

**MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION HELD
TUESDAY, APRIL 13, 2021 AT 2:00 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 2:01 p.m.

PRESENT: Michael Straus, Lee Finkel (Zoom), Trish Martin (Zoom), Anneke Myers (Zoom), Mary Dufina (Zoom), Jim Pettit, Ben Mosley (2:22)

ABSENT: None

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

Motion by Finkel, second to the Motion by Dufina to approve the minutes, as written, of the regular meeting on March 9, 2021 All in favor. Motion carries.

Motion by Dufina, second to the Motion by Finkel, to approve the Agenda, as amended, and place on file. Amendments were to add "Letter from Island House", "Letter from Grand Hotel", and "Letter from Gary Rentrop" to *Correspondence*. The "Grand Hotel Cottages" was removed from *New Business* and "Forest Way Townhomes, Phase II" was added to *New Business*. All in favor. Motion carries.

Correspondence

Letter from City Clerk re: Hoban Hill Housing

Straus read the letter aloud regarding the Hoban Hill septic service. Motion by Martin, second by Dufina to place the letter on file. All in favor. Motion carries.

Letter from E. Evashevski re: rezoning Procedures

Erin Evashevski submitted a letter to the Commission that described the process for rezoning. Motion by Myers, second by Finkel to place the letter on file. All in favor. Motion carries.

Letter from Island House Hotel re: Withdrawing Application

Straus read the letter aloud from Alan Sehojan requesting the withdrawal of their application for special land use on Mahoney Avenue. Motion by Myers, second by Dufina to place the letter on file. All in favor. Motion carries.

Letter from Grand Hotel re: Withdrawing Application

Straus read the letter aloud from the Grand Hotel requesting that their application for partial rezoning be withdrawn. Motion by Martin, second by Dufina to place the letter on file. All in favor. Motion carries.

Letter from Gary Rentrop re: Verizon

This item was discussed under New Business.

Staff Report

HDC Meeting Summary

Finkel summarized the April 13th HDC meeting.

Grand Hotel Construction Fence

Dombroski summarized the proposed fence project as a temporary construction fence around the pool project area. The fence will be a 6' high synthetic burlap type material. The applicant would like to install it immediately and leave it up until the pool project is finished. Dombroski will make sure the fence comes down as soon as the project is complete. Gene Hopkins stated they would like to have the pool

done by Memorial Day weekend. Dufina pointed out that there is no mention of construction fences in Section 4.21. Straus stated they may want to consider adding temporary fencing language to the ordinance.

Outstanding Contingency Items

Pereny summarized her report. Motion by Myers, second by Dufina to send Inn at Stonecliffe a reminder letter regarding the required site plan with setbacks. All in favor. Motion carries. Dombroski stated Andrew Doud is no longer doing the cooler in Doud's Market.

Committee Reports

None

OLD BUSINESS

R320-002-082(H)

Orr Additional Amendment

Dombroski stated the applicant would like to increase the sunroom addition size by 32". The deck is to remain the same as the approved plan. Neumann gave it a favorable review. Straus asked about the lights and Debra Orr stated they are down lights to accent the flowers. Motion by Dufina, second by Mosley to approve the amendment. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

R421-100-006

Cawthorne – Alteration Employee Housing

E. Evashevski researched the background of the use of the property. Evashevski recommends if the Planning Commission determines that the property is legal non-conforming, they should send to the ZBA to determine if the proposed change will materially change the non-conformity of the use. The Commission has the option to approve contingent on the ZBA approval, if they wanted to. When the project was approved in 1986, it was approved as employee housing and there was no special land use. The term Boarding house was a listed special land use in 1986. A further complication is the question of density in 1986. The issue is whether the boarding house definition was intended to include employee housing at that time. Straus stated this appears to be a problem unique to this property and will not carry over to other properties in the future. Dombroski stated that regarding the plan, the building was slid over to accommodate the 5' steps and the space between the old and new building is now labeled as trash storage. Dufina asked which entity declares the building as legal non-conforming? ZBA or the Planning Commission. Evashevski stated that the ZBA will determine the ability to expand. Any Planning Commission decision would have to be contingent on the ZBA approving the expansion. Cawthorne stated that Bill Fuller was the architect and the building inspector at the time of construction. Therefore he feels this was done properly. Straus asked if the waste management has been approved. Cawthorne stated it has been approved but he has not been able to get through to the Health Department to get a copy of that approval. Motion by Pettit, second by Mosley to approve the project and send to the ZBA, contingent on maximum occupancy of 19 in writing, and LMAS septic and ZBA approvals. Roll call vote: Ayes: Straus, Finkel, Martin, Mosley, Myers, Pettit. Nays: Dufina. Majority in favor. Motion carries.

application, hearing, or approval

R321-007-008

Hoban Hill Townhouses

Dombroski stated this application is for the townhouse triplex only, at the front of the lot. The adjoining lots and buildings will be done at a later time. The applicant is proposing a drain field but would really prefer to hook up to city sewer. The applicant is looking for approval contingent on the septic system approval. Andrew Doud stated they are working with the health department now and test holes are being dug. Doud stated they would really prefer to hook up to City if possible. They are proposing the septic system so they may get started. Motion by Dufina, second by Martin to approve the project contingent on the LMAS septic approval. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit.

Nays: None. All in favor. Motion carries. Pettit asked Doud if he has formally requested to DPW to hook up to the City. Doud stated he has verbally requested this from Allen Burt.

New Business

R121-023-019

Dobrowolski New Home

Dombroski stated that this is a new home in Stonecliffe Manor IV, Lot 23, which is a corner lot. Evashevski and Neil Hill have weighed in on the question of corner lot setbacks and have determined that the setbacks are 25' in the front and back, 10' on the neighboring lot side, and 5' on the Pine Brook Rd side. Dombroski stated there is a Sunset Forest member that didn't agree with that finding. Dombroski stated the project meets the condominium site plan. The Zoning Ordinance is silent on corner lot setbacks. The home fits in the building envelope as defined in the Master Deed, and meets all City requirements. HOA approval was granted, and then subsequently rescinded just prior to the meeting based on the setback question. Dobrowolski stated she is looking forward to breaking ground and being a part of the community. She stated she will do what it takes to get approved. Straus asked what type of construction the home is. Dobrowolski stated the home will be stick built. Myers asked Pereny to read the letter rescinding approval aloud. Dombroski stated that Neil Hill and Tom Evashevski all discussed the setback issue. The building envelope is part of the Master Deed and there are a set of provisions in the Deed stating the setbacks are 10' on both sides unless noted otherwise. Hill proved with the survey coordinates set on the lot, that the setbacks are the 10' and 5'. Dombroski noted there is at least 10' of brush from the lot line to the edge of the road. From a legal point of view, the project meets all City requirements. Jim Reitman, a Sunset Forest Architectural Review Committee member, stated the HOA requires stamped and sealed drawings for approval which they have not received. Second, a letter was sent to Dombroski on March 21 regarding the footprint and setbacks. Reitman stated Dombroski had not responded. Reitman believes the side setback should be 10' on the Pine Brook side for safety reasons. Dombroski stated that he had received Reitman's email and that is what generated the conversations with Evashevski and Hill. Dombroski stated that Reitman's statement regarding the 10' setback is wrong, and this was confirmed by Hill. Dombroski pointed out that the letter from the HOA states that before the building permit is issued they would like stamped engineered drawings. Straus stated the Commission can require that. Straus asked Mosley if the roads in Stonecliffe are passable by the emergency trucks and Mosley confirmed they are. Dufina stated she feels the envelope is drawn correctly and, the house fits the envelope. Dobrowolski stated that she was disappointed in Reitman. Dobrowolski believed her project was approved until this meeting. She stated she followed the rules and is committed to do everything in her power to complete this project in the right way and be a good neighbor and doesn't feel the HOA approval being rescinded was proper. Straus stated he agreed with Dobrowolski and the project fits within the current zoning. Pettit confirmed that the REU was applied for. Dobrowolski stated that it had been. Myers pointed out that there was no mention of any setback issues in Sunset Forest's preliminary approval letter. Motion by Myers, second by Mosley to approve the application contingent on the applicant providing engineered drawings before a building permit can be issued. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

C20-026-021(H)

Verizon – Lilac Tree Hotel

Rentrop stated there is a signed Agreement between Verizon and the City. Section 106 approval is still needed. Rentrop read aloud the proposed Resolution to approve the application. Motion by Myers , second by Dufina to place the Resolution on file. All in favor. Motion carries. 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.

PUD20-008-012

Verizon – Mission Point

Straus asked if this application needed HDC approval since it was not in an historic district. Rentrop confirmed that it does since it is in a historic landmark. Rentrop stated they have not made application to SHPO yet. Straus asked for other pictures to see it more clearly. Scott Hubble stated that he has been

working closely with Dennis and Gary and they have chosen pole placement tucked back by the maintenance building area. The pole is to be a 40' wooden pole, like any other utility pole. Straus asked if the pole can be seen by Robinson's Folley. Dombroski said the pole blends in with the trees. There will just be a simple antenna on the top of the pole. Myers informed the Commission that City Council had a special meeting regarding the Verizon projects and they are fine with the Mission Point project. Myers asked about the status of the Harrisonville pole. Hubble stated they are getting ready to submit the Section 106 application. Motion by Myers, second by Dufina to approve the project contingent on Section 106 and 110 approval. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries. Mosley asked about the time frame for the Harrisonville project. Stan Wojciechowski stated they are waiting on Cloverland for power and were told it will probably be in the fall.

HB21-001-022

Grand Hotel Shed Alteration to Toilet & Laundry

Dombroski stated this is a modification of the existing gardeners shed. There will be water run to the building for a laundry and a restroom. Gene Hopkins stated the "bike rental and pool laundry" building will be used for the pool and bike rental. The building size is not increasing. Dufina confirmed that the existing building is in the HB portion of the lot, not the ROS section. Hopkins confirmed that it was. Dufina requested that the word "proposed" be stricken from the zoning classification line item on the application. Martin confirmed that there is an available REU for the project. Hopkins stated there was. He is working with Burt to keep track of transferring of any REU's. Motion by Myers, second by Martin to approve the application with the amendment to the application. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

RS21-006-023

Conkey New Shed

The applicant would like to build a new storage shed. It was confirmed that the location and height meet our zoning requirements. Dombroski stated that it does. Motion by Mosley, second by Finkel, to approve the application. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

R320-008-080

Tony Brodeur – Housing Special Land Use

Dombroski stated that he has reached out to the applicant's designer because the package is incomplete. We need a site plan and the upper floor plan. To date Dombroski had not heard back from the designer. There is no way to calculate density based on the package submitted. Applicant would like to get a special land use permit to change a single family home to employee housing. After some discussion it was decided to schedule the public hearing and the applicant will have time to submit the missing information for the next meeting. Myers requested a narrative of what is being done as well. A list of what is needed from the applicant is a site plan, upper floor plan, narrative of work to be done, checklist portion of Zoning Application to be completed, and photographs. Motion by Straus, second by Dufina to set the public hearing on June 8, 2021 at 3:45 pm, and to table the application for a complete package. All in favor. Motion carries.

HB21-015-024

Forest Way Townhomes Phase II

The applicant would like to start phase II of the Forest Way Townhomes. The full site plan was submitted with the Phase I portion of the project. Straus confirmed with Dombroski that the project complies with all zoning requirements. The applicant would like to start the project in September. Straus asked if there are any issues such as bike parking with the current phase. Dombroski confirmed there are not. There will be two additional three bedroom units and there will be a little more sound proofing added between units. There will be an additional storage unit with electricity for the manager's use. Motion by Mosley, second by Dufina to approve the application as presented. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

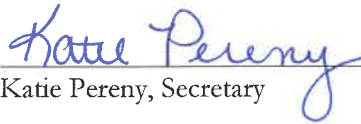
PUBLIC COMMENT

Steve Estey thanked the Commission for their hard work on the Verizon projects. Estey then asked if there was a way to expedite the building permits. Dombroski stated he will try but is making no promises as this is one of the busiest times of the season. Myers reminded Estey to get any required vehicle permits prior to April 21st.

With no further business there was a Motion by Martin, second by Dufina to adjourn the meeting. The meeting was adjourned at 4:32 p.m.



Michael Straus, Chairman



Katie Pereny, Secretary