



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, NOVEMBER 2, 2016 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk
ABSENT: None
STAFF: Scott McNeil
GUESTS: Travis Conners, Renee Conners, Eric Boyd, Tony Matelski, Sharon Churchill, Kevin Tucker, Carl Muscott, Russell Crawford, Cheryl Crawford, John Moore, Cal Gouine, Chris Kindsvatter, Judy Ostwald, Brian Fullford, Mike Ridley, Bob Lyon

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. Kavanaugh, seconded by Mr. Borowicz, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

The October 19, 2016 Planning Commission minutes were presented. **Motion** by Mr. Churchill, seconded by Mr. Borowicz, to approve the meeting minutes as presented. Motion carried unanimously.

PUBLIC HEARING AND ACTION ON REQUESTS

Matthew Cooley And Joan Cooley

Requests a Special Use Permit for storage structure (16ft. x 20ft..) at a campground. (Section 6.3.7). The property is located at 11262 W. US-23., Mackinaw Twp., section 19, parcel #011-019-200-012-00 and is zoned Commercial Development (D-CM).

Mr. McNeil stated that the applicant is requesting a special use permit for a 16ft. x 20ft. storage building to be an accessory to the main use, which is a campground. Mr. McNeil stated that the property is zoned Commercial and campgrounds are a use which require a special use permit. Mr. McNeil stated that no special use permit is on file for this campground. Mr. McNeil reviewed the site plan and noted that the setback requirements will be met. Mr. McNeil stated that there are no other changes.

Mr. Kavanaugh stated that this is a small building on a major road. Mr. Kavanaugh stated that there is an existing buffer. Mr. Kavanaugh stated that the building will be adjacent to an existing office building.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Bartlett, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission added "The proposed structure is to be placed on an existing pad within the footprint of a previously existing structure." as #5 to the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to meeting Department of Building Safety requirements. Motion carried unanimously.

Travis Conners

Requests a Special Use Permit for boat storage - Section 6.3.14. The property is located at 1225 South Grandview Beach Road, Tuscarora Twp., section 6, parcel #162-006-300-004-00 parcel #162-006-300-005-00, and is zoned Commercial Development (D-CM).

Mr. McNeil stated that this is a request for a special use permit for boat storage and site plan review for outside display of ATV/boats, trailers and accessory items. Mr. McNeil stated that the Planning Commission has received copies of the site plan showing the parking area shaded. Mr. McNeil stated that on the site plan it shows that an existing driveway will be used. Mr. McNeil referred to the site plan and stated that the drive and parking display area is indicated along the westerly boundary neighboring the I-75 exit ramp. Mr. McNeil stated that there is an existing permit for this structure for private storage and this is a request for a change of use to boat storage. Mr. McNeil stated that outdoor storage is proposed to the northeast of the storage building. Mr. McNeil stated that if this request is approved he recommends a condition that the signs meet the Zoning Ordinance and any new signage requires permits. Mr. McNeil also recommended a condition that Department of Building Safety requirements be met. Mr. McNeil stated that no lighting is proposed at this time, but any future lighting should be indicated on the site plan. Mr. McNeil stated that this parcel is zoned Commercial and a special use permit is required for boat storage and the other uses require site plan review.

Mr. Freese stated that 12 spaces are indicated on the east side on the storage building. Mr. Freese asked if these spaces are parking spaces. Mr. Conners stated that 12 spaces were included on the site plan as it is required. Mr. Freese asked if these parking spaces will be used for employee parking, sales or repairs. Mr. Conners stated no. Mr. Freese asked Mr. Fullford if the 100ft. easement indicated on the site plan is a state highway easement. Mr. Fullford stated yes and that this easement was used in the 1930's for the construction of the highway. Discussion was held.

Mr. Jazdzyk asked Mr. Conners what will be displayed and how much will be displayed in the outdoor display area. Mr. Conners stated that typically along I-75 you see people displaying products and boats. Mr. Conners stated that all business will be conducted at the Sports Center across the street. Mr. Conners stated that this is merely a display area to show products. Mr. Conners stated the equipment will be hauled from the site to the Sports Center. Mr. Conners stated no employees will be on site. Mr. Conners stated that this will be a display area. Mr. Conners explained that the boats being stored will be taken out in the spring and taken to the store to be prepped and delivered to the customers. Mr. Jazdzyk asked will a boat be brought to the store if a customer would like to look at it. Mr. Conners stated the customers will be able to drive to this display area and look at the boats. Mr. Jazdzyk asked if there will be some retail traffic. Mr. Conners stated yes. Mr. Jazdzyk asked if only boats and boat docks will be displayed at this location or will snowmobiles, dirt bikes and other outdoor equipment be displayed at this location. Mr. Conners stated other items may be displayed at this location, but it depends on the time of the year. Mr. Jazdzyk stated the Planning Commission received a letter from a property owner in the area who is concerned about the road condition. Mr. Jazdzyk noted that most of the traffic associated with this storage building will occur in the spring and fall. Mr. Jazdzyk asked Mr. Conners how much traffic will occur on this road. Mr. Jazdzyk asked how many boats will be stored. Mr. Conners stated there will be 30-50 boats which means there will be less than 100 trips per year. Mr. Conners stated this traffic would typically happen before the start of summer and after the end of summer. Mr. Conners stated the increase in traffic on Grandview Beach Road will be minimal.

Mr. Bartlett asked if a customer will go to the Sports Center to make a purchase. Mr. Bartlett asked if items are kept in stock at the Sports Center. Mr. Conners stated that he houses 50 jets skis and he may put a hoist and a jet ski on display on this parcel. Mr. Conners stated that if a customer is interested he will be shown the same one on display in the showroom. Mr. Conners explained that a customer may like to see the only blue pontoon boat which is on display at the parcel on Grandview Beach Road.

Mr. Kavanaugh asked Mr. Conners for a list of all of the items that he may display on this parcel. Mr. Kavanaugh stated that there will also be an increase in traffic due to customers that are visiting the site to view the items on display. Discussion was held.

Mr. Kavanaugh stated that there have been a lot of misunderstandings about this project. Mr. Kavanaugh stated that in early summer Mr. McNeil indicated that a special use permit would be required for this project. Mr. Kavanaugh stated that Planning Commission members noted that there were trailers stored that do not meet the standards. Mr. Kavanaugh stated a parking lot was put in, the site was cleared of trees on the west side and topography was changed in preparation for a building. Mr. McNeil stated that Mr. Conners applied for a special use permit and a private storage building on the same day. Mr. Kavanaugh stated that Mr. Conners decided to apply for the private storage building which was started without permits. Mr. Kavanaugh stated a building permit was issued on 10/03/16.

Mr. Tucker stated the enforcement action was taken during the time that Mr. Fullford was working on the site plan review application. Mr. Tucker stated that the site plan review application was filed on 09/14/16. Mr. Tucker stated that the fee was paid and everything was moving forward except that they were not accomplishing their objective as quickly as they needed. Mr. Tucker stated that on 09/14/16 they received zoning approval from Mr. McNeil and then applied for the building permit for construction of a private storage building. Mr. Tucker stated that this is a perfectly lawful procedure. Mr. Tucker stated that they should not be criticized because they are entitled to a zoning permit for a private storage building and that they filed an application for the same building for a commercial use. Mr. Tucker stated that the ordinance allows for this to be done and he believes that this was suggested by Mr. McNeil. Mr. Tucker stated that Mr. Conners applied for the building permit on 10/03/16 and that he advised the Department of Building Safety that he had contractors and employees waiting to start working on the building on Monday. Mr. Tucker stated that normally a building permit for a private storage building is granted quickly, but for some reason this permit was not approved quickly. Mr. Tucker stated that Mr. Conners was advised that someone will have to review the plans. Mr. Tucker stated that Mr. Conners told the Department of Building Safety that he is starting the project on Monday and footings will be done on Tuesday. Mr. Tucker stated that Mr. Conners was told that the inspector was not available on Tuesday and they didn't know when the inspector would be available. Mr. Tucker stated that the Department of Building Safety did not know when the plan would be reviewed. Mr. Tucker explained that Mr. Conners is paying all of the application fees for the private storage building and he is being told that he has to stop everything because someone is on vacation and not available. Mr. Tucker stated that the footings were covered and the inspector showed up on 10/10/16 and stated he couldn't approve the inspection as the footings were covered up. Mr. Tucker stated that they were informed that they could hire a registered design professional to perform a third party inspection of the foundation. Mr. Tucker stated that the inspection was completed on the following Monday. Mr. Tucker stated that all of the criticism regarding Mr. Conners not following the proper procedures is actually just a misunderstanding because people do not understand how the process works. Mr. Tucker stated that the building is ready for a final inspection. Mr. Tucker stated that Mr. Conners will have to have to pay another \$400 for a building permit for a change of use to a commercial use. Mr. Tucker stated that since the first site plan was approved for this property, Mr. Conners has paid over \$25,000 in fees for permits. Mr. Tucker stated that Mr. Conners has 35 employees. Mr. Tucker stated that we need to find a way to work together.

Mr. Kavanaugh stated that if everyone operated this way there would be no reason to have planning and zoning. Mr. Kavanaugh stated that this is not totally Mr. Conners problem. Mr. Kavanaugh stated that this is also an enforcement problem. Mr. Kavanaugh stated that the cart is before the horse in many of these projects. Mr. Kavanaugh stated that he did not know that the inspector was not available. Mr. Tucker stated that they accept responsibility for their shortcomings. Mr. Tucker stated that he heard there are three different departments in the County Building with three different databases and different addresses. Mr. Tucker stated that he understands that they are responsible to put the proper address on the application, but they paid the price by having to wait an additional two weeks to have this application reviewed tonight. Mr. Jazdyk stated that the address was not something that the Planning Commission was worried about and it was not a big issue. Mr. Jazdyk stated that the method that was used to apply is totally different than what the Planning Commission is used to and the builders normally know the rules. Mr. Jazdyk explained that it is not a long process. Mr. Jazdyk stated he is concerned about the amount of money that people have to spend on permits. Mr. Jazdyk explained that it is difficult to work on reviewing these applications after the fact. Mr. Jazdyk stated that he had to spend more time reviewing this application.

Mr. Freese stated that the Planning Commission has discussed these types of situations in the past. Mr. Freese stated that this is just one more incident of what has come up in the past and what will come up again in the future. Mr. Freese stated that he contacted legal counsel. Mr. Freese noted that a copy of a letter from legal counsel was distributed to the Planning Commission members. Mr. Freese stated that this problem has come up in other jurisdictions where they provide legal support. Mr. Freese stated legal counsel has provided a copy of an ordinance which addresses the problem. Mr. Freese stated that the site plan review/special use permit procedure addresses changes in vegetation and changes in topography. Mr. Freese stated that in this particular case the owner has cleared the property, removed the vegetation and leveled an area to construct the building. Mr. Freese stated that Mr. Conners has right to make these changes. Mr. Freese stated that the Planning Commission can have no objections to that other than that is not what we really want. Mr. Freese stated that if this is not what the Planning Commission wants, then the regulation will have to be changed, which will not have any bearing on this application.

Mr. McNeil stated that the idea to apply for a private storage building was first brought to him as a question from Mr. Fullford. Mr. McNeil stated that he did not suggest applying for a private storage building.

Mr. Kavanaugh stated that the buffer, which has been removed, could be required if the Planning Commission approves the request. Mr. Kavanaugh stated that he believes the application is incorrect because the application indicates only minor work was done. Mr. Kavanaugh stated that it is major work to change the contours and remove every tree. Mr. Kavanaugh stated it is important that the Planning Commission receives correct applications. Mr. Kavanaugh stated that this is legal to submit a

zoning application for private storage, but the applications for a zoning permit and special use permit were submitted on the same day. Mr. Kavanaugh stated that Mr. Conners knows that the buffer should remain. Mr. Kavanaugh stated that the Planning Commission should look at the letters that were received from the adjacent property owners who are concerned about traffic and safety issues and the quality of the road. Mr. Kavanaugh stated that this is a curved, residential street with an exit nearby and there will be big boats and trailers using this road. Mr. Kavanaugh believes there should be an independent study. Mr. Fullford stated that these neighbors are located approximately one mile away. Mr. Fullford stated that he talked with Brent Shank (Cheboygan County Road Commission Manager) this afternoon. Mr. Fullford stated that Mr. Shank told him that he had no concerns regarding this request as this is an existing commercial driveway onto a paved road. Mr. Fullford explained that there are no issues with sight distance. Mr. Kavanaugh stated that the Planning Commission does not require an independent study very often, but when it is important the Planning Commission may discuss this as an option. Mr. Tucker stated that Debbie Tomlinson sent an email on 10/14/16 to Mr. Shank asking for him to comment. Mr. Tucker stated that Mr. Shank determined that there was nothing in this site plan that required Road Commission input and he did not comment even though he had the opportunity. Mr. Jazdyk stated that just because Mr. Kavanaugh suggests a traffic study does not mean that it is the end result. Mr. Jazdyk stated that many times the Planning Commission requires that a letter from Brent Shank be submitted that he has no objections to the site plan. Mr. Jazdyk stated that the Planning Commission is pretty accommodating and they are not a difficult group to work with.

Ms. Croft asked for public comments. Mr. Ridley stated that things happen fast in Indian River and people take chances all of the time. Mr. Ridley stated that this may create more jobs and he supports this request. Public comment closed.

Mr. Kavanaugh asked if this can be reviewed with the traffic and the road repair issue without tabling or denying. Mr. McNeil stated that the Planning Commission approved Heritage Cove Farm's application with a condition that comments be submitted from Tuscarora Township Police and Road Commission. Mr. Freese stated that he has no problem with requesting a written response from the Road Commission. Mr. Kavanaugh stated that he does not want to hold this application up for a traffic study. Discussion was held.

Mr. Ostwald stated that people are concerned about the road being ruined. Mr. Ostwald stated that one load of logs going down this road will weigh more than 50% of the boats that will be stored all summer. Mr. Ostwald stated that the boats are not going to damage the road. Mr. Ostwald stated that he understands why Mr. Shank would not comment on this request if there is good vision of ½ mile each way. Mr. Ostwald stated that this request should not be held up. Mr. Ostwald noted that the Planning Commission can request a written response from Mr. Shank.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed the General Findings and revised #2, "The applicant is requesting site plan review approval for the display of ATVs, Trailers, Snowmobiles, Boats, Boat docks and Trailers." The Planning Commission added "The site is to not have any on site personnel for sales or service and/or repair. Parking is strictly for anyone coming to view the displayed merchandise." as #7.

The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Jazdyk, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to the following conditions:

1. Department of Building Safety requirements be met
2. Health Department requirements be met
3. Signage to meet section 17.19 of Cheboygan County Zoning Ordinance #200
4. Any proposed lighting will have to be indicated on the site plan
5. Submit a statement from the Road Commission that there are no objections to the entrance to Grandview Beach Road

Motion carried unanimously.

Travis Conners

Requests a Site Plan Review Amendment for a change of use from storage to Boat/ATV sales (Section 6.2.4). The property is located at 562 S. Straits Hwy., Tuscarora Twp., section 1, parcel #162-001-400-003-00 and is zoned Commercial Development (D-CM).

Mr. McNeil explained that the Planning Commission reviewed a site plan amendment in November 2014 for this parcel. Mr. McNeil stated that there was an administrative approval to change the size of the building in 2015. Mr. McNeil reviewed the site plan and detailed site plan that was approved by the Planning Commission in November 2014. Mr. McNeil stated that an additional 8 parking spaces are required due to the change of use from storage to showroom area. Mr. McNeil noted the location of additional outdoor display. Mr. McNeil stated that these are the only two changes. Mr. McNeil stated that with the additional parking spaces, all of the requirements are met. Discussion was held regarding the areas that are currently being used for outdoor storage. Discussion was held regarding the additional areas that Mr. Conners is requesting approval for outdoor storage. Mr. Freese stated the area along the retention pond can not be used as outdoor storage unless it is added to the site plan. Mr. Conners stated that he would like to add the area next to the retention pond to the site plan to be used as outdoor storage. Mr. Freese stated that a revised drawing will have to be submitted.

Mr. Kavanaugh asked what prompted this application. Mr. Kavanaugh asked if this is in response to an enforcement action. Mr. McNeil stated yes. Discussion was held. Mr. Tucker explained that Mr. Conners did not know that Planning Commission approval is needed to convert a storage area to retail space. Mr. Tucker stated he is not sure that you can read the ordinance in a way that can let the applicant know that Planning Commission approval is required. Mr. Tucker stated that if this is what the Planning Commission wants, then it should be clear in the ordinance. Mr. Freese stated that it is clear because it changes the use and the parking requirements. Mr. Tucker stated that it is clear because the Planning Commission understands it, but the applicant does not understand that approval is needed for a change from storage to selling a snowmobile. Mr. Kavanaugh stated that there may be structural changes that need to be reviewed by Department of Building Safety. Mr. Kavanaugh stated that it does not happen very often that applicants do not understand. Mr. Tucker stated that when Mr. Conners decided to change the use from storage to retail space, he checked with the Department of Building Safety to ensure that he was doing everything necessary that is required under the building code. Mr. Kavanaugh asked if this is before the enforcement action. Mr. Tucker stated yes. Discussion was held.

Ms. Croft asked for public comments. Mr. Muscott stated that he appreciates that the Planning Commission has identified issues. Mr. Muscott stated that Mr. Conners may see him as an enemy, but he attends these meetings because he likes to see the community more business friendly. Mr. Muscott stated that the original site plan for Mr. Conners was approved in 2008 and there have been many amendments reviewed by the Planning Commission. Mr. Muscott stated it appears that if a hoist is moved from one end of the lot to the other it will require Planning Commission approval. Mr. Muscott stated that this identifies a need to simplify the process for a business owner. Mr. Muscott stated that it seems wasteful to have the business owners have every change in use approved by the Planning Commission.

Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, 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 the following conditions:

1. Department of Building Safety requirements be met
2. Revised site plan be submitted showing the additional storage areas

Motion carried unanimously.

Jeff Jakeway

Requests a Site Plan Review Amendment for specialty retail of brick and stone and outdoor storage and display (Section 6.2.19) The property is located at 5026 S. Straits Hwy., Tuscarora Twp., section 35, parcel #161-035-200-011-00 and is zoned Commercial Development (D-CM).

Mr. McNeil stated that the last site plan that was approved by the Planning Commission for this site was for a physical therapy business. Mr. McNeil stated that the site plan is being amended for specialty retail with specific concern to the expansion of the outdoor display. Mr. McNeil noted that the most recent use on this site was retail. Mr. McNeil stated there was some outdoor display with the previous use. Mr. McNeil referred the site plan and noted the areas of outdoor display for the stone. Mr. McNeil noted the locations for parking and stated that parking requirements have been met. Mr. McNeil stated that there is a sign indicated on the site plan. Mr. McNeil referred to an email from Brent Shank (Cheboygan County Road Commission Engineer/Manager) to Jeff Jakeway (exhibit 7) and stated that any signs and displays need to be a minimum of 33ft. from the

centerline of Straits Highway and Fisher Woods Road. Mr. McNeil stated that if approved, the Planning Commission could condition the approval based on this requirement.

Mr. Jakeway stated that he purchased this property in 2010 and did not know that site plan review was required until he was contacted by Mr. Schnell. Mr. Jakeway stated that the display on Straits Highway is 38ft. from the centerline and the display on Fisher Woods is 44ft. from the centerline. Mr. Jakeway stated that none of the displays are over 4 1/2ft. in height so it is sight accessible for cars going either way. Mr. Jakeway stated that he is not constructing any new buildings. Mr. Jakeway stated that he is simply selling stone.

Ms. Lyon asked how many parking spaces are required for this site. Mr. McNeil stated 8 are required and 10 are indicated on the site plan. Discussion was held.

Ms. Croft asked for public comments. Mr. Ridley stated that this was a vacant building for a few years until Mr. Jakeway bought the property. Mr. Ridley stated that he is in favor of this request. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the special use permit based on the General Findings and the Specific Findings of Fact Under Section 20.10. Motion carried unanimously.

UNFINISHED BUSINESS

Boat Shelter Survey

Mr. McNeil reviewed the draft post card for notice of the web based survey, the draft introduction statement for the survey and the draft survey. Mr. Freese referred to the third paragraph of the draft post card and requested that the first sentence be changed to "The Planning Commission is considering a recommendation to amend the zoning ordinance to allow boat shelters (roof, but no sides) over boat wells on the Cheboygan River, Indian River and Lower Black River and any canals attached to them." Discussion was held regarding delaying this survey until spring. Mr. McNeil stated that he will bring this back for the Planning Commission to review again and he will provide a list of stakeholders.

Mobile Food Units

Mr. McNeil stated that the proposed amendment has been reviewed by legal counsel. Mr. McNeil stated that the suggested changes are in bold print. Mr. McNeil stated that the changes to the definition of vehicle were taken from the code. Mr. McNeil stated that "governmental unit" was suggested by legal counsel in section 17.29a so there will be consistency. Mr. McNeil stated section 17.29c has been simplified by changing it to "The use of a mobile food unit shall be limited to food sales." Mr. McNeil stated that former section 17.29.i. was recommended to be removed as this provision reads in the negative and the remainder of the provisions in this section read in the positive. Discussion was held regarding these mobile food units only being allowed in the Commercial Development Zoning District. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to schedule a public hearing for the proposed amendment regarding Mobile Food Units for December 7, 2016. Motion carried unanimously.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil stated that he will provide recommendations regarding the sign ordinance (temporary signage) at the 12/7/16 Planning Commission meeting.

Mr. McNeil stated that regarding Village Center Indian River, he would like to prepare a memo to Tuscarora Township and Tuscarora Township Planning Commission that would list our recommendations. Mr. McNeil stated that he will attend a Tuscarora Township meeting for further discussion. Discussion was held.

Mr. Freese stated that Brent Shank has clarified that signs and displays are acceptable as long as they are 33ft. from the centerline of the highway. Mr. Freese stated this is similar to the changes that he proposed along Straits Highway from the expressway south to the county line, but the Road Commission stated that they need that space because of snow plowing. Discussion was held.

Mr. Freese stated that a letter from legal counsel has been provided to each Planning Commission member. Mr. Freese stated this letter is regarding the Meridian Charter Township Land Clearing Ordinance. Mr. Freese stated that the regulation can be changed to prevent the clearing of property (over a specific number of square feet) in the Commercial Development Zoning District prior to Planning Commission approval. Discussion was held.

Mr. Kavanaugh stated that it is evident that communication is needed between Department of Building Safety and Planning & Zoning Department. Mr. Kavanaugh stated that there is limited enforcement, which results in additional issues for the Planning Commission. Mr. McNeil stated that enforcement will be discussed at a future meeting. Discussion was held.

PLANNING COMMISSION COMMENTS

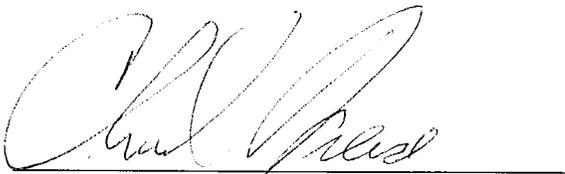
No comments.

PUBLIC COMMENTS

Mr. Muscott thanked the Planning Commission for their work on the boat house survey. Mr. Muscott stated that he talked with the DEQ and was informed that Cheboygan County enforces Act 91 (Soil and Sedimentation). Mr. Muscott stated that permits were issued after the fact for Mr. Shovan and Mr. Connors projects. Mr. Muscott stated the DEQ informed him that the county is enforcing a resolution, not an ordinance. Mr. Muscott stated if there are violations that go to court, the money will go to the State of Michigan because there is a resolution,. Mr. Muscott stated state law is being enforced without a possible chance of recouping any fees. Mr. Muscott stated that these projects should not continue without enforcement.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:41pm.

A handwritten signature in cursive script, appearing to read 'Charles Freese', written over a horizontal line.

Charles Freese
Planning Commission Secretary