



# CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST., ROOM 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721  
PHONE: (231)627-8489 ■ TDD: (800)649-3777

## CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING

WEDNESDAY, JUNE 6, 2018 AT 7:00 P.M.

CHEBOYGAN HIGH SCHOOL AUDITORIUM, 801 W. LINCOLN AVE, CHEBOYGAN, MICHIGAN 49721

**PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdzyk  
**ABSENT:** Lyon  
**STAFF:** Jeff Lawson, Michael Turisk  
**GUESTS:** Tim Maylone, Russell Crawford, Andrew Makee, Karen Johnson, Carl Muscott, Eric Boyd, John F. Brown, John Moore, Cal Gouine, Anne Savenkoff, Judy Spiekhout, Jeanette Mateer, Trudy Lofgren

The meeting was called to order by Chairperson Croft at 7:00pm.

### PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

### APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Churchill, seconded by Mr. Kavanaugh, to approve the agenda as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdzyk), 0 Nays, 1 Absent (Lyon)

### APPROVAL OF MINUTES

The May 2, 2018 Planning Commission minutes were presented. Motion by Mr. Borowicz, seconded by Mr. Churchill, to approve the meeting minutes as presented. Motion carried. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdzyk), 0 Nays, 1 Absent (Lyon)

The May 16, 2018 Planning Commission minutes were presented. Motion by Mr. Churchill, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdzyk), 0 Nays, 1 Absent (Lyon)

### PUBLIC HEARING AND ACTION ON REQUESTS

Notice is given that the Cheboygan County Planning Commission will hold a public hearing on Wednesday, June 6, 2018 at 7:00 P.M. at the Cheboygan High School Auditorium, 801 W. Lincoln Ave., Cheboygan Michigan 49721. The purpose of this meeting and public hearing is to hear comments about and consider findings under Section 18.7.e. as provided in the State of Michigan Court of Appeals unpublished Opinion dated January 16, 2018 being Docket No. 335159; 335206, Grandview Beach Association, Plaintiff/Appellant v County of Cheboygan and Cheboygan County Planning Commission, Defendants/Appellees and Heritage Cove Farm, Inc., Lawrence P. Hanson, Elizabeth A. Hanson, and Lib.Lib, LLC, Intervenors/Appellees.

**Lawrence Hanson and Heritage Cove Farm, Inc.** - Applicants have requested and received a Special Use Permit and approval based upon a submitted site plan and other evidence as part of the record, with such approval being appealed by Plaintiff/Appellant Grandview Beach Association. Remaining matters pursuant to the Michigan Court of Appeals is a determination under Cheboygan County Zoning Ordinance Section 18.7.e. which reads as follows: "The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties." The property is located at 625 Grandview Beach Rd., Tuscarora Township, sections 5 and 6, parcel #162-005-300-002-00, #162-006-400-004-00 and #162-006-400-005-00 and are zoned Agriculture and Forestry Management District (M-AF) and Lake and Stream Protection District (P-LS).

Ms. Croft noted that the public hearing for Lawrence Hanson and Heritage Cove Farm, Inc. has been rescheduled to June 26, 2018 at 7:00pm at the Cheboygan High School Auditorium, 801 W. Lincoln Avenue, Cheboygan, MI 49721

**Cherry Capital Communications, LLC & Wallace and Anne Savenkoff** - Requests a Site Plan Review for a wireless communication facility (section 17.13.). The property is located at 5339 Twin Trail Road, Grant Township, Section 2, parcel 151-002-300-001-00 and is zoned Lake and Stream Protection (P-LS).

Mr. Turisk presented the information contained in the staff report pertaining to the tower to be constructed by Cherry Capital Communications. There were no public comments.

The Planning Commission added "The fenced area is to be reduced from 100ft. x 100ft. to 10ft. x 10ft." as General Finding #4. The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 subject to FAA requirements. Motion carried. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdzyk), 0 Nays, 1 Absent (Lyon)

#### **UNFINISHED BUSINESS**

##### **Discussion Regarding Solar Arrays**

Mr. Lawson reviewed the draft solar regulation paragraph by paragraph discussing each item. Discussion was held. Many comments were made suggesting that the draft regulation be provided in advance of the meeting rather than at the meeting.

#### **NEW BUSINESS**

No comments.

#### **STAFF REPORT**

No comments.

#### **PLANNING COMMISSION COMMENTS**

No comments.

#### **PUBLIC COMMENTS**

Mr. Muscott thanked Mr. Freese for his work on the solar array amendment. Mr. Muscott commented on the inspection requirement on the solar regulation. Discussion was held.

Ms. Johnson stated her concerns regarding Triple D Disposal continuing to operate without meeting the special use permit conditions and the Planning Commission not being updated on this situation. Ms. Johnson questioned why there is a Zoning Ordinance if it can't be enforced. Mr. Lawson provided an update on the enforcement situation and indicated further action is being taken in coordination with legal counsel.

#### **ADJOURN**

**Motion** by Mr. Borowicz to adjourn. Motion carried. Meeting was adjourned at 8:45pm.



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Charles Freese  
Planning Commission Secretary