



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, FEBRUARY 3, 2021 AT 7:00 P.M. ROOM 135 - COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Delana, Thompson
ABSENT: Lyon
STAFF: Mike Turisk
GUESTS: Eric Boyd, Steven Warfield, John Moore

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. Borowicz, seconded by Mr. Bartlett, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese Kavanaugh, Borowicz, Croft, Delana, Thompson), 0 Nays, 1 Absent (Lyon)

APPROVAL OF MINUTES

The January 6, 2021 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Thompson, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese Kavanaugh, Borowicz, Croft, Delana, Thompson), 0 Nays, 1 Absent (Lyon)

The January 20, 2021 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Thompson, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese Kavanaugh, Borowicz, Croft, Delana, Thompson), 0 Nays, 1 Absent (Lyon)

SCHEDULED PUBLIC HEARING

There were no scheduled public hearings.

NEW BUSINESS

No comments.

UNFINISHED BUSINESS

Discussion on proposed Zoning Ordinance Amendment #161 that would provide specific zoning and development standards for waste hauler land uses.

Mr. Turisk stated that the discussion regarding Amendment #161 began last month and the Planning Commission felt the best way to approach this would be in a segmented fashion. Mr. Turisk stated that he does not believe this will be a lengthy ordinance; however, it will be somewhat complex. Mr. Turisk stated legal counsel will attend future meetings to help guide the Planning Commission through this process. Mr. Turisk stated he will also pull in staff from Department of Energy, Great Lakes and Environment and District Health Department #4 during this process in terms of garnering information and insight. Mr. Turisk stated that a draft purpose statement and a list of proposed definitions specific to waste hauler land uses were included in the packet.

Mr. Freese stated that he does not have a problem with the purpose statement. Mr. Freese stated that the definition of garbage should include everything waste haulers will be hauling away. Mr. Freese proposed a definition which he believes will eliminate three quarters of the rest of the definitions, "Garbage: any organic or inorganic waste material created through

normal residential or commercial operations, whether or not considered recyclable, which is collected in any closed container such as garbage cans, totes, and dumpsters and held for collection by a permitted or licensed waste hauler. This definition does not include yard waste (e.g. tree limbs, trunks, leaves, grass clippings, etc.), major appliances (e.g. stoves, refrigerators, water heaters, washers, dryers, freezers, etc.), furniture (e.g. desks, chairs, bed frames, mattresses, springs, tables, sofas, carpets, etc.), hazardous materials, industrial waste from manufacturing processes and construction and demolition debris." Mr. Freese stated if a waste management plan for the entire county is being considered by the Board of Commissioners, these are categories of materials that are going to have to be defined. Mr. Freese stated that the Planning Commission can discuss transport, storage, movement and facilities.

Mr. Kavanaugh stated that the Planning Commission will want to include a lot of the things Mr. Freese is talking about excluding as people throw furniture out which is hauled off to disposal sites. Mr. Kavanaugh stated that material in enclosed containers was referenced in the proposed definition. Mr. Kavanaugh stated that if there isn't a lid on a container, dumpster or open trailer it would not be considered as garbage. Mr. Kavanaugh stated that all of the items that are defined are important to include. Mr. Kavanaugh stated the bulky waste is important to include. Discussion was held.

Mr. Thompson stated that he likes Mr. Freese's definition of garbage. Mr. Thompson stated that medical waste, which may be considered hazardous waste, should also be considered by the Planning Commission. Mr. Freese stated that this may fall under the definition of hazardous waste. Mr. Freese explained that he did not include hazardous waste in the definition of garbage as it could be treated separately. Mr. Thompson agreed with Mr. Freese and stated that it needs to be separate.

Mr. Kavanaugh asked if Mr. Freese believes a waste hauler will separate these items. Mr. Freese stated no. Discussion was held. Mr. Freese believes that the waste hauler should inform his customers of the restrictions placed on what is going into the receptacle and then into the truck that hauls it away.

Discussion was held regarding waste haulers being permitted or licensed. Mr. Turisk stated that he doesn't believe that Cheboygan County can license waste haulers as it is a township responsibility. Mr. Turisk stated that there is one waste hauler in the county that isn't licensed. Mr. Turisk noted that the Board of Commissioners may discuss a licensing scheme oversight with the townships individually involved. Mr. Kavanaugh stated that people who are operating without a license can be informed that a license is required. Mr. Kavanaugh stated his concerns regarding Cheboygan County wanting to license waste haulers. Mr. Thompson stated that he agrees with Mr. Freese's definition but it will not control what is put into the dumpsters. Mr. Thompson stated we do not have the manpower to oversee what is going into the dumpsters but it will be a good start to define it.

Mr. Bartlett stated that he has had a dumpster in his yard for over 25 years and no one has ever told him what he can put into the dumpster. Mr. Bartlett stated it is for household waste which is a broad term. Mr. Bartlett noted that on the township dumpster day the only items they are not allowed to put in the dumpster are tires and paint. Mr. Freese stated it is the responsibility of the waste hauler that owns that dumpster to tell the customer what items that the landfill site prohibits from being placed in their landfill. Mr. Kavanaugh stated that we are not going to send enforcement out to go through garbage. Mr. Kavanaugh stated that we can request that the waste hauler inform his customers of materials that the landfill will accept. Mr. Freese stated the waste hauler can include with your monthly bill, a statement of what is allowed and what is not allowed. Discussion was held how the public should be educated on how and where to dispose of specific items. Mr. Delana stated the things that are being discussed are right and necessary, but it is not clear that it is the function of zoning to control. Mr. Delana stated that education is good. Mr. Delana questioned what is the state level regulation regarding what can be put in the waste stream. Mr. Delana stated there are issues around people putting unused pharmaceuticals into the waste stream. Mr. Delana questioned if these definitions and enforcement issues should be part of county level zoning or is some of this covered by state regulations.

Mr. Turisk stated that he agrees in part with Mr. Delana and Mr. Kavanaugh. Mr. Turisk stated it will not hurt to identify some of these items, if only for the sake of helping to educate the public. Mr. Turisk stated that it is our charge to focus more on the zoning aspect of waste haulers such as where they will be allowed, minimum setback requirements, storage for totes and dumpsters and requirements for ancillary on site administrative offices. Mr. Turisk stated that we do not want to create a regulation that we are not able to enforce because we do not have the resources. Mr. Freese stated that some of this may be incorporated into the Waste Management Plan by the Board of Commissioners. Discussion was held.

Mr. Kavanaugh stated that the Planning Commission should cover in the amendment anything that the waste hauler will haul, whether it's legal or illegal. Mr. Kavanaugh stated we know there will be problems with what they haul and we will have to

address this by setting up isolation distances, concrete surfaces, collection of leachate and washing of dumpsters. Mr. Freese referred to his proposed definition and stated this is why he segregated the six categories from the definition. Mr. Freese explained that garbage is something that can be put in the garbage truck and the six categories may have to be stored in a different way. Mr. Kavanaugh agreed with Mr. Freese and stated let's work toward that end. Discussion was held. Mr. Turisk stated that it will not hurt to identify as many of the materials as possible and organize them accordingly by reducing and combining some of the definitions.

Mr. Bartlett noted that one of the top issues that should be covered is insurance on the waste hauler. Mr. Turisk stated that he will look into this but noted that it may likely fall under the jurisdiction of the State.

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

Mr. Turisk stated that information on upcoming workshops was distributed to the Planning Commission members. Mr. Turisk asked the Planning Commission members to notify him if they are interested in attending any of the workshops.

Mr. Turisk stated that there will be a site plan review application, public hearing for Amendment #160 and continued discussion regarding Amendment #161 on the February 17, 2021 agenda.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 7:45pm.



Charles Freese
Planning Commission Secretary