

**THE SPECIAL MEETING OF THE CHEBOYGAN COUNTY PLANNING COMMISSION
SCHEDULED FOR WEDNESDAY, June 17, 2020 at (7:00 P.M.)
at 870 S. Main Street, Cheboygan, Michigan
will be conducted via Telephonic Attendance by Cheboygan
County Resolution 2020-06 and Executive Order 2020-48**

In accordance with Gov. Gretchen Whitmer and the Michigan Department of Health and Human Services's recommendations designed to help prevent the spread of Coronavirus Disease 2019 (COVID-19) and Executive Order 2020-15 declaring public bodies subject to the Open Meetings Act can use telephone conferencing technology to meet and conduct business, the Cheboygan County Planning Commission will hold a special meeting via telephone conferencing at **7:00 P.M. on Wednesday, June 17, 2020.**

The public may access the meeting by calling:

United States (Toll Free): [1-877-568-4106](tel:1-877-568-4106)

Access Code: 709-822-629

Those that are hearing impaired may dial 7-1-1. Please provide the operator the toll free number and meeting access code to be connected to the phone call with help from MI Relay. If other aids and services are needed for individuals with disabilities please contact the County Clerk. The Planning Commission packet is available for download at: www.cheboygancounty.net.

ELECTRONIC PLANNING COMMISSION MEETING PARTICIPATION

The public will be asked to identify themselves. When you call please state your name until acknowledged for the record.

- Public comment—will be taken only during the Public Comment portion of the meeting agenda.
- Please make your public comment when called upon to do so or state no comment.
- The time limit for an individual's public comments shall be 3 minutes.

The following Planning Commission members will be attending the meeting by phone:

- Patty Croft, pmattson@freeway.net
- Harold Borowicz, hborowicz@yahoo.com
- Michael Kavanaugh, kavandann@gmail.com
- Stuart Bartlett, sbartlett@cheboygancounty.net
- Sharon Lyon, sjl07@juno.com
- Karen Johnson, karenjohnson@sbcglobal.net
- Ed Delana, edelana@cheboygancounty.net
- Charles Freese
- Chum Ostwald
- Cheboygan County Director of Planning and Zoning – Michael Turisk mturisk@cheboygancounty.net



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST. ■ PO Box 70 ■ CHEBOYGAN, MI 49721
PHONE: (231) 627-8489 ■ FAX: (231) 627-3646

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING
WEDNESDAY, JUNE 17, 2020 AT 7:00 PM
ROOM 135 - COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

SCHEDULED PUBLIC HEARINGS

- 1. David Bona Architect/Ann Arbor YMCA** - Requests an amendment to a Special Use Permit per section 18.11 of the Zoning Ordinance for reconstruction of a kitchen addition onto an existing dining hall, and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA camp per section 10.3.2. The property is located at 9728 W. Highway M-68, Tuscarora Township, section 16, parcel # 161-016-300-001-00. The property is zoned both Lake and Stream Protection (P-LS) and Agriculture and Forestry Management (M-AF), however the project site is within the P-LS zoning district.

UNFINISHED BUSINESS

- 1. Orion Renewable Energy Group, LLC** - The applicant requests a Special Use Permit for a Level 3 Solar Energy System - Photovoltaic (SES-PV), per Sections 9.3.27 and 10.3.16 of the Zoning Ordinance for construction of a "solar farm"/utility-scale solar energy generating facility in Grant Township. The subject properties are zoned Agriculture and Forestry Management (M-AF) and Lake and Stream Protection (P-LS) and are located approximately 13 miles southeast of the City of Cheboygan, along N. Black River Road, south of Twin Lakes Road and bounded by Ross Road to the south and Page Road to the north, Chamberlin Road to the east and Trudeau Road to the west. The subject properties are in sections 4, 5, 6, 8 and 9 and encompass approximately 1,572 acres on 31 parcels, tax parcel id numbers:

- | | | |
|------------------------|------------------------|------------------------|
| 1. 151-009-200-001-05 | 12. 151-008-300-007-00 | 23. 151-009-400-002-00 |
| 2. 151-006-100-004-00 | 13. 151-008-400-001-00 | 24. 151-009-200-002-00 |
| 3. 151-006-300-001-02 | 14. 151-008-200-001-02 | 25. 151-009-400-001-00 |
| 4. 151-006-100-005-00 | 15. 151-009-300-001-00 | 26. 151-009-200-003-00 |
| 5. 151-006-200-003-00 | 16. 151-009-100-003-00 | 27. 151-004-401-001-00 |
| 6. 151-006-200-005-00 | 17. 151-009-300-004-00 | 28. 151-005-100-001-00 |
| 7. 151-006-400-001-05 | 18. 151-009-400-004-00 | 29. 151-005-300-004-00 |
| 8. 151-008-400-003-00 | 19. 151-009-400-003-00 | 30. 151-005-300-008-00 |
| 9. 151-008-400-004-00 | 20. 151-009-200-001-07 | 31. 151-006-200-002-00 |
| 10. 151-008-100-004-00 | 21. 151-009-300-003-00 | |
| 11. 151-008-300-006-00 | 22. 151-009-100-004-03 | |



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NEW BUSINESS

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURNMENT



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, MAY 20, 2020 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson, Delana
ABSENT: None
STAFF: Mike Turisk, Jen Merk
GUESTS:

The meeting was called to order via telephonic attendance by Chairperson Croft at 7:15pm.

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Freese, seconded by Mr. Bartlett, to approve the agenda with the addition of Temporary Structures under Unfinished Business. Motion carried unanimously.

APPROVAL OF MINUTES

There were no Planning Commission minutes to be reviewed.

SCHEDULED PUBLIC HEARINGS

No public hearings were scheduled.

UNFINISHED BUSINESS

Proposed Amendment #155 to Cheboygan County Zoning Ordinance No. 200 that would amend Article 22 (Nonconforming Uses, Structures).

Mr. Turisk referred to proposed Amendment #155 and stated that the first significant change is under Section 22.3.C . Mr. Turisk stated that during the March 4, 2020 meeting the Planning Commission discussed Section 22.3 C and whether or not to require a property owner who had a nonconforming building destroyed to build a new dwelling to the standards of the code and try to achieve conformance. Mr. Turisk stated that when talking with legal counsel it was suggested that we should keep it more flexible.

Discussion was held regarding changes to proposed amendments being provided to the Planning Commission members the day of the meeting. The Planning Commission members explained their concerns regarding some Planning Commission members not receiving the most recent changes. Mr. Kavanaugh stated it is important to receive these documents in a timely manner. Mr. Delana stated that once the agenda is sent out on the Thursday or Friday then that's the agenda and if there are late changes from legal counsel or elsewhere they have to be acknowledged but it belongs in another meeting because people invest time preparing for these meetings. Mr. Freese stated that it is difficult to talk about something that you do not have in front of you, but in the case of Amendment #155 there are a couple of changes that legal counsel has requested at the last minute. Mr. Freese stated that the Planning Commission has reviewed this material in the past.

Mr. Freese stated the Planning Commission had previously decided that if the structure was completely destroyed, it had to be rebuilt in compliance with the Zoning Ordinance and legal counsel now proposing that the property owner be allowed to build it back to the original foundation. Mr. Freese stated that despite the fact that not every Planning Commission member has a copy of the amendment, the wording is not really the question here is the thought behind it. Mr. Freese stated that the question is whether the Planning Commission wants to stick with what was decided previously or accept legal counsel's recommendation. Mr. Kavanaugh stated that the intent and purpose is to be reasonable, but to eliminate nonconformities as they come up. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to keep the original language that the Planning Commission agreed on. Discussion was held. Ms. Johnson asked if this will set a legal precedence to allow someone to go

back and rebuild a nonconforming structure. Ms. Johnson stated that she agrees that the intent is to remove nonconformities. Ms. Johnson stated that if something goes to court, they would ask what is the precedent. Mr. Turisk stated that legal counsel has suggested that from a policy standpoint, the governing body is likely going to err on the side of more flexibility by allowing property owners to rebuild. Mr. Turisk stated that there was no mention of legal implications and it was simply a discussion on policy.

Ms. Lyon asked that Section 22.3.C be read. Ms. Croft read legal counsel proposed new Section 22.3.C "If a nonconforming building or structure or a building or structure that contains a nonconforming use is damaged or destroyed by any means, or is removed by the property owner then such nonconforming building or structure may be reconstructed as it had previously existed, i.e. the footprint, the height, the setbacks." Ms. Lyon asked how this makes it more nonconforming. Ms. Croft stated that it will be nonconforming to the point it was nonconforming before. Mr. Freese stated that the wording under Mr. Kavanaugh's motion would provide that the destroyed structure could only be reconstructed in conformance with the zoning regulation. Mr. Freese stated that the wording Ms. Croft read for this amendment is based on legal counsel's recommendation and it allows them to rebuild in the original footprint. Mr. Freese stated that the Planning Commission decided at the last meeting that if the structure was completely destroyed by natural cause or by the owner's own hand that it would have to be rebuilt in conformance with the regulations. Mr. Turisk read the version that was sent out in the Planning Commission's packet, "If a nonconforming building or structure or a building or structure that contains a nonconforming use, damaged or destroyed by any means or is removed by the property owner and such nonconforming building or structure shall be restored, rebuilt or repaired in conformance with the Zoning Ordinance." Mr. Turisk stated that legal counsel has suggested that we allow for property owners who have structures that were destroyed to rebuild the structure as it was previously.. Ms. Lyon asked if there is a limitation on how much is destroyed. Mr. Freese stated that it is to be completely destroyed. Mr. Turisk stated that there has been a discussion about the term completely as opposed to partially. Mr. Turisk stated that the term completely would have to be used in this case.

Mr. Turisk stated that essentially what we have here is a very fundamental difference in philosophy and we either allow a structure to be rebuilt as it was prior to the destruction or to be rebuilt in conformance to the applicable standards of the Zoning Ordinance. Ms. Croft stated that legal counsel would like the Planning Commission to go back and allow them to completely rebuild regardless of setback requirements. Mr. Turisk stated that it has been strongly suggested that, for the purpose of providing more flexibility to property owners under these circumstances, that we allow property owners to rebuild. Mr. Delana stated that the trade off then is that we can never make progress towards the standard. Mr. Turisk stated that is a good point. Ms. Lyon stated that we are not doing anything to get conformance and we are just going to go on the same way we have. Ms. Croft agreed with Ms. Lyon. Mr. Borowicz stated that he believes if the property owner removes the structure it should be rebuilt to the requirements of the Zoning Ordinance. Mr. Borowicz stated that if it is due to a natural disaster that is a different issue. Mr. Borowicz noted that the amendment states damaged or destroyed by any means or if it is removed by the property owner. Mr. Borowicz stated this should be removed and another section should be added stating that if the property owner removes the nonconforming structure and plans to rebuild it must be done in accordance with the requirements of the Zoning Ordinance. Mr. Borowicz stated that is a voluntary situation. Mr. Turisk stated that under that circumstance, the property owner would have to build to the applicable standards or if he or she cannot they would have to seek a dimensional variance. Mr. Freese agreed with Mr. Borowicz's suggestion. Mr. Kavanaugh stated that he agrees with Mr. Borowicz's suggestion also as long as we know what removed means. Discussion was held. Mr. Kavanaugh asked if this would apply if a property owner removes everything but one block. Discussion was held. Mr. Kavanaugh stated that he is concerned about what is considered total removal and noted that this should be spelled out in the amendment. Mr. Freese noted that the Planning Commission is determining the intent of the amendment and Mr. Turisk will work on the amendment and bring it back to the Planning Commission to review. Mr. Kavanaugh withdrew his motion. Mr. Freese withdrew his support of the motion. **Motion** by Mr. Freese, seconded by Mr. Borowicz, that a nonconforming structure that is destroyed by natural means will only be allowed to be rebuilt to its original footprint and that a nonconforming structure removed completely by the owner cannot be reconstructed unless it's constructed in conformance with the Zoning Ordinance.

Mr. Delana stated that he respectfully disagrees and stated that in both cases it should be rebuilt to code. Mr. Delana stated that where an owner is going to voluntarily remove a structure completely and wants to rebuild it are going to be pretty few and far between. Mr. Delana stated that would be the only case in which we make progress towards getting to the standard and he believes it should be rebuilt to code both for voluntary and for involuntary. Mr. Kavanaugh recommended that Mr. Turisk come up with a proposal for both the voluntary and involuntary. Mr. Freese withdrew his motion. Mr. Borowicz withdrew his support of the motion. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, that two sets of wording be provided by staff for consideration at the next meeting, one being that a nonconforming structure destroyed by natural mean could be rebuilt to its original footprint. A nonconforming structure intentionally destroyed by the owner would not be able to be reconstructed unless in conformance with the Zoning Ordinance. The second set of wording would state that in either case, a nonconforming structure destroyed by natural means or by the owner's actions could not be reconstructed unless in

accordance with the Zoning Ordinance. Motion carried unanimously.

Mr. Turisk referred to Section 22.3.D.3 and stated that there was extended discussion about how this section could potentially impact view sheds or property owners in the Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District. Mr. Turisk stated that the Planning Commission has extended waterfront setbacks for properties and for structures in those districts. Mr. Turisk stated that legal counsel has reviewed this language and questioned why the Planning Commission would want to spell out those specific zoning districts because this applies to all. Mr. Turisk stated that no means no for all zoning districts. Mr. Turisk stated that the Zoning Ordinance allows for a reduced waterfront setback with certain conditions such as there has to be an established development on the adjacent parcels and that development has to be within 200 feet of the proposed new structure. Mr. Turisk stated that the setback would have to also be an average of the nonconforming setbacks for those two structures. Mr. Turisk explained that this is a mechanism that is in place that will allow a reduced waterfront setback and the principal rationale behind the requirements for that scenario is to try to preserve the view shed for the neighboring property owners. Mr. Turisk stated that legal counsel has argued that we don't want to identify specific zoning districts because of view sheds. Mr. Turisk asked the Planning Commission if they want to force this issue from a policy standpoint.

Mr. Kavanaugh stated that he thought this was regarding a property owner who was expanding on one side of the building and wanted to extend that existing line. Mr. Turisk stated that there is a distinction between what is called the degree of nonconformity and the extent of nonconformity. Mr. Freese stated that the reason this was brought to the Planning Commission from the Zoning Board of Appeals was due to the fact that the Zoning Board of Appeals was routinely allowing the extension of a nonconformity to continue as long as it didn't encroach further into the setback. Mr. Freese stated that at the last Zoning Board of Appeals meeting there were three requests of this type.

Mr. Freese stated that the way it was originally proposed was that if a nonconforming structure already encroached two feet into the setback they can continue to build the structure in other areas as a the same setback line as long as it didn't encroach any further than the two feet. Mr. Freese stated that the Planning Commission agreed on this change with the exception of the front setback in the Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District. Mr. Freese stated that legal counsel has stated that you shouldn't single out Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District. Mr. Freese that Mr. Turisk is explaining that we already do treat Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District differently on the front setback on the waterfront. Mr. Freese stated that if the Planning Commission wants to restrict it on the front setback that is fine, but he doesn't agree with legal counsel that setbacks could not be treated differently in the Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District. Mr. Freese stated that it is the Planning Commission's decision as to whether we are going to treat it the way it was discussed at the last meeting. Mr. Freese stated that he does not have any problem treating the Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District front setback differently than we do in other districts. Mr. Kavanaugh, Ms. Lyon, Mr. Borowicz, Mr. Bartlett, Mr. Ostwald and Mr. Delana agreed with Mr. Freese. Ms. Johnson stated that if the intent is to minimize nonconformities, why would you allow an increase to a nonconformity. Mr. Freese stated that it is a question of the degree or the extent. Ms. Johnson stated that if the intent is to minimize the nonconformity, then the degree of nonconformity should not be allowed. Ms. Johnson stated that a property owner encroaching 1 foot into the property line and extending it for 50 feet could cause a problem with what is already built. Mr. Kavanaugh stated that the Planning Commission should direct Mr. Turisk to write the amendment both ways. Mr. Kavanaugh stated the front setback could be changed on the original one and include extending or adding to nonconformities and maybe creating problems with views.

Mr. Turisk stated this speaks to the policy direction that the Planning Commission would like to take on this amendment and both can have possible serious implications. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, that two sets of wording be provided by staff for consideration at the next meeting. Mr. Freese stated that eliminating the increase in the extent brings you back to where we were in the past and a property owner will have to apply to the Zoning Board of Appeals for a variance which will likely be granted. Mr. Kavanaugh stated that is why he would like to look at both sides. Mr. Kavanaugh stated he would like to know what the impact has been in some of those cases. Motion carried unanimously.

Mr. Turisk stated the third major change is in regards to section 22.4, nonconforming lots of records. Mr. Turisk stated that the Planning Commission was concerned about nomenclature, namely the use of the word contiguous in this first paragraph under Section 24 and subsection 22.4.A. Mr. Turisk stated that Mr. Kavanaugh suggested using the phrase shared common property line as opposed to using the term contiguous. Mr. Turisk read the current proposed language under Section 22.4.A. Mr. Turisk stated that the phrase "share a common property line" is proposed to replace the term "contiguous". Mr. Turisk stated that under subsection 22, the word "contiguous" was replaced with the phrase "share a common property line". Mr. Turisk read from Section 22.4.A "Provided, however, no dimensional variance shall be granted for such lot or parcel when the

need for that dimensional variance would be eliminated by combining those lots, parcels, or portions of lots or parcels that share a common property line, undivided lot or parcel for the purposes of this ordinance under Subsection B below.” Mr. Turisk stated that by replacing the term “contiguous” with “share a common property line” we are addressing the Planning Commission’s concern about nomenclature. Ms. Croft stated that she does not have a problem with the proposed wording. Mr. Freese, Mr. Bartlett, Mr. Borowicz and Mr. Kavanaugh agreed with Ms. Croft.

Ms. Johnson stated that she doesn’t believe that people should be required to combine two lots in order to develop them. Ms. Johnson stated she doesn’t believe that the Planning Commission should take away the right of a property owner to ask for a variance because they own two pieces of property next to each other and choose to develop one and not the other. Ms. Johnson doesn’t believe that there should be a loophole where the property is signed over a family member for six months while the property is developed and then the property is signed back over when the project is completed.

Mr. Turisk stated that this is a broader policy decision that the Planning Commission will need to consider and that is reducing or minimizing nonconformities. Mr. Turisk stated that if a variance isn't going to be approved, then that property owner would be limited given the site constraints. Ms. Croft stated that you cannot split a lot in a platted subdivision unless the governing body specifically has an ordinance allowing it.

Mr. Freese stated if there are two nonconforming lots that are nonconforming because of their size, they are too small under our regulation as its written. Mr. Freese stated this proposed amendment is designed to preclude allowing setback variances on both lots and by combining the two lots it would eliminate the need for the variance. Ms. Croft stated that a lot of the subdivisions in Cheboygan County were platted as 50 foot lots and they were established from day one. Ms. Croft stated that you cannot make a property owner combine those lots in order to build on it. Mr. Freese stated that we are not precluding the property owner from building on it, we are precluding the property owner from getting a variance along the common property line on one or both lots. Ms. Johnson stated that their right to ask for a variance is being taken away. Ms. Johnson stated if they own two lots that share a common property line they will not be able to come in and ask for a variance. Mr. Freese explained that if someone owns two 50 foot lots they are allowed 5 foot side setbacks. Mr. Freese stated if the property owner wants to build 2 feet from the property line, he will not be approved for a variance if the property owner has two lots side by side and they could be considered as one parcel. Mr. Freese stated that they can go ahead and develop both lots, but they are going to be stuck with the minimum side setbacks on that common property line. Ms. Johnson stated that they could sign the property over to someone else and have the variance approved. Ms. Johnson stated that the property could be signed over after the structure is built. Ms. Johnson asked why we have to put in something in the Zoning Ordinance if there is a loop hole. Ms. Johnson asked why are we taking away a property owner’s right to apply for a variance just because they own two lots that share a common property line. Mr. Turisk stated that maybe we allow for a property owner to apply for a variance and allow for them to be considered on a case by case basis. Mr. Turisk stated that we have due process considerations by limiting someone’s right to apply for a variance. Mr. Turisk stated the property owner would be able to combine if so desired or request a variance. Mr. Turisk stated that this would address Ms. Johnson’s concern about limiting the property right of an individual or property owner to request a variance. Discussion was held. Mr. Turisk stated why do we want to reduce or ideally eliminate nonconformities and do we have to do that. Mr. Turisk stated no it is not written in law that we have to do that and it is a policy decision. Mr. Turisk stated that it is generally good planning practice to do so, but not all communities look at it that way and there are some communities that actually embrace certain nonconformities. Mr. Turisk stated that this is something that the Planning Commission will have to decide collectively moving forward. Discussion was held.

Mr. Kavanaugh would like Mr. Turisk to come up with two proposals for the Planning Commission to review at a future meeting. Mr. Freese stated that this paragraph could be eliminated as they can apply to the Zoning Board of Appeals currently. Discussion was held. Mr. Kavanaugh stated that it is reasonable to ask for the two proposals to be brought back to the Planning Commission to review. Ms. Johnson stated that this is a good direction.

Proposed Amendment #157 to Cheboygan County Zoning Ordinance No. 200 that would amend Section 18.12 (Expiration of Special Use), Section 20.16 (Expiration of Site Plan Review) and Section 21.4 (Expiration of Zoning Permit).

Ms. Croft noted that proposed Amendment #154 was amended by legal counsel today. Mr. Turisk stated that this is an effort to allow for approval for permit extensions. Mr. Turisk stated that this would apply to zoning permits, special use permits and site plan review approvals. Mr. Turisk stated that it was the general consensus that this is a good amendment with some suggestions. Mr. Turisk stated that one of the suggestions speaks to allowing an extension so long as the Zoning Ordinance was not amended in the interim and that it would not change the character of that project.

Mr. Turisk stated that Section 18.12 allows the Zoning Administrator the authority to grant one administrative extension of

an approved special use and for an additional one year if the three standards are met. Mr. Turisk stated that the first standard is that the property owner presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the owner. Mr. Turisk stated that standard is already in the ordinance. Mr. Turisk stated that the second standard is that the requirements and standards for special use permit approval that are reasonably related to the development have not changed. Mr. Turisk stated that this standard is already in the Zoning Ordinance. Mr. Turisk stated that the third standard is if any amendments significantly results in significant change to the general character of the project it will have to be reviewed by the Planning Commission. Mr. Turisk stated that the Planning Commission would have authority to grant an additional extension of an approved special use if the three standards are met. Mr. Turisk stated that this amendment is in part the result of the COVID-19 situation we are experiencing. Mr. Turisk stated that this amendment has been a long time coming and it should be made a permanent part of the zoning ordinance. Mr. Turisk stated that Section 20.16 regarding site plan reviews essentially mirrors 18.12 with respect to special use permits.

Mr. Kavanaugh referred to section 18.12b and 20.16b and noted that it states for an additional one year. Mr. Kavanaugh asked if this should say for up to an additional one year or should it be for one year. Mr. Turisk stated that it's implied as it is written. Mr. Turisk stated that it's a matter of nomenclature. Mr. Freese stated that the amendment should just say a one year extension. Discussion was held regarding keeping the language as it is currently regarding the one year extension.

Mr. Bartlett asked if the Planning Commission will receive a report of administrative approvals. Ms. Croft stated that she talked about this with Mr. Turisk also. Mr. Turisk stated that if he receives two requests for administrative expansions between Planning Commission meetings, he would report that at a future meeting. Discussion was held. Ms. Johnson asked if there should be language added that a special use permit will not be extended if there are violations. Mr. Kavanaugh, Ms. Croft and Mr. Freese agreed with Ms. Johnson's recommendation. Ms. Croft asked Mr. Turisk to include the requested changes in the amendment.

Mr. Turisk referred to Section 21.4 and stated this is an effort to primarily align the window for validity of zoning permits with that of the Department of Building Safety, which is one year. Mr. Turisk stated that this will minimize confusion for applicants and minimize costs as there have been times when an applicant has gone to pull a building permit and it's been discovered that their zoning permit has expired and they have apply to for another zoning permit.. Mr. Turisk stated that if the work described in any permit has not begun within one year the permit will expire unless a written request for extension is submitted to the Zoning Administrator for a one year extension prior to the date of zoning permit expiration, otherwise the zoning permit shall be cancelled by the zoning administrator and written notice thereof shall be given to the persons affected. Mr. Turisk asked how many extensions should be allowed. Mr. Kavanaugh stated that it is actually two years as there is the original permit approval for one year and a one year extension. Ms. Croft, Ms. Lyon, Mr. Borowicz, Mr. Freese and Mr. Bartlett all agree. Discussion was held.

Discussion was held regarding scheduling a public hearing. **Motion** by Mr. Freese to schedule a public hearing for Amendment #157 on July 1, 2020. Mr. Turisk asked if the Planning Commission would consider applying this retroactively back to a certain date due to the COVID-19 situation as there have been equests for extensions. Mr. Turisk stated that during this period some of the permits have already expired. Mr. Freese asked if it is legal. Ms. Croft stated that this should be discussed with legal counsel. Ms. Croft stated that this should be retroactive March 15, 2020. Mr. Freese and Mr. Kavanaugh agreed with Ms. Croft. Mr. Freese revised the motion. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to schedule a public hearing for Amendment #157 on July 1, 2020 with a retroactive date of March 15, 2020. Motion carried unanimously.

Temporary Structures

Discussion was held regarding temporary structures. Mr. Turisk asked for the Planning Commission's thoughts on the email from Craig Waldron. Ms. Johnson stated that business owners will do what they need to do in order to survive and she believes that the Planning Commission should open up all avenues for them. Ms. Johnson questioned if this amendment can be approved before the summer is over. Ms. Johnson asked how do we get this amendment approved faster and how do we make it more open for business owners. Ms. Johnson suggested letting the Zoning Administrator make determinations.

Mr. Kavanaugh stated that we want to open it up some and we don't want to be real restrictive, but there still has to be some oversight on these kiosks that don't meet any standards. Mr. Kavanaugh agreed that this amendment should be moved along quickly and there should be a reduction or elimination of the fees. Mr. Kavanaugh stated that there are some things that will have to be discussed when this is over such as how is the parking handled. Mr. Kavanaugh stated that this can't be extended forever.

Mr. Turisk stated that with respect to whatever measure of oversight there would, be staff is proposing a zoning permit application be submitted. Mr. Turisk stated that there will not be an application fee, but a permit will be issued so there is a

way of tracking these changes. Mr. Turisk stated if there is a violation we have a document that indicates this has to be removed within a specific time period. Mr. Turisk stated that there was a discussion regarding a possible sunset date of November 1 of 2021. Ms. Croft and Mr. Kavanaugh stated that this date can be changed.

Mr. Turisk stated that a lot of these changes would apply in particular to the Indian River area. Mr. Turisk stated that he sent the proposed amendment to Mike Ridley, Tuscarora Township Supervisor, and then had a discussion with him about the amendment. Mr. Turisk stated that Mr. Ridley planned to distribute the proposed amendment to the business owners and he believes that they will not have any problems with the amendment. Discussion was held. Ms. Croft asked Mr. Turisk to forward the proposed amendment to the Cheboygan Chamber of Commerce.

Mr. Kavanaugh asked if there are any concerns with Construction Code when we are looking at temporary structures such as tents and buildings under 200 square feet. Mr. Turisk stated that when a property owner submits an application for a temporary structure that is less than 200 square feet, which wouldn't need a building permit, he would speak to the Building Official about the temporary structures on a case by case basis. Mr. Turisk stated he would ask for any feedback or suggestions from the Building Official. Mr. Turisk stated he does not know what authority the Building Official would have for a temporary structure that is under 200 square feet as a building permit is not required for such structures. Discussion was held. Mr. Kavanaugh stated that this would be a good reason to hold a special meeting. Ms. Croft asked Mr. Turisk to discuss the proposed amendment with Department of Building Safety and the Health Department to see if they have any concerns. Mr. Kavanaugh stated that a special meeting should be held after Mr. Turisk has had a chance to review the proposed amendment with the Department of Building Safety and the Health Department.

Discussion was held regarding mobile food units and whether or not they are allowed to operate under the Governor's Executive Order.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. Turisk stated that the Orion Renewable Energy LLC special use permit application will be on the 06/03/20 Planning Commission agenda.

PLANNING COMMISSION COMMENTS

Discussion was held regarding items being submitted to the Planning Commission prior to the meeting without time for Planning Commission review. Mr. Kavanaugh stated that there should be a discussion regarding putting items on a future agenda that are submitted the day before or the day of the meeting. Mr. Kavanaugh stated that Mr. Delana and Ms. Johnson were also concerned about documents that are submitted the day before or the day of the meeting which does not allow time for the Planning Commission to review. Mr. Turisk stated that Mr. Delana suggested that there be no changes and if there are changes, the topic should be moved to the next agenda. Mr. Turisk suggested that any changes to the packet be made by the end of the business day on Monday. Mr. Delana stated that there should be a standard deadline set for submittals to the Planning Commission such as 2 days prior to the meeting or 7 days prior to the meeting. Mr. Kavanaugh agreed with Mr. Delana and asked Mr. Turisk to put a proposal together for the Planning Commission to review. Ms. Lyon stated that she would like to see the deadline for submittals be the week before the meeting as she reviews the packets on Friday so she will be prepared for the site visit. Discussion was held regarding formalizing the submittal deadlines in the Planning Commission By Laws.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:18pm.

Charles Freese
Planning Commission Secretary



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, JUNE 3, 2020 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

- PRESENT:** Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson, Delana
- ABSENT:** None
- STAFF:** Mike Turisk, Jen Merk
- GUESTS:** Dave Burg, Peter Wendling, Eryn Eustice, Al Germain, Amanda Hoffman, Andrew Beethem, Andrew Lines, Cal Gouine, Carolyn Andersen, Charles Brown, Cristina Beethem, David Wolf, Desiree Dowling, Domenick DiPaolo, Eric Boyd, Gil Archambo, Jeff Zirpoli, John Moore, Ken Kaliski, Lori Stelmaszek, Lydia Terry, Mark Gershon, Mark Hemstreet, Matt Zimmerman, Michael Cressner, Michelle Wolf, Rick Nuttal, Ryan McGraw, Ryan Poley, Sharon Lang, Sonia Singh, Stu Bartlett, Tom Slowinski, Rick Tromble, Tom Eustice

The meeting was called to order via telephonic attendance 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. Freese, seconded by Mr. Kavanaugh, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

The May 13, 2020 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Borowicz, to approve the meeting minutes as presented. Motion carried unanimously.

Mr. Bartlett stated that will the proximity from his residence to the applicant’s request, he will be abstaining from voting on the project.

PUBLIC HEARING AND ACTION ON REQUESTS

Mr. Turisk reviewed the background information contained in the staff report.

Ms. Hoffman stated that she would be presenting on behalf of Orion Renewable Energy Group along with her colleagues and experts. Ms. Hoffman stated that she is a Project Developer with Orion Renewable Energy Group. Ms. Hoffman stated that a PowerPoint presentation has been provided to Cheboygan County, and was uploaded to their website for public access.

Ms. Hoffman introduced Michael Cressner, who is the Director of Development for Orion Renewable Energy Group. Ms. Hoffman introduced Andrew Lines from Cohn Reznick and stated that he would discuss property values. Ms. Hoffman stated that Cohn Reznick has vast expertise in performing impact studies. Ms. Hoffman stated that Schoener Environmental has 20 plus years of experience with environmental wildlife risk and impact studies and will answer any questions related to those items. Ms. Hoffman stated that Ken Kaliski is a Senior Director with RSG. Ms. Hoffman stated that RSG completed the sound analysis. Ms. Hoffman stated that RSG has 25 years of experience in renewable energy projects. Ms. Hoffman introduced Matt Zimmerman who is an environmental and energy attorney with Barnum Law. Ms. Hoffman introduced Ryan McGraw, who is the Vice President of Orion Renewable Energy Group and stated that he will speak to the frequently asked questions, safety, construction and operation.

Mr. Zimmerman stated that his office is in Grand Rapids, Michigan. Mr. Zimmerman stated that Orion submitted its application in February 2020. Mr. Zimmerman stated that the application package that was submitted included both the site plan review application and the special use permit application and 37 pages of attachments which were the leases and easements that Orion has for the project area. Mr. Zimmerman stated that a narrative was submitted that explained how the

project meets all of the ordinance requirements and this was a 21 page document. Mr. Zimmerman stated the scientific studies include a health and safety impact study, some modeling simulation, evaluation report, emergency safety and fire plan, a vegetative management plan and the decommissioning and final reclamation plan. Mr. Zimmerman noted that several of these will be discussed in more detail later in the presentation. Mr. Zimmerman stated that Orion worked with Cheboygan County staff to make sure that everything was submitted that was needed. Mr. Zimmerman stated that they believe that the staff found that the application was administratively complete, meaning that it had provided information addressing all of the standards that the Zoning Ordinance requires. Mr. Zimmerman stated that Cheboygan County staff then set a public hearing on March 18, 2020. Mr. Zimmerman stated that due to the COVID-19 pandemic, Governor Whitmer issued Executive Order 2020-15 which essentially prohibited local governments from holding live meetings and allowed meetings to be held electronically and allowed a relaxation of the Open Meetings Act in order to do that. Mr. Zimmerman stated that order number has since been replaced with order number 48 and later with order number 75. Mr. Zimmerman explained that these orders all essentially say the same thing. Mr. Zimmerman stated that on June 1, 2020 the governor issued order number 2020-110.

Mr. Zimmerman stated that when that executive order 2020-15 was issued, the Planning Commission decided that it couldn't hold a live meeting. Mr. Zimmerman stated that he started looking at different options for holding meetings electronically. Mr. Zimmerman stated that they had hoped to schedule a meeting in April. Mr. Zimmerman stated that the next notice of public hearing was scheduled for May 6, 2020 and that meeting did not happen either. Mr. Zimmerman stated that there was some speculation that the stay at home orders and the emergency orders from the governor would be coming to a conclusion towards the end of May and then in early June there would be a normalization of activities. Mr. Zimmerman stated that didn't happen. Mr. Zimmerman stated that Orion wants to do this live as they want to show everyone all of the information, all of the pages, the reports and the drawings. Mr. Zimmerman stated that based on the new order that came out this week it will not allow that to happen. Mr. Zimmerman stated that they are grateful that the Planning Commission is willing to go forward. Mr. Zimmerman stated that he would like to point out just for everyone else's edification that this meeting is being held in conformance with the Governor's policies through her executive orders. Mr. Zimmerman stated that while the Governor is still not allowing these kinds of meetings to be held live, she has encouraged and instructed municipalities to hold meetings electronically, particularly for activities that are related to the public health and safety. Mr. Zimmerman stated that the Governor's orders encourage meetings that are performed in regards to critical infrastructure workers. Mr. Zimmerman stated that furthering energy production is the type of activity that the Governor wants to see continue during the pandemic, even though it has to be done electronically. Mr. Zimmerman stated they are grateful that this meeting is taking place, even if it has to be done electronically. Mr. Zimmerman stated that most municipalities are having these meetings the same way in Michigan and particularly as it relates to the energy production because it's a very competitive industry. Mr. Zimmerman stated that there are a lot of providers of renewable energy. Mr. Zimmerman stated there is a demand for production, but there are only a few buyers and they have a long line of producers and if you don't have land use approval you can't get in their queue. Mr. Zimmerman explained that it is very important that this meeting take place in one or two weeks. Mr. Zimmerman stated that they are applying for a special land use under Michigan zoning law. Mr. Zimmerman stated that is essentially a permitted use within the zoning district as long as some extra conditions that are listed in the Ordinance are satisfied. Mr. Zimmerman stated that if the project meets those standards, then it's entitled to the special use permit. Mr. Zimmerman stated that their application demonstrates that all of the standards in the Zoning Ordinance have been satisfied and that the special use permit should therefore be granted.

Mr. Cressner thanked Cheboygan County, Cheboygan County staff and the Planning Commission for continuing to move forward in these extraordinary times. Mr. Cressner stated that they would prefer to conduct these proceedings in person, but they truly appreciate the county's efforts to allow developments to move forward through the process and the public's participation in this new type of format. Mr. Cressner stated Orion has been in the business of developing renewable energy projects. Mr. Cressner stated that Orion has developed over 5000 megawatts of renewable energy projects across the US that are currently in operation and this represents roughly enough energy to power over 1.5 million American homes. Mr. Cressner stated that this year, they currently have over 1400 megawatts of new renewable energy projects that are under construction and will be operating by the end of this year. Mr. Cressner stated that Orion brings decade's worth of experience working with similar communities across the region in states such as Illinois, Minnesota, Pennsylvania and Indiana. Mr. Cressner stated that in Michigan, there is a huge demand for new renewable energy projects such as this one. Mr. Cressner stated that this is primarily because of two reasons. Mr. Cressner stated that the first reason is electricity from renewable energy projects is one of the most economical sources of energy in today's market. Mr. Cressner stated the second reason is because of the many environmental benefits that similar projects provide the community. Mr. Cressner stated that their project presents Cheboygan with a few unique opportunities specific to this area. Mr. Cressner stated that first and foremost is that there is economical access to the regional transmission system which is extremely difficult to find. Mr. Cressner stated that the regional transmission system is congested and being able to find a place for their project is necessary for them to be competitive with other generation resources. Mr. Cressner stated their facilities are often located in active agricultural

districts and this is a great fit for solar projects. Mr. Cressner stated that what they are most excited to provide locally are the benefits that a \$90 million development such as this can provide to a community for the first 25 years of operations. Mr. Cressner stated that they will provide over \$15 million in landowner payments which will go to support local families and their existing operations and businesses and of course go into the local economies. Mr. Cressner stated that as for the greater community, though, their project will pay over \$7 million in property taxes in the first 25 years of operation. Mr. Cressner stated that this is stable revenue the county can rely on. Mr. Cressner stated that approximately \$2.4 million of that will go to local schools with the remaining several million dollars going to local services such as libraries, roads and emergency services. Mr. Cressner stated they are excited about being able to provide this economic development opportunity to Cheboygan County and for the chance to be a long term contributing good neighbor to the Cheboygan community.

Ms. Hoffman stated that they began out in the area with local outreach to the landowners back in 2017 and then held an open house with neighbors and surrounding community members in Grant township at the township hall on April 10, 2018. Ms. Hoffman stated they were also working with Cheboygan County as they progressed forward with the adoption of the ordinance in March of 2019. Ms. Hoffman stated on February 10, 2020, they held a second open house at the Cheboygan Public Library to obtain additional public input on their proposed site plan. Ms. Hoffman stated that they made some minor changes due to the input they heard at the open house and submitted their application on February 14, 2020. Ms. Hoffman stated that their application was scheduled for a public hearing on March 18, 2020 which was rescheduled due to the pandemic to May 6, 2020 and now to our current date of June 3, 2020.

Ms. Hoffman stated that the project location is in Grant Township and bordered on the north by Black River Road and the south by Ross Road with Twin Lakes Road traversing through the middle of the project. Ms. Hoffman stated that the capacity of the project is up to 91 megawatts with over 1500 acres of privately leased land. Ms. Hoffman stated that roughly half of the leased land is inside the fenced area and the other half is being preserved as the current use (wetlands, setbacks, etc.). Ms. Hoffman stated in the application narrative, approximately 227 acres will be covered by solar panels when positioned horizontally, which is roughly 15% of the total leased land.

Ms. Hoffman stated that per the Zoning Ordinance, all Level III SPV systems are required to meet a 100 foot setback from any dwelling. Ms. Hoffman stated that as you can see on the proposed site plan, they not only meet this requirement with residences circled in red to show the compliance with the 100 foot setback, but also exceed the requirement for every dwelling in the site area meeting at least a 250 foot setback which the teal circle around the residence symbolizes. Ms. Hoffman stated that the Zoning Ordinance also requires the proposal to meet a landscaping requirement for dwellings. Ms. Hoffman stated that landscaping is required opposite any dwelling on the same or adjacent parcel with evergreen trees at least eight feet in height at the time of planting. Ms. Hoffman stated that in their landscaping plan they are proposing all trees to meet the height requirement at the time of planting and are proposing landscaping opposite all dwellings. Ms. Hoffman stated that in regards to wetlands there are blue and green hatched areas on the site plans that are delineated wetlands. Ms. Hoffman stated that these are areas that have been determined to be protected wetlands through the county data, the national data and their own desktop and field research. Ms. Hoffman stated that these areas are required to have a 40 foot buffer around them and they exceed that requirement by providing a 50 foot buffer as shown on the site plan. Ms. Hoffman stated that they adjusted the fencing to show separate fencing blocks instead of one large area to be fenced to be more wildlife friendly. Ms. Hoffman emphasized that they have not made the project any larger and have reduced the project with these changes. Ms. Hoffman stated that fencing is proposed throughout the project as a 7 foot woven wire fence in keeping with the character of the surrounding area. Ms. Hoffman stated that chain link fence is only proposed around the substation area. Ms. Hoffman stated that the 7 foot height is sufficient to keep people out for safety purposes, but short enough to allow for the passage of deer or others over the fence. Ms. Hoffman stated that the woven wire is wide enough for small mammals to pass through. Ms. Hoffman stated the fencing is shown as red orange lines on the site plan around the solar tracker blocks. Ms. Hoffman stated that they have worked hard to individually fence the separate tracker blocks to allow wildlife to pass through the project easily. Ms. Hoffman provided an example of how wildlife could potentially move through the project. Ms. Hoffman stated that there are a number of existing larger wetland areas that have been left open for wildlife to access as well as the stream corridor moving northwest through the project. Ms. Hoffman stated that in regards to landscaping, the project is required to install landscaping in certain areas. Ms. Hoffman stated that landscaping is shown in detail in the site plan package on pages 3, 4 and 12.. Ms. Hoffman stated that on pages 3 and 4, it shows where they are proposing landscaping, including along public or private rights of way and opposite any dwelling. Ms. Hoffman stated that the proposed landscaping includes a variety of trees. Ms. Hoffman stated that the evergreen species they have included to meet the Ordinance requirements are Northern White Cedar, Canadian Spruce, Black Hills Spruce and Balsam Fir, which will all be at least 8 feet in height at the time of planting and will exceed the Ordinance requirements. Ms. Hoffman stated they have also added a variety of deciduous trees including Maple, Dog Wood and others, as well as a pollinator seed mix ground cover. Ms. Hoffman stated that they believe this combination will thrive in the area and will be pleasant to look at and most importantly, provide and exceed the screening the Ordinance requires. Ms. Hoffman stated that they do have a number of permits remaining or are in

the process of completing such as Soil Erosion and Sediment Control, multiple permits with EGLE, which includes storm water, land and water permits, a joint permit application with the US Army Corps of Engineers and EGLE for work in inland lakes, streams and wetlands and lastly, a section 401 water quality certification with the US Army Corps of Engineers. Ms. Hoffman stated that all of these permits typically happen during or after a zoning permit is approved due to the time, energy and cost it takes in completing these processes that wouldn't be necessary if the project cannot get past the zoning permit process.

Ms. Hoffman stated that the Cheboygan County solar project will be a long term partner to the Cheboygan community. Ms. Hoffman stated this project represents a \$90 million investment in Cheboygan County and is expected to generate roughly 200 jobs throughout the course of the construction, and 2 to 4 four long term jobs during the operation of the project. Ms. Hoffman stated there will be a commitment to local hiring and guaranteed long term revenues for landowners and farmers. Ms. Hoffman stated that in the first 25 years, the project will pay over \$7 million in property taxes. Ms. Hoffman stated this includes amounts of over \$1.7 million to the to the local school district, over \$700,000, typically to the Cheboygan Intermediate School, over \$400,000 to the road district, \$2.4 million to Cheboygan County, over \$800,000 to Grant Township and over \$600,000 to the Cheboygan Public Library as well as others. Ms. Hoffman stated they believe the project brings many benefits to Cheboygan County.

Ms. Hoffman stated that they have submitted a special use permit application and a site plan review permit application. Ms. Hoffman stated that a Level III SES-PV Facility is a listed special use permit in the Agriculture and Forestry Management Zoning District and Lake and Stream Protection Zoning District. Ms. Hoffman stated a site plan application was also submitted and included a waiver request to change the required one inch to 100 site plan scale to a one inch to 400 scale to better visualize the extent of the project.

Ms. Hoffman stated that the application along with the narrative responses to all required standards listed in the code have been made part of the record. Ms. Hoffman stated that all required and supplementary studies and engineering reports are included in their submittal. Ms. Hoffman stated that the PowerPoint presentation was sent to the County to include in the Planning Commission packet and to include on the website for community access. Ms. Hoffman stated that notices of publication, not less than 15 days prior to the hearing, were submitted to the local newspaper 3 different times for the scheduled March 18, 2020 meeting, the May 6, 2020 meeting and the June 3, 2020 meeting. Ms. Hoffman stated that notices to property owners within 300 feet was mailed 3 different times, not less than 15 days prior to the scheduled hearing for the scheduled March 18, 2020 meeting, the May 6, 2020 meeting and the June 3, 2020 meeting. Ms. Hoffman stated that she has provided information regarding their experts in their PowerPoint document.

Ms. Hoffman introduced Andrew Line from Cohn Reznick and stated that he will discuss property values. Mr. Line referred to the property value impact study that centers on testing whether solar arrays negatively impact adjacent real estate values. Mr. Line stated that this is not necessarily an appraisal of homes in the Cheboygan area or in the proposed site. Mr. Line stated it is an analysis of the impact that existing solar arrays have had and provide measurable indications for us to come to conclusions.

Mr. Line stated that he works for a company called Cohn Reznick which is the national advisory assurance and tax firm that specializes in real estate. Mr. Line stated that he is a commercial general real estate appraiser and also a member of the appraisal institute, which is noted by the MTI designation. Mr. Line stated he is based in Chicago and has experience in evaluating properties in Michigan. Mr. Line stated the basic premise of this comparative analysis is that if there is any impact on the value of adjacent properties, by virtue of their proximity to a solar farm, that it would be reflected by such factors as the range of sale prices, differences in unit sale prices, any conditions of sale and general overall marketability. Mr. Line stated that when comparing these factors for properties near the solar farm to properties locationally removed, they would expect to see some emerging and consistent pattern of substantial difference in these comparative elements. Mr. Line stated that they have established a number of studies across the country, including in the Midwest, Illinois, Indiana, Michigan, and Minnesota. Mr. Line stated that they have studied solar arrays in California, on the east coast in Florida, North Carolina, and Virginia, and they have studied solar farms that are as small as community solar projects of 1-5 megawatts well up to and exceeding 100 megawatts that can take up over 1000 acres. Mr. Line stated that there are no published studies on this particular subject. Mr. Line stated that they interviewed market participants, which include real estate assessors and real estate brokers who have experience with property that is in close proximity to existing solar farms. Mr. Line stated they prepared the paired sales analysis, which compares potentially impacted properties that they call test areas with unimpacted properties called control areas. Mr. Line stated test areas are sales that are located just adjacent to existing solar farms, and they compare them to similar homes that are located next to the proposed solar farms. Mr. Line stated that this methodology comes directly from an appraisal textbook called Real Estate Damages by Dr. Randy Bell. Mr. Line stated that in that textbook, Dr. Bell indicates that if there is a legitimate detrimental condition, that there will likely be a measurable and consistent

difference between two sets of market data and if not, there will likely be no significant difference between the two sets of data. Mr. Line stated that they have examined 8 different solar farms in 4 different states which they feel are comparable with this proposed site in Grant Township. Mr. Line stated that they examined whether or not there was an impact and if that impact was negative, whether it was measurable and consistent.

Mr. Line stated that there is a DTE solar farm in Lapeer, Michigan that is fairly comparable. Mr. Line stated it is a little over 50 megawatts and there are a number of homes that are immediately adjacent. Mr. Line stated they examined the median sale prices between the homes immediately adjacent to the solar panels that sold after the solar panels were erected, and compared them with very similar homes in a similar same area, but located more than a half mile from the solar array. Mr. Line found that there wasn't a negative impact. Mr. Line stated the first group that they tested had a difference of 0.24%. Mr. Line stated the second group that was examined had a difference of 3.31% in favor of places that are immediately adjacent to the solar arrays. Mr. Line stated that in both of these circumstances, the adjacent real estate next to the Lapeer, Michigan, solar arrays did not show a negative impact.

Mr. Line stated another solar farm that has a lot of data that and is relevant is in Chicago County, Minnesota. Mr. Line stated that this is probably the largest solar array here in the Midwest. Mr. Line stated it is 100 megawatts and covers over 1000 acres. Mr. Line stated they were able to identify 5 homes that were immediately adjacent to the solar array and examine those in comparison with similar homes in the same way and found that the difference was 1.35%. Mr. Line stated that was positive in favor of the test sale subject. Mr. Line stated that they found data that indicates that there isn't a negative impact to adjacent real estate. Mr. Line stated their interviews with local tax assessors and brokers who sold these homes also indicated that they don't see any negative impact associated with solar arrays on a single family residential property. Mr. Line stated that a county tax assessor has gone on record and prepared his own study that shows solar arrays do not cause a negative impact. Mr. Line stated that the tax assessor's they spoke with said that no one living next to the solar array has challenged their tax assessment. Mr. Line stated that they prepared before and after analysis, which indicate that even before a project is announced that the trends for homes in both the test sale areas and control sale areas are similar. Mr. Line stated that they also looked at annual appreciation rates. Mr. Line stated that they looked at homes that sold again and again next to solar arrays, and found that the annual appreciation rates were similar to or higher in the county averages for annual appreciation rates of the homes themselves. Mr. Line stated that the study of the eight solar arrays, annual appreciation rate studies and interviews with market participants concluded that there are no negative impacts based on real estate data and are included in the report that was submitted with the application.

Mr. McGraw stated that he is the Vice President of Orion. Mr. McGraw stated that he would like to speak about the general welfare of the community with regard to the Cheboygan solar project. Mr. McGraw stated that they take the health and safety of the community very seriously and they commit to building and operating this safe facility. Mr. McGraw stated that this commitment is reflected in the equipment that they purchase, the contractors that they hire and in our coordination with local officials and emergency services. Mr. McGraw stated that some examples of the ways they will work to ensure a safe project during preconstruction will include working closely with local officials and emergency service providers to coordinate traffic management, plan for emergency situations and provide any necessary training. Mr. McGraw stated that there will be a general contractor that has extensive experience with the installation of utility scale solar farms with robust health and safety program that meets our local, state and federal regulations. Mr. McGraw stated that during the operations, there will be staff on site during normal working hours and these technicians are trained in solar farm emergency response, and they carry equipment necessary to respond to such emergencies. Mr. McGraw stated that after normal working hours, on call technicians are available in the event of an emergency. Mr. McGraw stated that there will also be a remote operation center that will monitor the facility 24 hours a day, seven days a week, 365 days a year, which can detect faults or emergencies and remotely shut down the facility and alert local emergency service providers to any issues that require their attention. Mr. McGraw stated that an emergency response plan will also be prepared in coordination with local emergency service providers and this will ensure that these providers have access to the site 24/7, which includes keys to locked facilities and contact information for operation personnel.

Mr. McGraw stated that with respect to vegetative plantings and management, along with their application, they submitted a vegetation management plan, which shows how they will ensure that this project remains compatible with ongoing long term agricultural use. Mr. McGraw stated that the land will be planted with native vegetative cover for the life of the project, which is likely to improve site conditions for agriculture, through improved water quality and retention, improve soil structure, and replenish nutrients that are often lost from long term agricultural production. Mr. McGraw stated that they plan to use native seed mixes to create a diverse habitat. Mr. McGraw stated that these native mixes promote the use of the area by wildlife which benefit agricultural land. Mr. McGraw stated that regarding sound, communities often want to know whether solar farms are noisy. Mr. McGraw stated that they engaged an independent consulting firm, RSG, to model the sound from the proposed project. Mr. McGraw stated that the Zoning Ordinance has a maximum of 60 decibels at the perimeter of the project.

Mr. McGraw stated that RSG concluded in their report that the project will meet and actually exceed the standard. Mr. McGraw stated that the highest sound level at any property line is only 49 decibels, which is 11 decibels below the ordinance requirements. Mr. McGraw stated that Ken Kaliski from RSG is an expert in the field of sound and he will be able to answer questions. Mr. McGraw stated that with respect to glint and glare of sunlight reflecting off solar panels, there is an important distinction between concentrated solar panels, which act as a mirror and photovoltaic solar panels. Mr. McGraw stated that for this project, they are planning to install photovoltaic solar panels, which are designed to absorb light and not reflect it. Mr. McGraw stated that modern photovoltaic panels reflect less than 2% of incoming sunlight, which is less than soil or wood shingles. Mr. McGraw stated that they are planning to install single axis trackers at the project, which are designed to aim the solar panels directly at the sun. Mr. McGraw stated that this means that for the vast majority of the day, light is reflected directly back into the sky. Mr. McGraw stated that if they find that there are problems at specific locations once the project is constructed, they can automatically adjust the pitch angle of those solar panels to alleviate the issue.

Mr. McGraw stated that they have presented the County a decommissioning plan, which requires that the project dismantle, remove and dispose of all improvements and materials, restore and reclaim the land and post financial assurance that the County can draw upon in the event that they do not decommission the project properly. Mr. McGraw stated that they fully expect to decommission the project properly, but these funds are available to the County in the event that they do not. Mr. McGraw stated that they have had independent experts review this project and they have come to the conclusion that this project can meet and exceed all federal, state and county requirements. Mr. McGraw stated that that from the time of preconstruction planning, to the time that the solar farm has been fully decommissioned, they take their commitment to the general welfare of the community very seriously.

Mr. McGraw stated that they believe that their application meets all the standards set forth by the county ordinance. Mr. McGraw stated that Section 18.7 lists eight standards for special land use approval. Mr. McGraw stated that their application details how the project satisfies each of these. Mr. McGraw stated that the proposed project will not create any negative impact on the natural resources of the county or elsewhere. Mr. McGraw referred to Section 18.7.B and stated that it reads that the proposed special land use will not involve uses and activities that create a substantially negative impact on natural resources. Mr. McGraw stated that by avoiding nearly all the regulated natural resources, and by planting native pollinator species, the project is at worst net neutral on the natural resource. Mr. McGraw stated that it is more likely a positive on natural resources, especially when considering the substantial environmental benefits of solar energy. Mr. McGraw stated that the project easily meets the substantially negative impact standard of Section 18.7.B. Mr. McGraw stated that Section 18.7.C also uses the substantially negative impact language. Mr. McGraw stated that solar energy projects once constructed, are unique in that they don't generate traffic noise, smoke fumes, glare, odors and scrap material. Mr. McGraw stated that many uses permitted in this zoning district would potentially generate more of each of these factors than a solar farm would. Mr. McGraw stated that the project easily meets the substantially negative impact standard. Mr. McGraw stated that the proposed project won't diminish the opportunity for surrounding properties to be used and developed as zoned as required by Section 18.7.D. Mr. McGraw stated that studies of actual solar projects revealed no impact on property values of adjacent developed property. Mr. McGraw stated that solar energy projects are compatible with agriculture and according to Michigan Department of Agriculture and Rural Development they are consistent with farmland preservation. Mr. McGraw stated that the proposed project won't diminish development opportunities for adjacent undeveloped property. Mr. McGraw stated that they are proposing a special land use for a 91 megawatt solar farm, which will be built over approximately 1566 acres of private land. Mr. McGraw stated that of that 1566 six acres of private land under lease, approximately 830 will be within the fenced area and approximately 230 acres or 15% of the leased area will have solar panels. Mr. McGraw stated that the remainder of the land will be preserved. Mr. McGraw stated that the project will include landscape buffering to minimize visual disturbance. Mr. McGraw stated that it will be less than the 60 decibels limited by the Zoning Ordinance. Mr. McGraw stated that it will not create additional traffic once constructed and it will be safe. Mr. McGraw stated that this proposal meets the standards of the Zoning Ordinance for approval and they will continue to cooperate with local officials to ensure that our requirements are met for this project.

Mr. McGraw stated that this \$90 million investment in the community will create around 210 jobs during construction and is expected to create 2-4 full time positions once operational over its useful life. Mr. McGraw stated that the project will pay substantial revenues to local farmers, which is money that can be used to stabilize their future in the county and also be injected back into the local economy. Mr. McGraw stated that the project will pay over \$7 million in property taxes that support key services like the school's emergency services, road district, and library. Mr. McGraw stated that they are committed to building a project that is safe, reliable and beneficial to the community.

Telephonic communication with Chairperson Croft failed and Vice-Chairman Borowicz began chairing the meeting.

Mr. Freese stated that it was indicated that there will be no impervious surfaces in excess of 8,000 square feet within the perimeters. Mr. Freese stated that the step up transformer facility is 52,370 square feet. Mr. Freese stated as far as drainage there is a problem that will have to be addressed. Mr. McGraw stated that before they can obtain a building permit, they will need plan in place, which would include storm water prevention and will definitely take into account all drainage from every single piece of equipment on the project.

Mr. Freese stated that it was mentioned several times that the entire project is 1566 acres. Mr. Freese noted that it was stated that there would be 862 acres fenced and another figure was mentioned of 830 acres fenced. Mr. Freese stated that it was stated that 277 acres under solar panels and another figure was mentioned of 230 acres. Mr. Freese stated that he doesn't show how the 277 acres of solar panels was determined.

Mr. McGraw stated that the total leased area in the project is 1566 acres. Mr. McGraw stated that on the site plan the amount of acreage that is fenced in is approximately 830 acres. Mr. McGraw stated that once the project is constructed, they believe that when the panels are tilted horizontally (flat and parallel to the ground) that would amount to approximately the 270 acres under the solar panels. Mr. Freese stated that the areas that are shown in blue, which are the solar panels, are the majority of that 830 acres and the 230 acres is a small fraction of the total. Mr. Freese stated there is something wrong with that figure. Mr. Borowicz stated that the solar panels are not going to be immediately adjacent to one another and there will be space in between them to allow for pivoting. Mr. Borowicz stated that the total surface area is the 276 acres of actual solar receptors. Mr. Freese stated that if you use Orion's diagram of how big the panels are, it is still most of that area. Mr. Germain from Orion stated that the question here relates to something called the ground cover ratio. Mr. Germain stated that they are only planning to occupy one third of the ground and the space between each of these trackers is in fact two open spaces. Mr. Germain stated that only one third of the ground is occupied. Mr. Germain stated that the starting point is taking the 800 acres which is fenced and dividing it by 3. Mr. Germain stated that by looking at the site plan you will notice that sometimes the fence includes a little more open ground and just around the panels so it's not strictly a three to one ratio but it is close to a three to one ratio. Mr. Germain stated that if you catch the right angle of the photographs that were included in the PowerPoint you can see how much open space there is between each of these trackers.

Mr. Kavanaugh asked how brush control will be handled. Mr. McGraw stated that most of the vegetation control and management will be done via mowing and when there are woody structures that are starting to grow, they may do spot applications of chemicals but that will be very rare. Mr. McGraw stated that mowing is sufficient to manage the vegetation on site. Mr. Kavanaugh stated that using chemicals should be included in the management plan.

Mr. Kavanaugh stated that Mr. Line stated that they talked with local brokers. Mr. Kavanaugh asked if that was local brokers in the other project areas or did he consult with anyone in the Cheboygan area regarding what may happen to property values, especially hunting property. Mr. Kavanaugh stated that there will be some change in the migration of animals. Mr. Line stated they concentrated on individuals who had had experience with real estate next to existing solar panels. Mr. Line stated that part of the analysis of looking at actual data is to earmark the difference between what people's general feelings might be and what their initial perceptions might be. Mr. Line stated that this is actual hard data that shows that there is no impact. Mr. Kavanaugh stated that it would be prudent to at least talk to local brokers.

Mr. Kavanaugh stated that there was no review yet by EGLE or Army Corps. Mr. Kavanaugh stated that Orion has talked with the Road Commission and the Health Department but there are major issues regarding wetlands. Mr. Kavanaugh stated looks like some of the wetlands were missed. Mr. Kavanaugh stated that a letter was submitted stating concerns about height information, a stream and wetlands. Mr. Kavanaugh stated that the Planning Commission received a map with some revisions and with no cover letter. Mr. Kavanaugh stated that there are concerns that a soil conservation easement was missed. Mr. Kavanaugh asked who has the responsibility to evaluate these concerns.

Mr. McGraw stated that they have done a wetland delineation, which included a field study and actually did include the parcel where it has been claimed they missed a stream. Mr. McGraw stated that at the time there was no water there. Mr. McGraw stated that they are going to ask their consultant to go back to the field to see if indeed there is a stream that they missed. Mr. McGraw stated that there needs to be a concurrence from EGLE on the wetland delineation.

Mr. Freese stated that parcel number 151-006-300-002-01 was misidentified as being part of the project and the revised site plan was corrected and it is no longer shown as part of the project. Mr. Freese stated that in regards to the issue regarding the USDA easement, there has been a document releasing that parcel that was in question from the USDA easement. Mr. Freese stated another concern was regarding the height of vegetation. Mr. Freese stated that the regulation was written to indicate the height of the screening on parcels within the project containing solar panels that abut the road and require screening with additional height due to proximity to a raised road bed and in this case Mr. Eustice's parcel is located between

the parcel that has the solar panels on it and the road. Mr. Freese stated that property line on Mr. Eustice's parcel would only be subject to the internal property line height requirements for screening and wouldn't be measured from the height of the road bed.

Mr. Kavanaugh asked if someone consulted Mr. Hoffman, who has an airport regarding his concern about glare. Mr. Kavanaugh stated that a glare study has been completed and he hopes someone shares that with him. Mr. McGraw stated that they have commissioned an independent study for glint and glare analysis and they don't have the final report back yet, but the third party that's doing this report has initially reported that they're concluding that there are no instances of glare for any houses in the community or on the nearby airfield. Mr. McGraw stated that when they have that final report they will certainly work with the owner of the airfield.

Ms. Lyon asked Ms. Hoffman to clarify fencing. Ms. Hoffman explained that the fencing for the main portion of the project is a 7 foot woven wire fence. Ms. Hoffman stated that it is in keeping with the character of the surrounding area. Ms. Hoffman referred to slide number 1 of the PowerPoint presentation and stated that the fencing will look like the fencing in the picture. Ms. Hoffman stated that a chain link fence is proposed around the substation area. Ms. Hoffman stated that the majority of the fencing will be a woven wire fence, whereby wildlife can jump over the top of it, and small mammals can move through it.

Mr. Kavanaugh asked that when dealing with EGLE, could there be a comment on large animal movement and any kind of impact there because most of the concerns he has heard are from the hunters in the area and they are worried about waterfowl, deer and bear jumping seven foot fences. Mr. McGraw stated that Dominick Dipaolo is from Schoener Environmental. Mr. Dipaolo stated that his discussions with EGLE were mostly with the permit with respect to the storm water management and erosion and sediment controls during construction. Mr. Dipaolo stated that unfortunately he really can't answer this question. Mr. Kavanaugh suggested asking that question of EGLE as it will eliminate a lot of problems with the hunters. Mr. Kavanaugh stated that it would be worthwhile getting a comment from EGLE regarding the impact on wildlife. Mr. Zirpoli stated that he is with Schoener Environmental. Mr. Zipoli stated that they have discussed with both state and federal agencies anything related to project impact as it relates to special status or protected species or their habitats, and they had no issues. Mr. Zirpoli stated that in regards to special status protected species, both state and federally, there are no concerns from the agency's perspective. Mr. Zirpoli stated that they expect once the project is developed and things have settled down most of the wildlife will presume their daily and seasonal movements in and around the project. Mr. Zirpoli stated that some will be restricted and some might just be individuals based on individual tolerance. Mr. Zirpoli stated that as animals become more accustomed to it, they will certainly utilize it as much as they can and continue to move through the area. Mr. Kavanaugh stated that it is important to get that a comment from EGLE as it is important. Mr. Zimmerman stated the agency that would be better suited over these issues is DNR. Mr. Kavanaugh stated that this will eliminate a lot of questions and comments from the public.

Ms. Lyon asked if an insurance policy is necessary in case of a natural disaster. Mr. Freese stated that it is covered in Orion's narrative and they agree that if the project is abandoned that it would be taken down. Mr. Freese stated that the reclamation plan covers that and they indicated if it was a not in operation for 18 months it would be decommissioned and removed. Mr. Freese stated that they also had in their narrative that if it was destroyed, that it would be removed at their cost under their decommissioning plan.

Mr. Delana asked how long it will take to get everything in place assuming all the other obstacles might be cleared. Mr. McGraw stated that construction for a project of this size is typically on the order of 9-14 months and that is weather dependent.

Mr. Kavanaugh asked when is the amount of decommissioning bond determined and who determines the amount. Mr. McGraw stated that the decommissioning bond is done at the time that they apply for building permits. Mr. McGraw stated that they will come up with a decommissioning plan, which will have been vetted with an independent party that will show the costs to decommission the facility. Mr. McGraw stated that they will update that plan every 5 years thereafter and share that with the County.

Mr. Borowicz asked for public comments.

Mr. Gouine asked if each parcel will be taxed for the units that are their property or will the \$90 million be prorated across all of the properties. Mr. McGraw stated that the way they have typically seen it done is once the project is installed, they submit the as built plans to see what is constructed on each parcel and there can be an evaluation attached to the equipment installed on each parcel. Mr. Gouine stated he would like to know how a parcel with five units will be appraised versus a parcel with many units. Mr. McGraw stated that the property tax is based off of the equipment that is actually installed on a parcel. Mr.

McGraw stated that based on a \$90 million project each parcel essentially would be taxed in a prorated manner, but if any given parcel has more or less equipment on it, then the tax would fall differently to those parcels.

Mr. Tromble, Tromble Bay Farms, asked if the Planning Commission members have any questions for him. The Planning Commission did not have any questions for Mr. Tromble. Mr. Tromble stated that in regards to hunting, no one is supposed to be hunting on his property except for family and employees.

Ms. Andersen stated her property is directly adjacent to Mr. Tromble's property and they hunt on that property. Ms. Andersen stated hunting is important to her.

Mr. Brown stated that he and his wife own property that is adjacent to Mr. Tromble's property. Mr. Brown stated that they support this project and he believes this project has many more pluses than detracting features. Mr. Brown does not believe it would detract in any way from his property value. Mr. Brown stated that his daughter and son in law live on the south side of Black River Road and she believes that the solar panels would probably be less noisy than Mr. Tromble's cattle and she supports this project. Mr. Brown stated it might curtail some division of the small lots that are split off of these larger farm parcels. Mr. Brown stated it might curtail substandard properties and eyesores that might go in that would detract from surrounding property values. Mr. Brown stated that he supports this project and he believes it is a great thing for the County.

Mr. Bartlett stated that he lives Owens Road which. Mr. Bartlett stated that the proposed substation will be adjacent to his property. Mr. Bartlett talked with Orion representatives at the Cheboygan Public Library in February and asked if he will be able to hear any noise from the substation. Mr. Bartlett stated that the representative said he didn't know, but if there is noise they will build berms. Mr. Bartlett asked if berms will cut down the noise. Mr. McGraw stated that they have now fully analyzed the noise and the sound model from the project including the substation location. Mr. McGraw asked Ken Kaliski from RSG, the independent expert that ran this model, to respond to Mr. Bartlett's questions. Mr. Kaliski stated that he looked at the sound emissions and the transformer is going to be specified as 5 decibels lower than allowed by the standard for that device, it is a relatively low noise transformer. Mr. Kaliski stated that he can't say that you won't hear it. Mr. Kaliski stated that he doesn't know what the background sound level is and how well it masks the transformer sound, but even at the property boundary of the substation, the sound is well below the standard Cheboygan County set and that it is less than 50 decibels at the property line. Mr. Kaliski stated that the County standard is 60 decibels. Mr. Kaliska stated that in regards to a berm, anything that blocks the line of sight would reduce the sound. Discussion was held. Ms. Lyon asked if the transformer will be a constant noise or is it an intermittent noise. Mr. Freese stated that the transformer will be a constant noise but that power is only generated in daylight, not at night. Ms. Lyon asked if there is any possibility it could be built somewhere else versus right next to Mr. Bartlett's home. Mr. Freese stated that it will be near someone's house no matter where they put it. Mr. Kaliski stated that the sound level from the transformer to the nearest home is 39 decibels, which is 21 decibels less than the standard and it may still be audible. Mr. Borowicz asked for an example of something in the 39 decibel range. Mr. Kaliski stated that the sound of his voice is probably around 60 decibels and the average background sound level in an agricultural area is about 41 decibels. Mr. Kaliski stated that 39 decibels is a little bit less than the overall average night time sound level in an agricultural area. Mr. Kaliski stated that they have measured libraries with an air conditioning system overhead at about 39 decibels so it is relatively a quiet sound.

Ms. Lange stated she is the President of the Cheboygan Economic Development Group and she has been appointed to the EDC and is working with Jeff Lawson to reinvigorate that organization. Ms. Lange stated that she has had the privilege of working with Orion throughout the last couple of years. Ms. Lange thanked Orion for the high level of detail that has gone into their planning. Ms. Lange stated that this has been a very long process and noted that Orion has been very accommodating and they always have thoughtful and intelligent responses. Ms. Lange stated that Orion is eager to answer questions and is open to suggestions. Ms. Lange stated that as a business owner, a resident for one year and also a northerner, she appreciates all of the care that's going into the natural landscape. Ms. Lange stated that Cheboygan County has a tremendous asset in a natural environment. Ms. Lange stated that Cheboygan County has more trail miles than any other county in Michigan. Ms. Lange stated that the inland waterway, world class fisheries on Burt Lake and Mullett Lake, hunting and all season recreation are a part of our culture and it is a very big part of our pride as Northern Michigan people. Ms. Lange stated she is glad that Orion is being responsive to comments. Ms. Lange stated that in anticipation of an approval tonight, she just really would love to congratulate everyone. Ms. Lange stated that this is a big high five moment and it is a big win for Cheboygan County. Ms. Lange stated that the economic impact of this project is truly staggering and especially now during some really troubling economic times. Ms. Lange stated this project is a golden egg for our community and for our coffers with revenues that it's going to generate. Ms. Lange stated that this project puts us on par with some other great communities who are seeing the value in turning to solar, wind, hydro or other alternative energy sources. Ms. Lange stated that she is looking forward to working with everyone and she thanked everyone for supporting Cheboygan.

Eryn Eustice stated that he submitted a 3 page letter. Mr. Eustice stated that he and his wife purchased property last May in section 6 and was formerly known as Long's Sod Farm. Mr. Eustice stated that they purchased property that is zoned Agriculture and Forestry Management because of their desire to pursue a passion for farming and agriculture and to start their family. Mr. Eustice stated that they love the beauty of the area and the possibilities that agriculture offers. Mr. Eustice stated that they would not have purchased this property knowing that they would soon have solar panels on 2 sides. Mr. Eustice stated that the project history was mentioned earlier in this meeting, but since they were not residents at the time they were not informed of the project. Mr. Eustice stated that they received a letter 2 months ago notifying them that this meeting was going to happen. Mr. Eustice stated that the 28 foot height of the planting for screening purposes doesn't apply because it is not adjacent to a right of way. Mr. Eustice stated that he has a hard time believing that the value of his property that was just purchased will remain whole when you look out the windows of his house and all you will see is solar panels if there are no trees tall enough to surround the house. Mr. Eustice stated that he is a new homeowner and has a mortgage. Mr. Eustice stated that he has a hard time believing that he can sell his house for the appraised value. Mr. Eustice stated that there are property value impact studies for areas with a better market for housing, but in this area the housing market isn't as abundant. Mr. Eustice stated that it is hard to believe that he is going to be able to sell his house for \$200,000. Mr. Eustice stated that he would like to hear something from Orion saying that this isn't a concern as this is obviously a huge concern for him and his wife. Mr. Eustice stated that the 28 foot planting is the only way that he will be shielded from seeing solar panels. Mr. Eustice stated it will take 10-15 years for trees that are planted to grow to 28 feet. Mr. Eustice stated that he is being told that a vegetative screening will block every residence, but how is that going to apply to his residence when the elevation of his house is 28 feet higher than the nearest solar panel.

Ms. Dowling stated that she purchased six and a half acres of land in an agriculturally zoned area for a reason. Ms. Dowling stated that she has 27 windows in her home and out of every single window she will see solar panels. Ms. Dowling stated that the solar panels will be located in the front of her home, the side of her home and the back of her home. Ms. Dowling agreed with Mr. Eustice and stated that there is no way she will get what she paid for the home if she decides to sell. Ms. Dowling stated that the reason she bought the property is because it is set back where she can sit on her back deck and watch her kids play and now she is stuck looking at solar panels. Ms. Dowling stated that no one has been able to provide a benefit to the people whose property is being impacted. Ms. Dowling stated her concerns regarding the traffic and the length of time it will take for the construction of the project.

Mr. Eustice asked if anyone could answer his question regarding the screening from solar panels. Mr. Freese stated that the applicant has proposed screening along Mr. Eustice's back property line and the north property line, but they're not going to be 28 feet tall. Mr. Freese stated that 28 foot screening is not necessary to the east and down the hill as it is a flat slope. Mr. Freese stated that Orion will put 8 foot trees along that fence at the back and Mr. Eustice might see the solar panels for a year while the trees grow. Discussion was held.

Mr. Eustice asked that the expert on the property values comment on how he will still be able to see solar panels and also how his property value will remain at \$200,000 and not decrease because no one will buy his property. Mr. Freese stated that during the presentation by the expert he stated that there have been no changes in the property values of homes in similar areas. Mr. Freese stated that they are claiming that in similar areas there is no change in property values and no negative impact. Mr. Kavanaugh stated that he would like Mr. Line to comment on this as anyone who would live next to this project would be concerned. Mr. Kavanaugh stated that maybe there is something that can be done for those 2-3 people to help them out.

Mr. Wendling stated that public comments should be received and at the end and Mr. Eustice's question will be addressed. Mr. Wendling stated that we want to make sure everybody who wishes to speak has a chance to speak during the public hearing.

Mr. Boyd stated that he has property that is adjacent to the proposed solar project and he is wondering what is going to be done with the existing vegetation and trees that are in the ditch lines. Mr. Boyd asked if it will be leveled or will the existing vegetation remain. Mr. Wendling stated that this can be answered at the end of the public comment.

Ms. Andersen stated that there she has and along the south side of the project. Ms. Andersen asked what kind of screening will there be along the easement.

Tom Eustice stated that his son Eryn Eustice lives adjacent to this proposed project. Mr. Eustice stated that he is a state licensed assessor and in his opinion, there is no question that his son's property value will be disrupted with this project. Mr. Eustice stated that his son owns a 15 acre farm. Mr. Eustice questioned if the study was completed for single family residences. Mr. Eustice stated that his son has animals and a pond with fish. Mr. Eustice stated that these solar panels do give

off radiation that is going to affect the wildlife on his property. Mr. Eustice stated that these solar panels will affect the view. Mr. Eustice stated that there's no question that his son's property will have functional obsolescence, economic obsolescence and external obsolescence and the value will decrease significantly.

An audience member stated his concerns regarding radiation. He stated he did not know if there was a difference between the transmission line and the solar panels. Discussion was held. Mr. Freese stated that Orion will be able to answer this question.

Mr. Borowicz closed the public hearing.

Mr. Borowicz asked Orion to address the questions regarding the ditch bank vegetation, property values and what can be done to address Mr. Eustice's concerns.

Mr. Line referred to the property value report and stated that in Chisago County, Minnesota over 1000 acres was developed and within the layout of this particular solar array there were five homes that were right next to each other and surrounded by solar panels on four sides. Mr. Line stated that each homestead consisted of five to 7 acres each. Mr. Line stated that the developer thought that there might be a problem so he had each of the homes appraised and individually negotiated with each of the land holders and acquired each one of the homes. Mr. Line stated that he paid premiums because he was forcing people out of their homes. Mr. Line stated that during the process of planning the developer realized that he wouldn't need the homes after everything was developed. Mr. Line stated that the developer put all of the homes on the market at the same time. Mr. Line stated that all of the homes sold for more than they were originally appraised for, including one of the homes, which was reacquired by the original homeowner. Mr. Line stated that this is a good example of how homes surrounded on four sides still are able to sell on the market. Mr. Line stated that in Indiana there was a 10 acre piece that was next to a 25 megawatt solar farm that was erected and after the panels were erected someone acquired the 10 acre site and built a \$450,000 house with a very large backyard swimming pool. Mr. Line stated the measurement from the house to the adjacent panel is 150 feet. Mr. Line stated that evidence would suggest that the market isn't deterred from developing just by virtue of being very close to existing solar panels. Mr. Line stated that when interviewing tax assessors they did not speak to any kind of negative influences caused by the solar panels.

Mr. Borowicz stated that another question was if the existing vegetation within the road right of way will that be removed in the process of developing this project. Mr. McGraw stated that all existing vegetation is meant to stay in place and they will supplement any existing vegetation with incremental buffer to the extent that it's sparse and doesn't provide a strong enough buffer. Mr. McGraw stated that there is no need to remove any vegetation along Ross Road.

Board held discussion. Mr. Freese stated that Orion didn't address the question of radiation. Mr. McGraw stated that that in their application they submitted a report from North Carolina State who did a comprehensive study of health questions relating to solar farms. Mr. McGraw stated that in the study they conclude that the radiation levels of the solar farm are incredibly low and that the levels that are considered safe for humans, according to an International Commission On Radiation Protection would be 500 Milligauss (m/G). Mr. McGraw stated that this study found that magnetic radiation for a utility level solar farm was not greater than 0.4 Milligauss (m/G). Mr. McGraw noted that this is almost zero and is below any level that is considered safe for humans. Mr. McGraw stated that with respect to electric radiation, the level that is generally considered safe for humans is 4200 volts per meter and they found below 5 volts per meter. Mr. McGraw stated that their conclusion is that there is little to no risk of any radiation from the solar farm.

Mr. Kavanaugh asked if Orion would comment on the Andersen easement. Ms. Hoffman asked for the location of the easement. Mr. Tromble stated that this is a 60 foot easement along the river and is located in the southwest corner of his property on Owens Road. Mr. Delana asked if the nature of the question is regarding screening for an easement instead of the property that she owns. Mr. Freese stated that if it is a driveway easement, it will have to be screened. Mr. Wendling stated that can be determined by just looking at the language of the easement and determining if it will meet what is required under the Zoning Ordinance for screening. Discussion was held. Mr. Turisk stated that he does not see that as being screened in the plan. Mr. Freese stated that the driveway/easement is not shown in the plans and it is difficult to see where it is and what it's used for. Mr. Freese noted that Mr. Wendling stated that it will depend on what the easement is described as and if it is a driveway easement for access to another parcel, screening would be required.

Mr. Kavanaugh recommended that Orion visit with Mr. Bartlett, Mr. Eustice and the other person involved with their homes looking at solar panels to assure the property owners that they are going to be taken care of after a few years. Mr. Kavanaugh also recommended that Orion meet with local brokers to see what their perception is because this is a different area. Mr. Kavanaugh stated that there is a licensed appraiser from this area that doesn't agree with Orion. Mr. Freese stated that Mr.

Kavanaugh is going on an opinion of an appraiser without any substantiated facts. Mr. Freese stated that there is a study that has been submitted and this is data that the Planning Commission can rely on. Mr. Freese stated that he doesn't object to talking to local appraisers, but unless there is factual data that refutes what has been presented the Planning Commission will have to go on what's been presented. Mr. Borowicz stated that the unfortunate fact is that the local data won't be available until after the project is completed.

Mr. Wendling stated that he will be working along with Mr. Turisk and Planning Commission members who wish to assist to put together the findings of fact based upon the application, the exhibits, the meeting minutes, and materials submitted up through the end of this meeting. Mr. Wendling stated that he will assist in those drafts for the Planning Commission to review, make changes, delete, etc. Mr. Wendling stated that the Planning Commission will have a template to work with for decision making at the next meeting on June 17, 2020. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to table the request until June 17, 2020 at 7:00pm. Motion carried unanimously.

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

STAFF REPORT

No comments.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

Ms. Lange thanked the Planning Commission for their efforts working through this process. Mr. Lange stated that she thinks everyone realizes that every community in Michigan presented with a gift basket like this would be lined up a block long waiting to have a project come through loaded. Ms. Lange stated that this project is full of growth, opportunity and money. Ms. Lange stated that it is clean, thoughtful, conscientious and wise. Ms. Lange stated that she believes it is delivered with a great group that is trying to be thorough and act in partnership with our community and our residents. Ms. Lange stated that the Cheboygan community calls for jobs and more resources for thoughtful growth. Ms. Lange stated that this is a solution to that. Ms. Lange stated that looks forward to a resolution that's positive on this topic. Ms. Lange stated that she would love to be a part of any conversation to help figure out the final details and get this passed.

So your two weeks will actually with a special meeting next week.

ADJOURN

Motion by Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:37pm.

Charles Freese
Planning Commission Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

David Bona, Architect – Ann Arbor YMCA

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (6 Pages)
4. Overall Site Plan - North Lodge and Kitchen Addition (1 Page)
5. Kitchen Addition - Floor Plan and Elevations (2 Pages)
6. North Lodge – Floor Plan and Elevations (3 Pages)
7. Mailing List (2 Pages)
8. Email from Margaret O'Malley, adjacent property owner, dated May 11, 2020 (2 Pages)
9. Email from Dave Carpenter/Tuscarora Township Fire Chief dated June 5, 2020 (1 Page)
10. Staff Report (6 Pages)
11. Email from Kyle Keller/Environmental Sanitarian-District Health Department #4 dated June 10, 2020 (2 Pages)
- 12.
- 13.
- 14.
- 15.

Note: Planning Commission members have exhibits 1 and 2.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

PROPERTY LOCATION

Address 9728 W. HIGHWAY M-68	City / Village BURT LAKE	Twp / Sec. TUSCARORA SEC. 16	Zoning District LAKE & STREAM PROTECTION P-LS
Property Tax I.D. Number 161-016-300-001-00	Plat or Condo Name / Lot or Unit No. NOT APPLICABLE		

APPLICANT

Name DAVID BONA ARCHITECT	Telephone 734-904-1868	Fax NONE
Address 1100 MIXTWOOD ST	City, State & Zip ANN ARBOR, MI 48103	E-Mail dbona@davidbonaarchitect.com

OWNER (If different from applicant)

Name ANN ARBOR YMCA (LAURA RAMIREZ)	Telephone 734-661-8054	Fax 734-661-8060
Address 400 WEST WASHINGTON	City, State & Zip ANN ARBOR, MI 48103	E-Mail lramirez@annarborymca.org

PROPOSED WORK

<p>Type (check all that apply)</p> <p><input checked="" type="checkbox"/> New Building LODGE <input type="checkbox"/> Reconstruction</p> <p><input checked="" type="checkbox"/> Addition KITCHEN <input type="checkbox"/> Relocated Building</p> <p><input type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Sign, Type: _____</p> <p><input type="checkbox"/> Other: _____</p>	<p>Building/Sign Information</p> <p>Overall Length: LODGE: 72'-11" KITCHEN: 30'-0" feet</p> <p>Overall Width: LODGE: 44'-8" KITCHEN: 23'-8" feet</p> <p>Floor Area: LODGE: 1830 SF (2) KITCHEN: 710 SF sq. feet</p> <p>Overall Building Height: L: 31'-5" K: 21'-5" feet</p> <p>Sign Area: N/A sq. feet</p> <p>Sign Height N/A feet</p>
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PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ____	<input type="checkbox"/> Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Utility
			<input checked="" type="checkbox"/> Other: CAMP BUILDINGS

Has there been a Site Plan or Special Use Permit approved for this parcel before? YES NO (MULTIPLE AMENDMENTS TO THE SLUP OVER THE LAST SEVERAL YEARS)

If YES, date of approval: **JULY 2016** Approved Use: **REPLACEMENT OF ROWE HALL**

Directions to site: **ENTRY DRIVE @ 9928 HIGHWAY M-68**

SPECIAL LAND USE PERMIT APPLICATION

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
X		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
X		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
X		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
X		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
X		f. Location of existing and proposed buildings and intended uses thereof.
X		g. Details of entryway and sign locations should be separately depicted with an elevation view.
X		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
X		i. Location, size, and characteristics of all loading and unloading areas.
X		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
X		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
X		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

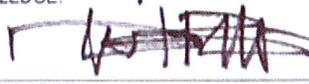
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
X		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
X		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
X		q. Elevation drawing(s) for proposed commercial and industrial structures.
X		r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
X		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

_____  _____
SIGNATURE

_____ 4.15.20 _____
DATE



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

Not applicable -- the new buildings are internal to a large summer camp property.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

Acknowledged

3. Size of property in sq. ft. or acres: 115 (+)

4. Present use of property:

YMCA Camp

5. SUP Standards:

- a. Is the property located in a zoning district in which the proposed special land use is allowed?

Yes, pursuant to Section 10.3.2, camps and recreational use.

- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** No.

- c. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person? **Explain.** No.

- d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? **Explain.** Yes.

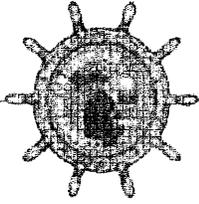
- e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? **Explain.**

Very unlikely.

- f. Will the proposed special land use be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services? **Explain.** Yes

Proposed facilities to be serviced by existing on site H2O wells and septic systems.

Refuse collection adequate per existing.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? Yes (see f. above)
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? Yes
6. Does the proposed use of the property include or involve either
- Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
- If YES, this application must include a written plan as described in the Zoning Ordinance*
7. Attach a copy of Warranty Deed or other proof of ownership
8. Attach a copy of certified Property Survey or dimensioned property land plat

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge

Applicant's Signature Date 4.15.20

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature Date 4.15.20
Laura Rabinovitz

FOR PLANNING /ZONING DEPT. USE ONLY

Date Received	04/19/20	Notes
Fee Amount Received	\$150.00	
Receipt Number	7222	
Public Hearing Date	05/20/20	
Planning/Zoning Administrator Approval		
<u></u>		04/29/20 Date

DAVID BONA • ARCHITECT
 1100 MIXTWOOD STREET
 ANN ARBOR, MICHIGAN 48103
 734.526.1858

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REVISIONS
 NO. DATE
 1 11/11/2008

REVISIONS
 NO. DATE
 1 11/11/2008

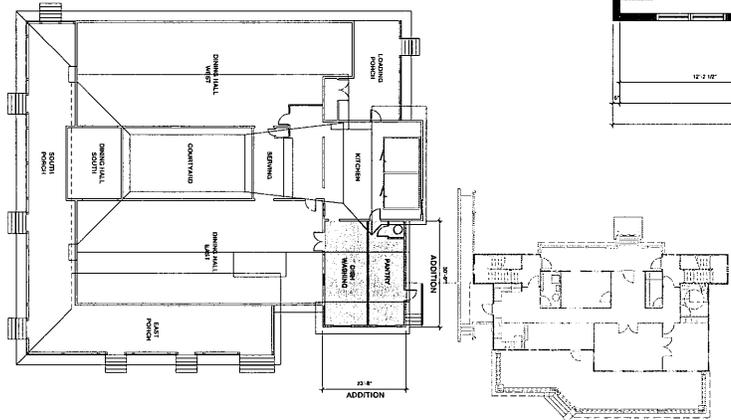
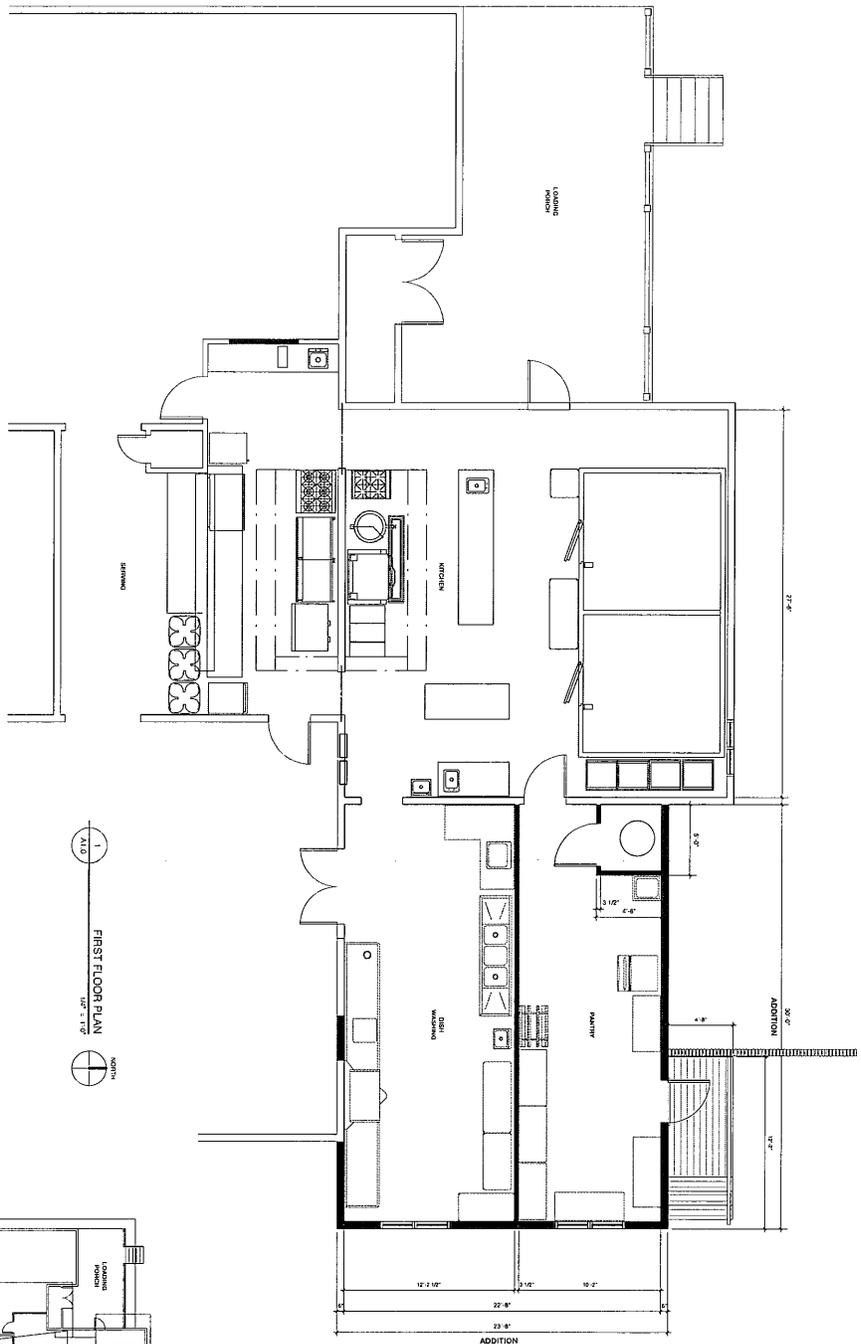
PROJECT NAME:
 KITCHEN ADDITION
 CAMP ALGONQUAN - BURT LAKE INDIAN RIVER, MICHIGAN

SHEET TITLE:
 FIRST FLOOR PLAN - KEY PLAN

DATE:
 11/11/2008

PROJECT NUMBER:
 0435558

SHEET:
 A1.0



5

SPECIAL LAND USE PERMIT
AMENDMENT

04-13-2020

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734.904.1858

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THE WRITTEN PERMISSION OF DAVID BONA ARCHITECTURE, INC.

DATE OF PERMIT
04-13-2020
SHEET NO. 0001
SHEET TOTAL 0001

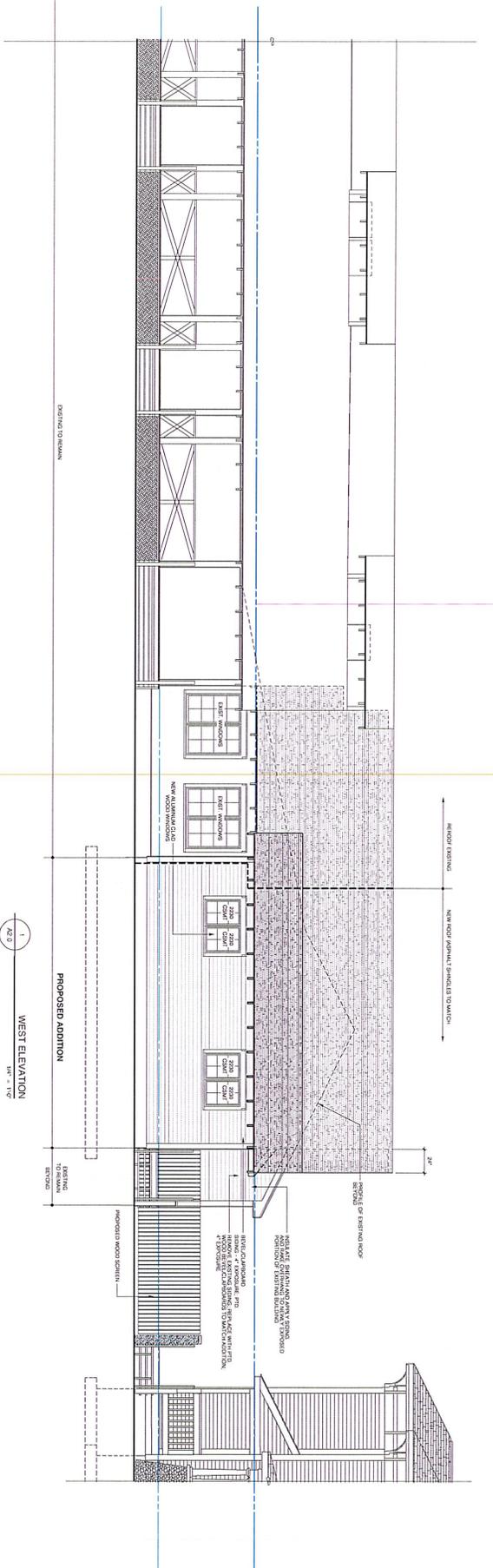
REVISIONS

NO.	DATE	DESCRIPTION

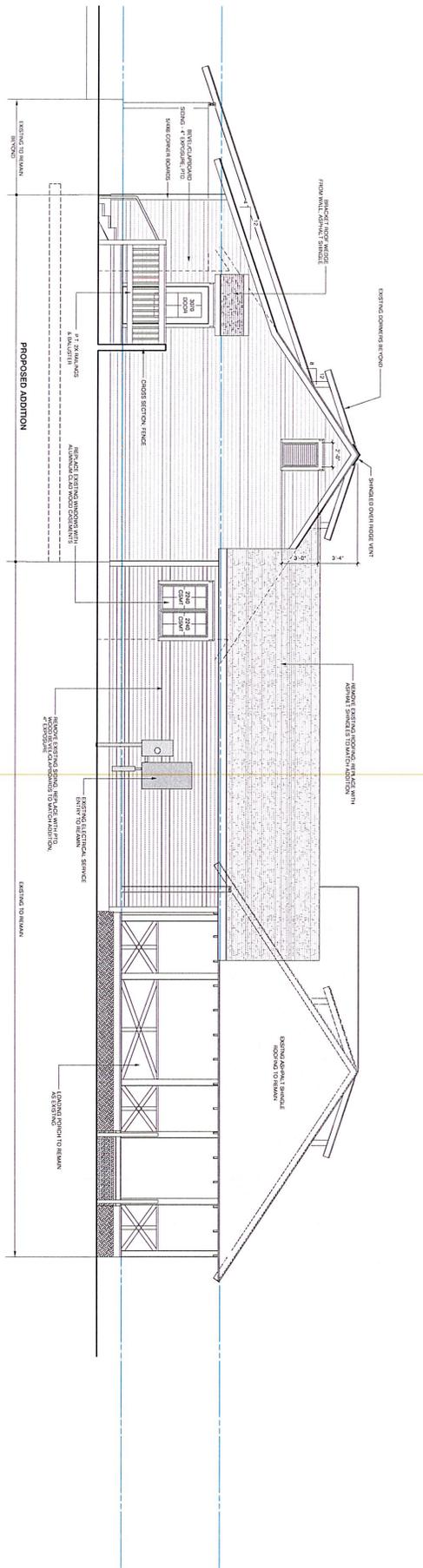
PROJECT NAME:
KITCHEN ADDITION
CAMP ALGONQUAN - BURT LAKE INDIAN RIVER, MICHIGAN

SHEET TITLE:
ELEVATIONS

PROJECT NUMBER:
K18001
SHEET:
A2.0

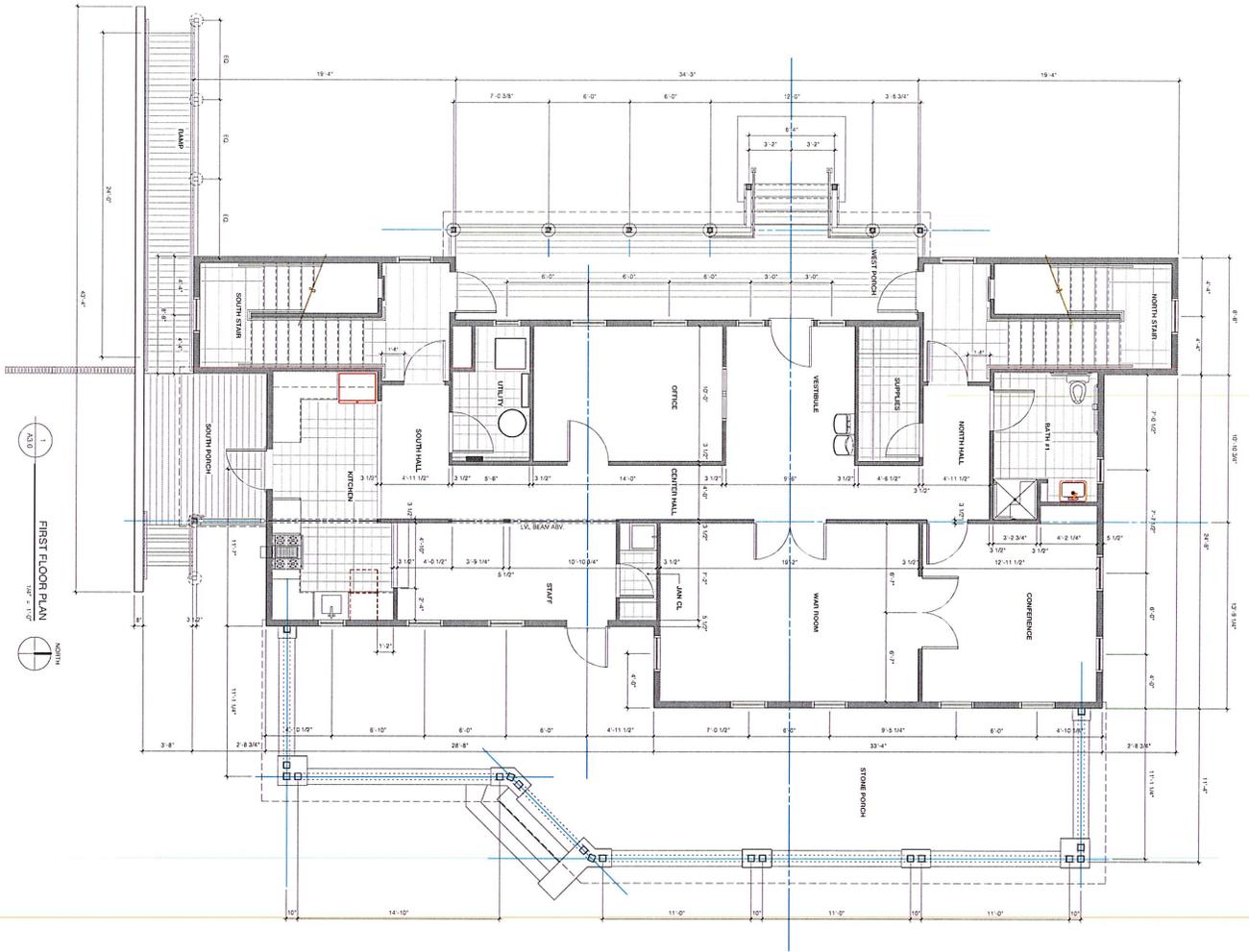


1
WEST ELEVATION
1/4" = 1'-0"

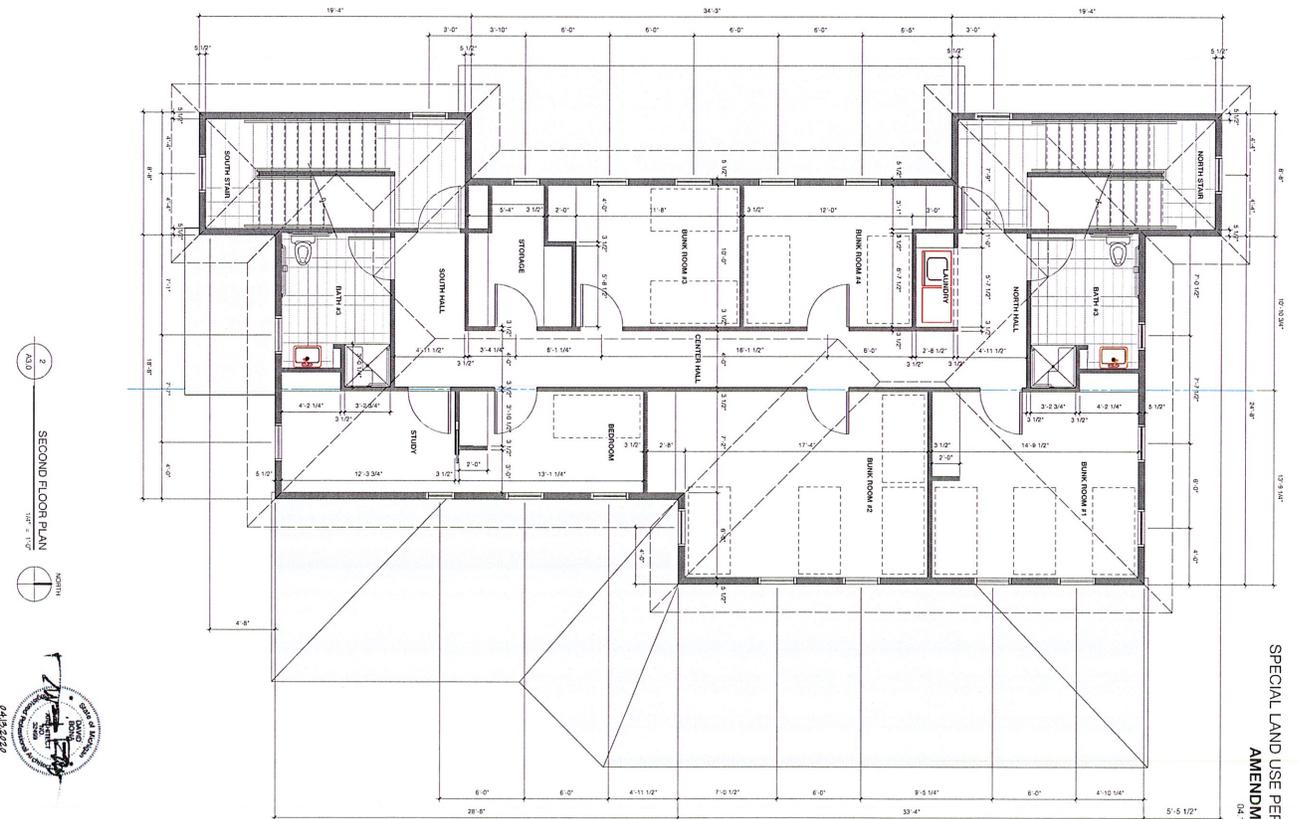


2
NORTH ELEVATION
1/4" = 1'-0"





1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



SPECIAL LAND USE PERMIT
AMENDMENT
04-13-2020

<p>PROJECT NAME: NORTH LODGE CAMP ALGONQUIAN - BURT LAKE INDIAN RIVER, MICHIGAN</p> <p>SHEET TITLE: SCHEDULES - ROOF PLAN - SECOND FLOOR PLAN</p>	<p>DATE: 05/11/2020</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DRAWN BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>	<p>REVISIONS:</p> <p>1. [Description]</p> <p>2. [Description]</p>	<p>LEGEND:</p> <p>□ [Symbol] [Description]</p> <p>□ [Symbol] [Description]</p>	<p>DATE: 05/11/2020</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>Copyright</p> <p>All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of David Bona & Associates, Inc.</p>	<p>DAVID BONA • ARCHITECT 1100 MCKINWOOD STREET ANN ARBOR, MICHIGAN 48103 734.904.1858</p>
	<p>CONTRACT NUMBER: A3.0</p>	<p>DATE: 05/11/2020</p>	<p>PROJECT NUMBER: A3.0</p>	<p>DATE: 05/11/2020</p>	<p>DATE: 05/11/2020</p>	<p>DATE: 05/11/2020</p>

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734.904.1868

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DATE OF PERMIT
04-13-2020
SPECIAL LAND USE PERMIT

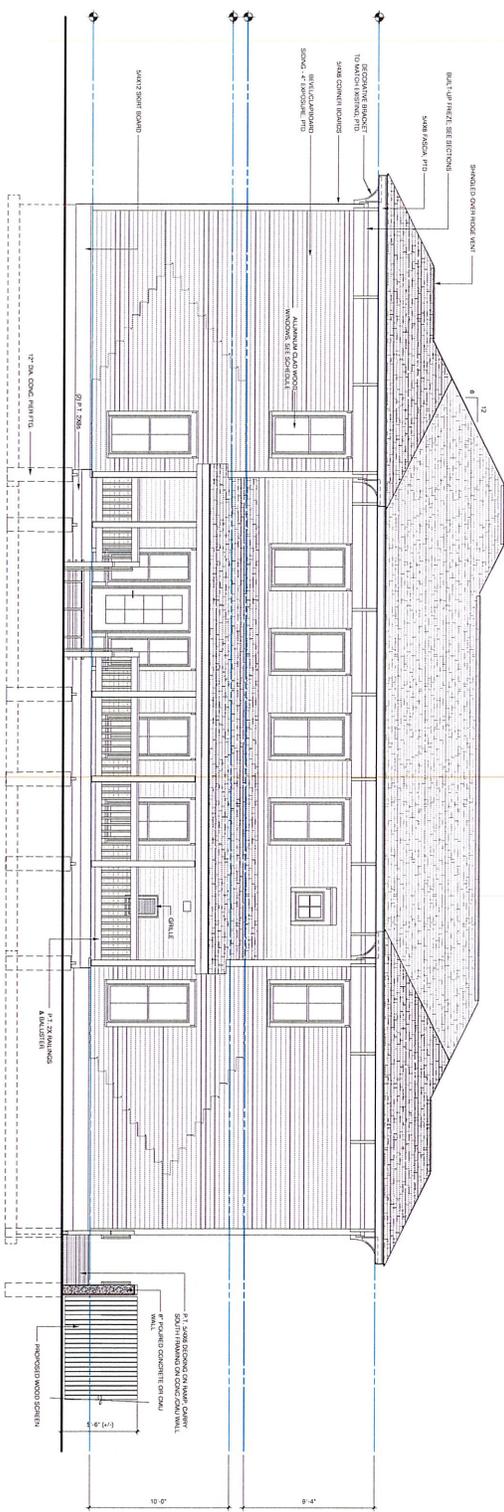
REVISIONS

NO.	DATE	DESCRIPTION
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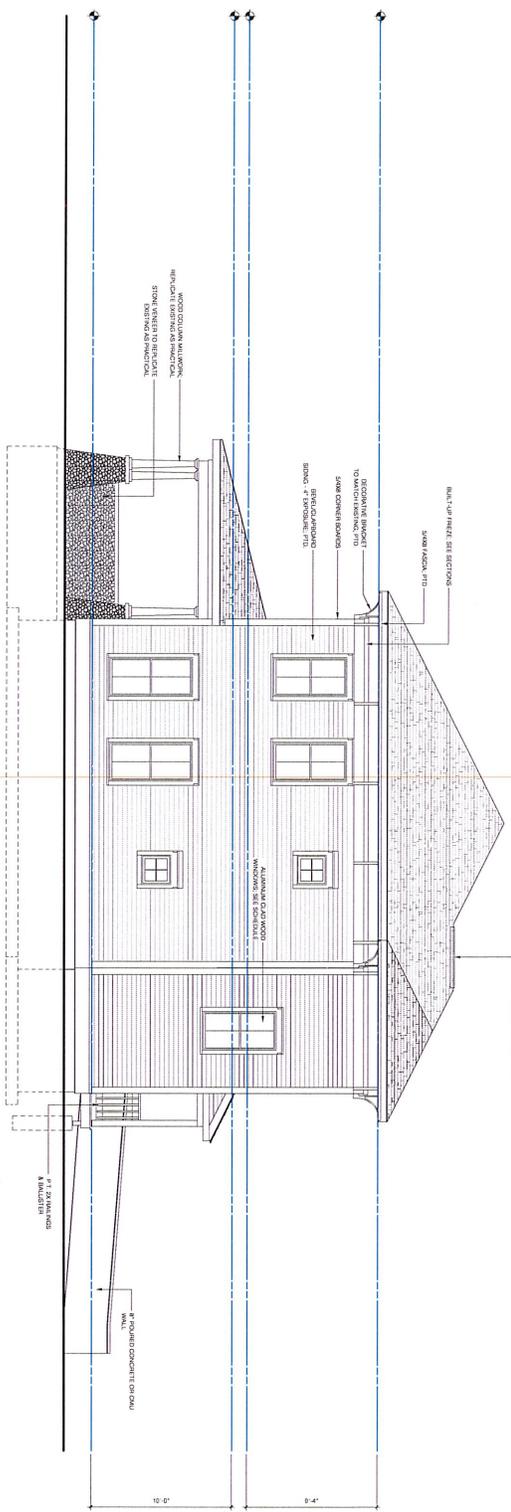
PROJECT NAME:
NORTH LODGE
CAMP ALGONQUAN - BURT LAKE INDIAN RIVER, MICHIGAN

PROJECT NUMBER:
A4.0

SCALE:
AS SHOWN
DATE: 04/13/2020



1
A4.0
WEST ELEVATION
1/4" = 1'-0"



2
A4.0
NORTH ELEVATION
1/4" = 1'-0"

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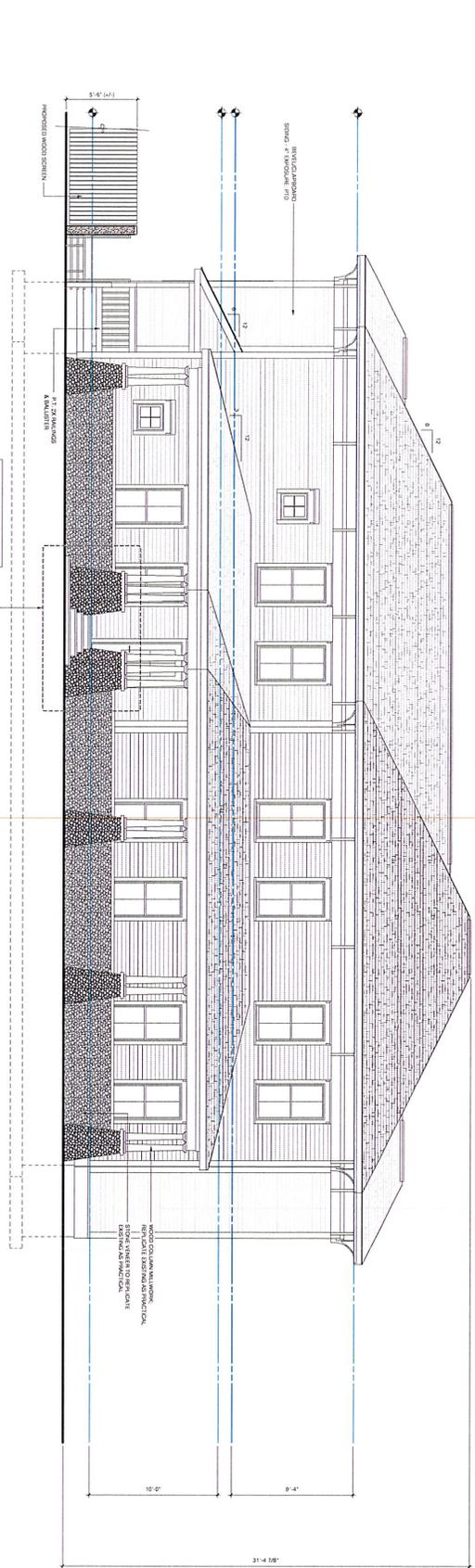
DATE OF REVISION
 01/20/2024
 SLURFAGEMENT

REVISIONS

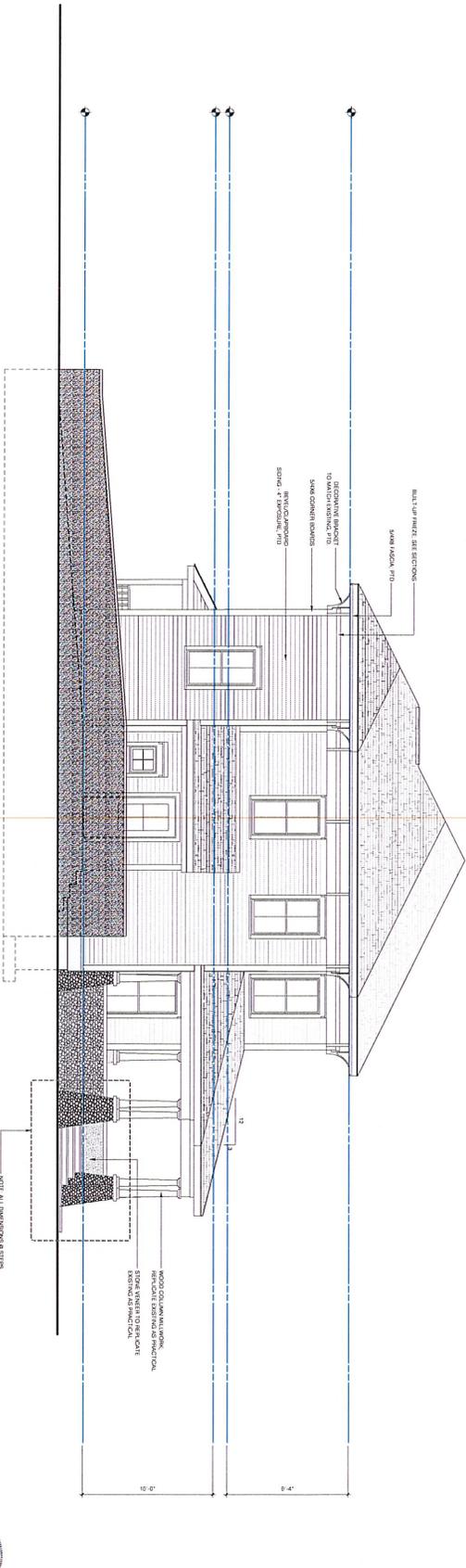
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FINISHING	<input type="checkbox"/>
PERMITS	<input type="checkbox"/>
REVISIONS	<input type="checkbox"/>
CONSTRUCTION	<input type="checkbox"/>

PROJECT NAME:
 NORTH LODGE
 CAMP ALGONQUAN - BURT LAKE INDIAN RIVER, MICHIGAN
SHEET TITLE:
 ELEVATIONS

DRAWN:
 DB
SCALE:
 AS SHOWN
DATE:
 01/20/2024
PROJECT NUMBER:
 2413.5723
SHEET:
 A5.0



1 EAST ELEVATION
 1/4" = 1'-0"



2 SOUTH ELEVATION
 1/4" = 1'-0"

161-016-100-021-01
MULLEN, THOMAS M
47689 E ANCHOR CT
PLYMOUTH, MI 48170

161-016-100-022-02
MATESKON, CHARLES & JOAN H/W
9121 E LOST HILL DR
LONE TREE, CO 80124

161-016-100-023-02
PRUITT, AGNES A
101 CITADEL CT
NORTH WALES, PA 19454

161-016-100-023-03
OMALLEY, MARGARET P L/EWPTS
PO BOX 4207
BURT LAKE, MI 49717

161-016-100-024-00
MULLEN, THOMAS M 50% & MARGARET
PO BOX 4207
BURT LAKE, MI 49717

161-016-300-001-00
YMCA & YWCA
300 W WASHINGTON
ANN ARBOR, MI 48104

161-016-300-001-01
RUNDELL, KERMIT & JANE H/W
9999 W M-68 HWY
ALANSON, MI 49706

161-016-300-004-00
YMCA & YWCA
300 W WASHINGTON
ANN ARBOR, MI 48104

161-017-200-005-00
BURT LAKE COTTAGES ASSOC, THE
PO BOX 237
BURT LAKE, MI 49717

161-017-400-004-00
ERICKSON, MARY KATHERINE TRUST
PO BOX 4182
BURT LAKE, MI 49717

161-017-400-007-00
DEVORE, LYNN, TRUSTEE
PO BOX 4175
BURT LAKE, MI 49717

161-017-400-008-03
PETRO, NOELLE
10100 ROGERS RD
ALANSON, MI 49706-9615

161-017-400-008-04
FISHER, RYAN & DRUSILLA SCHMAN
10046 ROGERS RD
ALANSON, MI 49706

161-017-414-136-00
VORAC, NICHOLAS A
2864 RESORT RD
ALANSON, MI 49706

161-017-414-140-00
CANFIELD, AMANDA MARIE
2884 RESORT RD
ALANSON, MI 49706

161-021-100-001-00
YMCA & YWCA
300 W WASHINGTON
ANN ARBOR, MI 48104

161-021-100-002-00
HONEYSETTE, JAMES
9907 W M 68 HWY
ALANSON, MI 49706

161-021-102-011-01
SWITALSKI, THOMAS W & PATRICE H/W
50 EAGLES NEST RD
INDIAN RIVER, MI 49749

161-021-102-011-02
KELSO, LISA R
9950 W M-68 HWY
ALANSON, MI 49706

161-021-104-031-00
WELCH, RANDALL & MARILYN H/W
9875 W M-68 HWY
ALANSON, MI 49706-0287

161-A01-000-001-00
BREY, JOSHUA & EMILY H/W
9799 ROGERS RD
ALANSON, MI 49706

161-A01-000-002-00
ANN ARBOR YOUNG MEN'S CHRISTIAN
400 W WASHINGTON ST
ANN ARBOR, MI 48103

161-A01-000-003-00
ELANDT, ARTHUR & HEATHER ELANDT
531 LAKESIDE DR
WATERFORD, MI 48328

161-V84-000-021-00
ANN ARBOR Y
350 S FIFTH AVE
ANN ARBOR, MI 48108

161-016-100-021-01
OCCUPANT
2417 RESORT RD
BURT LAKE, MI 49717

161-016-100-022-02
OCCUPANT
2511 RESORT RD
BURT LAKE, MI 49717

161-V84-000-021-00
OCCUPANT
9658 ROGERS RD
ALANSON, MI 49706

161-016-100-023-03
OCCUPANT
2557 RESORT RD
BURT LAKE, MI 49717

161-016-100-024-00
OCCUPANT
2501 RESORT RD
ALANSON, MI 49706

161-016-300-001-00
OCCUPANT
9728 W M-68 HWY
ALANSON, MI 49706

161-016-300-001-01
OCCUPANT
9999 W M-68 HWY
ALANSON, MI 49706

161-016-300-004-00
OCCUPANT
9730 ROGERS RD
ALANSON, MI 49706

161-A01-000-003-00
OCCUPANT
9755 ROGERS RD
ALANSON, MI 49706

161-017-400-004-00
OCCUPANT
2700 RESORT RD
ALANSON, MI 49706

161-017-400-007-00
OCCUPANT
2760 RESORT RD
ALANSON, MI 49706

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10100 ROGERS RD
ALANSON, MI 49706

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ALANSON, MI 49706

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OCCUPANT
2864 RESORT RD
ALANSON, MI 49706

161-017-414-140-00
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2884 RESORT RD
ALANSON, MI 49706

161-A01-000-002-00
OCCUPANT
9783 ROGERS RD
ALANSON, MI 49706

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OCCUPANT
9907 W M 68 HWY
ALANSON, MI 49706

161-021-102-011-01
OCCUPANT
9847 ROGERS RD
ALANSON, MI 49706

161-021-102-011-02
OCCUPANT
9950 W M-68 HWY
ALANSON, MI 49706

161-021-104-031-00
OCCUPANT
9875 W M-68 HWY
ALANSON, MI 49706

161-A01-000-001-00
OCCUPANT
9799 ROGERS RD
ALANSON, MI 49706

Jennifer Merk

From: Michael C. Turisk
Sent: Monday, May 11, 2020 12:32 PM
To: Margaret O'Malley
Cc: Jennifer Merk
Subject: RE: YMCA Amendment to Special Use Permit

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for your comments, Margaret. I've copied the project planner, Jennifer Merk, so that your comments are considered and made part of the record.

Michael Turisk, Director
Cheboygan County Department of Planning and Zoning
870 S. Main St.
Cheboygan, MI 49721

ph: 231.627.8489
email: mturisk@cheboygancounty.net

From: Margaret O'Malley [momalley63@icloud.com]
Sent: Monday, May 11, 2020 11:56 AM
To: Michael C. Turisk
Cc: ICE; Joan Mateskon; Charlie Mateskon
Subject: YMCA Amendment to Special Use Permit

CAUTION: This email originated from outside of the Cheboygan County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Turisk,

The link provided did not seem to apply to comments that would be made at the May 20, 2020 meeting, so I am writing to you.

I live directly to the North of the YMCA property. Our family has lived there for nearly 100 years and the camp has been a very good neighbor. I am pleased that they are making the financial commitment to improve the kitchen and the "lodge." In fact my family stayed in the old lodge in the early twenties when it was a summer resort. So I speak from a long understanding of the western Burt Lake shoreline.

It is difficult to determine from the plans on your website whether the footprint of the old lodge to be removed is being followed. From the contour map it would seem that the proposed porch on the lakeside is closer to the shoreline (high

water mark) than the existing footprint. This is an area, in my view, that should not be encroached upon as it is primarily sand.

The plans seem sensible except for this one aspect. I would urge the Planning and Zoning Commission to ask the architects to revisit their plans in this regard before approving the amendment.

Sincerely,

Margaret P. O'Malley

Deborah Tomlinson

From: Dave Carpenter <dpcarpenter@voyager.net>
Sent: Friday, June 05, 2020 8:48 AM
To: Deborah Tomlinson
Subject: Re: David Bona/YMCA - Special Use Permit Application

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the Cheboygan County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Deb,

I do not see any issues in regards to the Fire Department for he David Bona/YMCA project.

Respectfully,

Dave Carpenter
Fire Chief

From: Deborah Tomlinson
Sent: Thursday, June 04, 2020 3:52 PM
To: Kyle Keller ; Brent Shank (mgr@chcrc.com) ; David Carpenter (dpcarpenter@voyager.net) ; Bobbi Balazovic (treasurer@tuscaroratwp.com) ; Craig Waldron (cwaldron@centurylink.net) ; Jane McGinnis (jane@mcvideo.com) ; Tuscarora ; Sue Fisher (clerk@tuscaroratwp.com) ; Dan Nivelt (d-repair@sbcglobal.net) ; jhschams@outlook.com ; Kelly Ashford ; Mike Chervený
Subject: David Bona/YMCA - Special Use Permit Application

The following is a link to the David Bona/YMCA special use permit application that will be reviewed by the Planning Commission at their 06/17/20 meeting: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. The following is a link to the 06/17/20 Planning Commission notice: <http://www.cheboygancounty.net/planning-commission-182/#sect-1217> .

Please review the notice for details regarding accessing the meeting telephonically.

Please review the application and email me prior to 06/10/20 if you have any comments that you would like to submit to the Planning Commission. Thank you!

Debbie Tomlinson
Assistant to Director of Planning & Zoning
Cheboygan County Planning & Zoning Department
PO Box 70, 870 South Main Street
Cheboygan, MI 49721
(231)627-8489 phone
(231)627-3646 fax
debbiet@cheboygancounty.net
www.cheboygancounty.net/planning



CHEBOYGAN COUNTY PLANNING AND ZONING DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721 PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

STAFF REPORT

Item: A request for an Amendment to a Special Use Permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp in a Lake and Stream Protection (P-LS) zoning district per section 10.3.2. of the Zoning Ordinance.	Prepared by: Jennifer Merk
Date: June 11, 2020	Expected Meeting Date: June 17, 2020

GENERAL INFORMATION

Property Owner(s): Ann Arbor YMCA (Laura Ramirez)

Applicant: David Bona, Architect

Property Location(s): 9728 W. Highway M-68, Tuscarora Township

Contact: David Bona

Phone: 734-904-1868

Requested Action: A request for an amendment to a Special Use Permit for reconstruction of a kitchen addition onto an existing dining hall, and reconstruction of a lodge for administrative offices and sleeping quarters for the existing YMCA/YWCA camp in Tuscarora Township.

BACKGROUND INFORMATION

The approximately 100 acre subject property (parcel no. 161-016-300-001-00) is located at 9728 W. Highway M-68 in Tuscarora Township, and has 1,000 linear feet of frontage on the southwest shore of Burt Lake. The subject property is zoned Lake and Stream Protection (P-LS) and Agriculture and Forestry Management (M-AF) and accommodates the Ann Arbor YMCA/YWCA, Camp Al-Gon-Quian youth camp. However, the project site is within the P-LS zoning district. A camp use is authorized by special use permit in the P-LS zoning districts pursuant to Section 10.3.2. of the Zoning Ordinance.

The owner is proposing to demolish the dilapidated kitchen portion (670 square feet) of the existing dining hall and reconstruct a kitchen addition (30 feet x 23 feet, 8 inches).

The proposed kitchen addition will contain the pantry and dishwashing area with a total footprint of 698 square feet.

The owner is also proposing to demolish the dilapidated lodge building (2,015 square feet including the stone porch) and reconstruct a lodge (72 feet, 11 inches x 44 feet, 8 inches) approximately 24 feet north of the dining hall. The lodge will contain two floors with a total footprint of 2,560 square feet which includes the stone porch. The first floor will contain the administrative offices while the second floor will house the staff sleeping quarters.

The following permits have been approved for the subject property:

- A special use permit for building additions (dining hall and workshop) was approved on October 4, 2006. (The site plan and/or special use permit application indicated two parking areas with 50 spaces each, 50 staff and approximately 180 campers.)
- The replacement of five (5) camper cabins of the same size, height and use was administratively approved by the Planning and Zoning Department on March 10, 2010.
- A special use permit amendment for construction of a camp clinic was approved on July 15, 2015.
- A special use permit amendment for construction of an assembly and camp store building was approved on July 6, 2016.
- A special use permit amendment for reconstruction of eleven (11) sleeping cabins was approved on July 19, 2017.

Current and Surrounding Zoning:

The current and surrounding zoning is Lake and Stream Protection (P-LS) and Agriculture and Forestry Management (M-AF). Additionally, an area of residential zoning (subdivision) is located south of the subject property. (see Figure 1)

Surrounding Land Uses:

Residential land uses surround the subject property to the north, west and south.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):

The proposed project site at its nearest point is 53 feet, 6 inches from the ordinary high-water mark of Burt Lake; therefore, a Soil Erosion and Sedimentation Control Permit will be required.

Utilities/Disposal Services

The proposed kitchen addition and lodge will connect to existing utilities (water, septic, electric, and propane) as appropriate. Existing disposal services will continue.

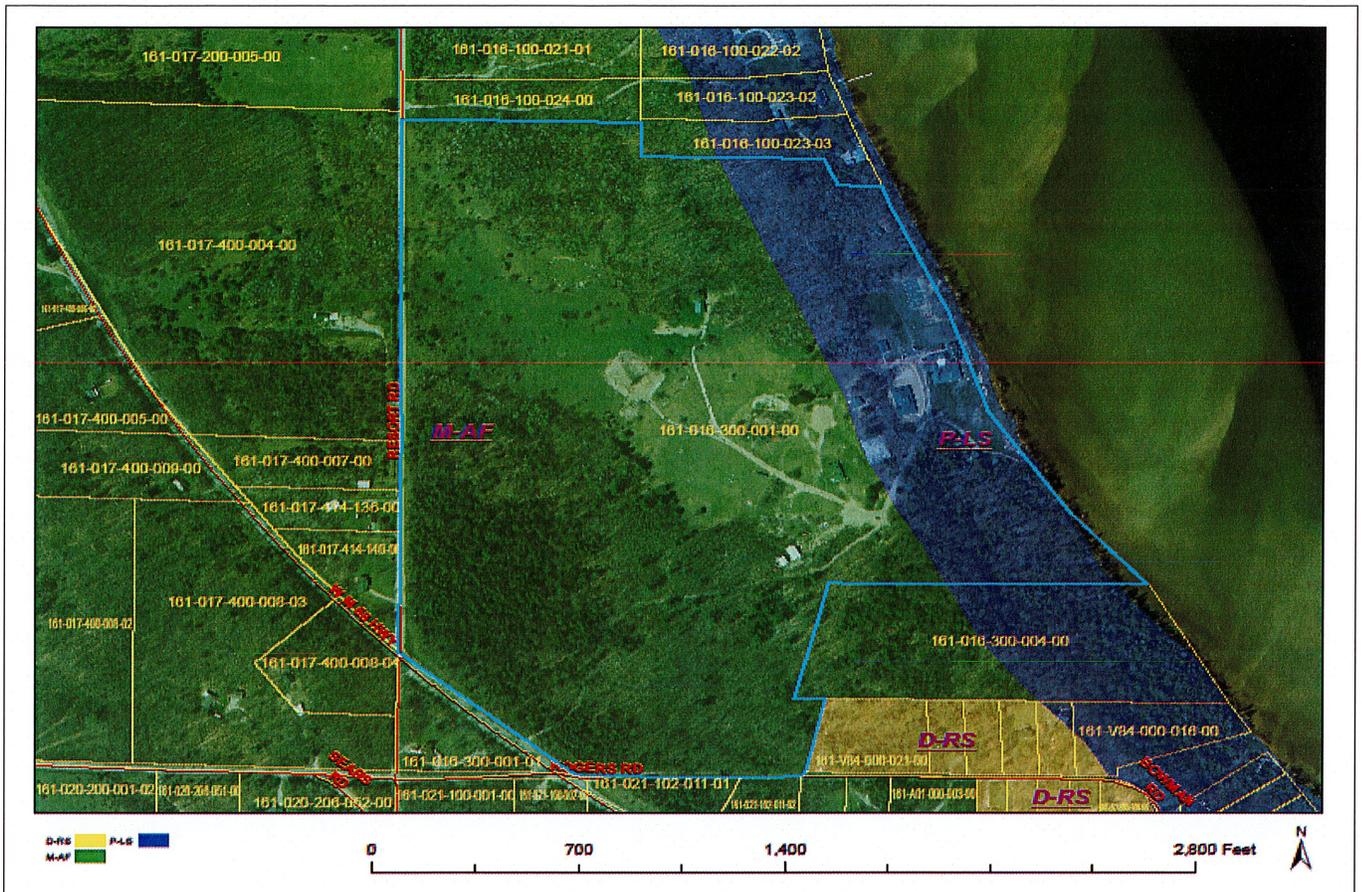


Fig. 1: Location and zoning of the 100-acre subject parcel (at center highlighted in blue) and surrounding properties

Historic Buildings/Features:

There are no known historic buildings or features on the subject property.

Traffic Implications:

The proposed kitchen addition and lodge will be used by camp residents only and will have no impact on traffic.

Parking:

There is no parking standard for camps in the Zoning Ordinance. The site plan general notes indicate all driveways, parking areas and the loading/unloading area next to the dining hall/kitchen are to remain unchanged. The proposed kitchen addition will replace the demolished kitchen and would not have an impact on parking. The proposed lodge will replace the demolished lodge building and is stated in the application to be used for administrative offices and staff sleeping quarters. The approved 2006 site plan indicated two parking areas with 50 spaces each.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties):

Access to the subject property and project site is provided by existing entrances via Highway M-68 and Rogers Road. A crushed limestone path is proposed to connect the dining hall/kitchen with the proposed lodge building.

Signs:

There are no changes to signage or additional signage proposed.

Fence/Hedge/Buffer:

A fence, hedge or buffer is not deemed necessary for the proposed kitchen addition and lodge as they are centrally located on an approximately 100-acre property. A wood fence is proposed as a screen between the proposed kitchen addition entrance and the proposed lodge.

Lighting:

Exterior lighting in the way of porch ceiling downlights are indicated as the only lighting additions on the proposed kitchen addition and lodge building.

Stormwater management:

The proposed reconstructed kitchen addition and lodge basically have the same footprint as the existing structures. No change to stormwater is anticipated. Stormwater will remain on site.

Master Plan/Future Land Use Map

While land use in Tuscarora Township is regulated by the Cheboygan County Zoning Ordinance, the Township has an approved Master Plan to help guide land use (Tuscarora Township 2012 Master Plan Update). The Ann Arbor YMCA/YWCA properties are designated as Parks and Recreation on the Tuscarora Township Future Land Use Map; this designation coincides with the Tuscarora Township Existing Land Cover/Use Map identifying the camp properties as Institutional/Recreational.

The proposed kitchen addition and lodge to an existing camp are appropriate uses in Parks and Recreation according to the Tuscarora Township Master Plan.



Fig. 2: 2017 aerial photo showing the existing dining hall/kitchen with attached lodge alongside Burt Lake; Rowe Hall and the clinic building are located immediately west.

Public Comment:

One public comment has been received stating support for the project, but with concern on the distance the proposed lodge will be from the shoreline.

Review or permits from other government entities:

Soil Erosion and Sedimentation Control Permit and building permit applications review by the Department of Building Safety are required.

Recommendations (proposed conditions):

1. Prior to construction, the applicant shall obtain a Soil Erosion and Sedimentation Control Permit.
2. Prior to construction, the applicant shall obtain building permits as applicable from the County's Department of Building Safety.
3. The applicant shall provide the Planning and Zoning Department the Acceptance of Conditions form to be attached to the special land use amendment approval letter within thirty (30) calendar days from the date of the approval letter. This form shall be signed by the owner(s) of the subject property. The applicable building permit application(s) shall include a site plan in conformance with this special land use amendment that meets all applicable site development standards (such as minimum required setbacks from property boundaries) and appropriate building permit fees, as applicable. Permits must be issued within twelve (12) months from the date of the special land use amendment approval letter (unless an extension request is approved, pursuant to Section 18.12.a., as amended), otherwise the special land use amendment may be deemed void upon thirty (30) days written notification to the applicant.
4. Any changes to the approved special use amendment shall be subject to review by the Planning and Zoning Department and may require approval by the Planning Commission.
5. It is the applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the land use pursuant to other federal, state, or local laws or regulations.

Photos of the project site.



Deborah Tomlinson

From: Kyle Keller <kkeller@dhd4.org>
Sent: Wednesday, June 10, 2020 12:51 PM
To: Deborah Tomlinson
Subject: RE: David Bona/YMCA - Special Use Permit Application

CAUTION: This email originated from outside of the Cheboygan County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Debbie, I believe I may have weighed in on this one-the project entails the reconstruction of the lodge I believe and per the contractor (Randy August) I just spoke to yesterday they will be applying for an on-site sewage disposal permit with our Department.

Kyle Keller RS
Environmental Sanitarian
DHD4-Cheboygan County
PH# 231-627-8850
kkeller@dhd4.org
www.dhd4.org

CONFIDENTIALITY NOTICE: *The information contained in this email is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient, you are hereby notified that any unauthorized review, use, dissemination, distribution or copying of this communication is prohibited and may be subject to legal restriction or sanction. If you have received this email in error, please notify the sender immediately to arrange for return or destruction of the information and all copies. If you are the intended recipient, but do not wish to receive communications through this medium, please advise the sender immediately. Thank you.*

From: Deborah Tomlinson <debbiet@cheboygancounty.net>
Sent: Thursday, June 04, 2020 3:52 PM
To: Kyle Keller <kkeller@dhd4.org>; Brent Shank (mgr@chcrc.com) <mgr@chcrc.com>; David Carpenter (dpcarpenter@voyager.net) <dpcarpenter@voyager.net>; Bobbi Balazovic (treasurer@tuscaroratwp.com) <treasurer@tuscaroratwp.com>; Craig Waldron (cwaldron@centurylink.net) <cwaldron@centurylink.net>; Jane McGinnis (jane@mcvideo.com) <jane@mcvideo.com>; Tuscarora <supervisor@tuscaroratwp.com>; Sue Fisher (clerk@tuscaroratwp.com) <clerk@tuscaroratwp.com>; Dan Nivelte (d-repair@sbcglobal.net) <d-repair@sbcglobal.net>; jhschams@outlook.com; Kelly Ashford <kashford@racc2000.com>; Mike Cherveney <cherv179@aol.com>
Subject: David Bona/YMCA - Special Use Permit Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The following is a link to the David Bona/YMCA special use permit application that will be reviewed by the Planning Commission at their 06/17/20 meeting: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. The following is a link to the 06/17/20 Planning Commission notice: <http://www.cheboygancounty.net/planning-commission-182/#sect-1217>.

Please review the notice for details regarding accessing the meeting telephonically.

Please review the application and email me prior to 06/10/20 if you have any comments that you would like to submit to the Planning Commission. Thank you!

Debbie Tomlinson

Assistant to Director of Planning & Zoning

Cheboygan County Planning & Zoning Department

PO Box 70, 870 South Main Street

Cheboygan, MI 49721

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(231)627-3646 fax

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www.cheboygancounty.net/planning

CHEBOYGAN COUNTY PLANNING COMMISSION

SPECIAL USE PERMIT AMENDMENT REQUEST

Wednesday, June 17, 2020; 7:00 PM

Applicant

David Bona, Architect
1100 Mixtwood St.
Ann Arbor, MI 48103

Owner(s)

Ann Arbor YMCA
(Laura Ramirez)
400 West Washington
Ann Arbor, MI 48103

Parcel(s)

9728 West Highway M-68
Alanson, MI 49706
161-016-300-001-00

GENERAL FINDINGS

1. The subject property (parcel no. 161-016-300-001-00) is located at 9728 W. Highway M-68 in Tuscarora Township, is approximately 100 acres with 1,000 linear feet of frontage at the southwest shore of Burt Lake.
2. The subject property accommodates a youth camp (Ann Arbor YMCA/YWCA, Camp Al-Gon-Quian).
3. The subject property is zoned both Lake and Stream Protection (P-LS) and Agriculture and Forestry Management (M-AF); however, the project area is within the P-LS zoning district.
4. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp.
5. The owner is proposing to demolish the dilapidated kitchen portion (footprint of 670 square feet) of the existing dining hall and reconstruct a kitchen addition (30 feet x 23 feet, 8 inches).
6. The proposed kitchen addition will contain the pantry and dishwashing area with a footprint of 698 square feet.
7. The owner is also proposing to demolish the dilapidated lodge building and reconstruct a lodge (72 feet, 11 inches x 44 feet, 8 inches) approximately 24 feet north of the dining hall.
8. The lodge will contain two floors; the footprint area including the stone porch is 2,560 square feet. The first floor will contain the administrative offices while the second floor will house the staff sleeping quarters.
9. A camp use is authorized by special use permit in the P-LS zoning districts pursuant to Section 10.3.2. of the Zoning Ordinance.
10. A special use permit for building additions (dining hall and workshop) was approved on October 4, 2006. (The site plan and/or special use permit application indicated two parking areas with 50 spaces each, 50 staff and approximately 180 campers.)
11. The replacement of five (5) camper cabins of the same size, height and use was administratively approved by the Planning and Zoning Department on March 10, 2010.
12. A special use permit amendment for construction of a camp clinic was approved on July 15, 2015.

13. A special use permit amendment for construction of an assembly and camp store building was approved on July 6, 2016.
14. A special use permit amendment for reconstruction of eleven (11) sleeping cabins was approved on July 19, 2017.

Findings of Fact Under Section 18.7 of the Zoning Ordinance

The Planning Commission makes the following findings of fact as required by Section 18.7 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The property subject to the application is located in a zoning district in which the proposed special land uses are allowed.
 1. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp. (see Exhibits 3, 4, 5, and 6)
 2. A camp use is authorized by special use permit in the P-LS zoning districts pursuant to Section 10.3.2. of the Zoning Ordinance. The applicant may legally apply for the special use permit amendment.
 - 3.
 4. Standard has been met.

OR

 - 1.
 2. Standard has not been met.

- b. The proposed special land uses will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp. (see Exhibit 3, 4, 5, and 6)
 2. The proposed kitchen addition and lodge for the existing camp development would not create a substantial negative impact on the natural resources of the County or natural environment, as no significant natural resources will be negatively impacted as a result of this project.
 3. Standard has been met.

OR

- 1.
 2. Standard has not been met.
- c. The proposed special land uses will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.

1. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp. (see Exhibit 3, 4, 5, and 6)
2. The proposed reconstruction of camp buildings (kitchen addition and lodge) are characteristic of the camp's special use permitted by special use permit in the P-LS zoning district and will not create a substantially negative impact on other conforming properties in the area due in large part to the camp development being centralized on an approximately 100 acre property.

3.

5. Standard has been met.

OR

1.

2. Standard has not been met.

- d. The proposed special land uses will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.

1. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp. (see Exhibit 3, 4, 5, and 6)
2. The design, construction, operation, and maintenance of the proposed project would not diminish opportunities for surrounding property owners to use and develop their properties as zoned because it is a part of the established camp use that is permitted in the zoning district.

3.

4. Standard has been met.

OR

1.

2. Standard has not been met.

- e. The proposed special land uses 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.

1. The applicant requests approval of an amendment to a special use permit for reconstruction of a kitchen addition onto an existing dining hall and reconstruction of a lodge for administrative offices and sleeping quarters for an existing YMCA/YWCA camp. (see Exhibit 3, 4, 5, and 6)
2. The proposed project conforms to the requirements associated with fire and police protection. The Tuscarora Township Fire Chief indicated no issues regarding the project.
3. The Project would not require public resources greater than current capacity, nor increase hazards from fire or other dangers, as the project involves the reconstruction of existing facilities. (see Exhibit 9)
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.

1. The proposed kitchen addition and lodge will be limited to camp residents only and thus will have little to no impact on traffic.
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.

1. The special use amendment will be served by existing private water system and sewer facilities. Existing waste disposal services will continue for this use. (see Exhibits 3 and 4)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The Special Use amendment to reconstruct the kitchen addition and lodge complies with all specific standards required under this Ordinance applicable to it. The project is in accord with the spirit and purpose of the Ordinance, as it conforms to the applicable requirements associated with the Lake and Stream Protection (P-LS) zoning district, including minimum building setbacks as shown on the submitted site plan. (see Exhibit 1)
 - 2.
 - 3. Standard has been met.

OR

- 1.
- 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by Section 20.10 of the Zoning Ordinance for each of the following standards listed in that Section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. The special use permit application states that no natural contour disruptions will take place. (see Exhibit 3)
 - 2. The overall site plan explains, in part, under no. 3 in General Notes: Topography/contours are to remain as existing. The proposed developments closely match the existing locations of structures to be demolished. (see Exhibit 4)
 - 3.
 - 4. Standard has been met.
- OR
- 1.
 - 2. Standard has not been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.

1. The special use permit application states the landscape will be preserved in its natural state with the exception of one or two trees to be removed at the proposed North Lodge site so the project will not destroy the character of the property or the surrounding area and will not adversely affect adjacent or neighboring properties. (see Exhibit 3)

2.

3. Standard has been met.

OR

1.

2. Standard has not been met.

c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

1. The applicant indicates that the existing drainage flows will not be disturbed; thus, it is determined that drainage flows will not be impacted. Site drainage will remain on site. (see Exhibit 3 and 4)

2.

3. Standard has been met.

OR

1. No evidence has been provided to indicate that neighboring properties will not be adversely affected.

2.

3. Standard has not been met.

d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

Not applicable, as no dwelling units are proposed.

e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.

1. A practical means for access by emergency vehicles is provided via two existing driveways on West Highway M-68 and Rogers Road. (see Exhibit 4)

2.

3. Standard has been met.

OR

1.

2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The proposed and existing camp buildings have access to West Highway M-68 and Rogers Road by way of two existing driveways. (see Exhibit 4)

- 2.

- 3. Standard has been met.

OR

- 1.

- 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.

Not applicable, as no subdivision condominiums or subdivision plats are proposed.

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.

- 1. Lighting would comply with the standard; porch ceiling downlights are proposed on the kitchen addition and lodge building. (see Exhibit 4)

- 2.

- 3. Standard has been met.

OR

- 1.

- 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

Not applicable, as no public common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

- 1. Tuscarora Township has an approved Master Plan and associated Tuscarora Township Future Land Use Map to guide land use in the township.

- 2. The subject property is designated as Parks and Recreation on the Tuscarora Township Future Land Use Map; this designation coincides with the Tuscarora Township Existing Land Cover/Use Map identifying the camp properties as Institutional/Recreational.

- 3. The site plan conforms to the applicable requirements of state and federal statutes and the Tuscarora

Township Master Plan.

- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, June 17, 2020

Patty Croft, Chairperson

Charles Freese, Secretary



CHEBOYGAN COUNTY PLANNING AND ZONING DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231) 627-8489 ■ FAX: (231) 627-3646
www.cheboygancounty.net/planning/

MEMORANDUM

Date: June 12, 2020 for the June 17, 2020 Planning Commission Meeting

To: Planning Commissioners

From: Michael Turisk, Planning Director 

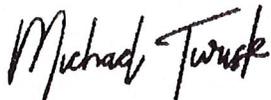
Re: Special Use Permit Application for a Level 3 Solar Energy System – Photovoltaic (SES-PV) in Grant Township from Orion Renewable Energy, LLC

Planning Commissioners,

Note that on Wednesday, June 17, 2020 we will reopen the public hearing regarding the Special Use Permit application for a Level 3 Solar Energy System – Photovoltaic (SES-PV) in Grant Township from Orion Renewable Energy, LLC. Given that at least one meeting attendee on June 3, 2020 was unable to provide verbal comments due to undetermined technical difficulty we have concluded that there is the need to reopen the public hearing, but only to those June 3, 2020 meeting attendees who experienced difficulty in providing comments.

It is anticipated that after closure of the public hearing on June 17 the Planning Commission will postpone or table the agenda item to a later date to consider draft findings of fact and conditions of special use permit approval.

Please contact me should you have questions.



Enclosure(s):