he attended. Due to the facts that Governor Granholm is spearheading an effort to make the State a major resource in the renewable energy field and that Michigan ranks 14th in the nation for “wind abundance”, it would be prudent for the Township to establish definitions, zoning districts, etc. within the Master Plan.

There was a discussion as to the need for a filing cabinet, or other central location, in the administrative offices where workshop materials, sample ordinances, etc. could be filed for use by any member.

Schell updated his email address. It should be leroya777@hotmail.com.

Meeting adjourned at 8:30 PM.

Next meeting is January 12, 2009, at 6:30 PM.

Leo Wiley, Secretary

Minutes prepared by Judy Wright