

MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION HELD TUESDAY, AUGUST 10, 2021 AT 4:00 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, MACKINAC ISLAND, MICHIGAN

Chairman Straus called a regular meeting of the Mackinac Island Planning Commission to order at 4:00 p.m.

PRESENT: Michael Straus, Lee Finkel, Anneke Myers, Mary Dufina, Trish Martin, Jim Pettit, Ben Mosley

ABSENT: None

STAFF: Zoning Administrator, Dennis Dombroski, Attorney, Erin Evashevski (Zoom)

Motion by Dufina, second to the Motion by Mosley to approve the minutes, as written, of the regular meeting on July 13, 2021. All in favor. Motion carries.

Motion by Dufina, second to the Motion by Mosley, to approve the Agenda, as amended, and place on file. Amendments were to add "Topolski Discussion re: Ordinance 50.09" under *Old Business* and "Brodeur Statement of Conditions" under *Old Business*. All in favor. Motion carries.

Correspondence

None

Staff Report

HDC Meeting Summary

Finkel summarized the August 10th HDC meeting.

Committee Reports

None

OLD BUSINESS

R121-038-017

Nancy May New Dock

Dombroski stated that he has been educated on how EGLE deals with these types of permits. May does not need a bottoms land lease because the property is residential, not commercial. While not required, May is in the process of applying for the bottom lands lease. The Army Corp of Engineer permit was applied for in February and she is still waiting on that permit. Dufina asked for a summary of all of the discussions with Antieau so it is clearer on what took place. Evashevski will request that summary from Antieau. Motion by Myers, second by Dufina to approve the application contingent of approval from the Army Corp of Engineers or deference to EGLE. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

Topolski Discussion re: Ordinance 50.9

Pettit brought up the fact that trash is being left out downtown again. When the topic was first addressed with Chief Topolski, things improved. But the problem is becoming bad again. Orange bags are on Market for Main for long periods of time and pop and milk crates are just being set out on the curb. Myers stated she will address the orange bags with City Council. Chief Topolski is to be invited to the September meeting to re-address the issue.

R320-008-080

Brodeur Statement of Conditions

Evashevski wanted to make sure no Commissioners had any questions on the Statement of Conclusions. Pettit asked about meeting the fire suppression codes for Boarding House code. Dombroski confirmed that the house must be suppressed. Evashevski stated that she has received correspondence from the Mission area residents stating they intend to appeal the decision by the Planning Commission. Evashevski asked if any of the Commission members had any other factual findings regarding the Special Land Use.

Commission members are to submit to Evashevski and she will prepare an addendum to go with the Statement of Conclusions. The addendum does not need to be signed. Motion by Dufina, second by Finkel to have Evashevski add the addendum to the Statement of Conclusions. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Pettit. Nays: Myers. Majority in favor. Motion carries.

New Business

R121-018-045

Pereny Porch Enclosure

Dombroski stated the applicant would like to add an addition of 6' to her existing sun porch and deck. The sun deck is to be enclosed to make a mudroom and pantry. There is to be a new entrance on the side of the house in to the mudroom. HOA approval has been granted. The submitted site plan is accurate showing the proposed extension. Motion by Finkel, second by Mosley to approve the application. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

MD21-019-046(H)

Andrew Doud Back Patio Renovation

Dombroski stated the applicant would like to install a privacy fence around his property. Doud approached the table and pointed out the location to the Commission members. The fence will open in to the property. It was confirmed that the fence meets the Ordinance requirements. Doud was not sure if the fence was right on the property line so it was requested that he get an approval letter from his neighbor. Motion by Finkel, second by Dufina to approve the application contingent on the receipt of an approval letter, notarized, from the neighbor. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

R421-052-047

Stonecliffe Properties – Old Barn Renovation

Dombroski stated the applicant would like to remodel. Richard Clements stated the changes are structural and life safety upgrades. Pettit stated the building is a 7-unit family dwelling and would require a Special Land Use if they wanted to use it as employee housing. Ben Horn stated it is currently being used as apartments and they intend to keep it as that use. Evashevski clarified the definition of family as any number of people not living as one unit, as defined under Section 2.39, would not qualify as a family dwelling. Straus stated if the applicant would like to keep it as apartments, the plan heading and project description page need to change to remove “employee housing”. The density will need to be recalculated and DPW board will need to review the REU needs again. Myers stated that she believes the project is a good one but that the use just needs to be clarified. Evashevski stated she would like to confirm its legal non-conforming use. Dombroski stated that for the sake of DPW on the REU’s, feels it would be best to table, meet with the applicant, and then come back next month. Dufina stated she appreciated the description of work. Mark Pulte stated he would like to finish the work by spring so would like the Planning Commission to review the project today so that he can order windows. Mosley asked what type of fire suppression would be installed. Horn stated that he is leaving that up to the fire suppression company, but all of their other buildings are dry systems. Mosley asked if the building will be occupied seasonally or year-round. Pulte stated the building could operate year-round but he is not sure if they will be using it year-round. Motion by Finkel, second by Martin to table the application. All in favor. Motion carries.

R321-004-048

Stonecliffe Properties – Tulecki Renovation

Pulte stated this is a 4-bedroom cottage. He would like to add a new entry and picket fence for more charm. He also would like to replace all windows and add a fire suppression system. Pettit asked if the building is a family dwelling or employee housing. Dombroski stated we would have to find the records to see how it was originally approved. Pettit stated we have to determine if a family dwelling is being used improperly as employee housing. Tony Brodeur was ticketed for using a family dwelling as employee housing and Pettit feels everyone needs to be treated the same. Horn stated that the layout and use has not changed at all. Evashevski stated that if it meets the definition of multiple family apartments it needs

to be labeled as such. Myers stated that like the previous application, the project is a good one, but the use needs to be confirmed. Evashevski asked that the application be amended to show family dwelling, not employee housing. The fence will be 1' in to the property line and will ^{not have a} have not gate. Mosley informed the applicant that the fence would most likely be hit by the snow plow. Pulte confirmed that the porch is not being enlarged, but just adding a gable. Motion by Myers, second by Finkel to table the application for corrections to the application and determination by the Zoning Administrator and legal counsel as to the originally approved use. All in favor. Motion carries.

R321-012-049 Harbour View Inn – Bailey House Renovation

Pettit asked if this is employee housing or a family dwelling. Dombroski stated he did not know. Martin stated that up until Bacon purchased the house it had been used as a family dwelling. Like the other two applications, this will need to be researched for the approved use. Clements summarized the proposed changes. Straus confirmed with Dombroski that the changes will not affect drainage to the neighbors. Motion by Myers, second by Martin to table the project for clarity on the use. All in favor. Motion carries.

R321-000-050 Victorian Condos Railing & Spindle Replacement

The proposed project was previously approved but never done. The applicant submitted a sample of the material to be used. Dufina asked why wood was not being used. Dombroski stated that the composite will last much longer. The composite material will be painted. Motion by Mosley, second by Pettit, to approve the application with the requirement that the material be painted. Roll call vote: Ayes: Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: Straus. Majority in favor. Motion carries.

PUBLIC COMMENT

Myers asked that staff and council try and determine use of future applications where the use is in question. With no further business there was a Motion by Dufina, second by Martin to adjourn the meeting. The meeting was adjourned at 5:55 p.m.



Michael Straus, Chairman



Katie Pereny, Secretary