

Colfax Township, Weldon Township and Village of Thompsonville
Community Joint Planning Commission
14731 Thompson Avenue, Thompsonville, MI 49683
Minutes – April 7, 2016 Regular Meeting

Sue Meredith declared the meeting open at 7:03 P.M. following the Pledge of Allegiance.

Present at roll call: JPC members Shelley Greene, Peg Minster, Irene Dunham Thayer, Sue Meredith, Chris Jones, Don Suchocki, Debra Franke, Pat Shaeffer and Mike Foust; Zoning Administrator Craig Meredith.

Absent: Peg Minster, Eugene Allen (excused).

Guests: Robert Anderson, Sally Bobek, David Casey Jr., Brian Childs, Patrick Clouse, Ron Hitesman and Marlene Wood.

Cleanup Days. Marlene Wood, County Recycling Coordinator, was present to discuss details of the cleanup days in May and June. Weldon Township asked her to write a letter seeking the Village's approval to allow use of the Gallagher Road and Industrial Drive property for the May 21 event. Residents will back up to compactor trucks that will be used, Craig Stoops will take scrap metal and the site will be clean afterward. She received quotes from American Waste and Republic; American's was more favorable and Republic was not available May 21. She offered to find volunteers. No word on funding for tires. Ron Hitesman felt that what Marlene had set up is fine. Colfax has American's letter to sign and return for its June 11 event. Don said there is one other option; Bob Kerby would like to open the transfer station back up. Marlene said the Village Council approved a second recycle bin. She was informed Manistee County moved their bin from the school to the Springdale hall.

Agenda Additions/Corrections. Motion by Don, Pat seconded to accept the agenda as presented. Ayes: all; motion carried.

Approval of Minutes. Motion by Pat, Debra seconded to approve the March regular meeting minutes as presented. Ayes: all; motion carried.

Unfinished Business and Reports

A. Casey Special Use Permit. Craig Meredith gave an overview of Dave Casey's request for a special use permit. Debra asked if the septic is directly behind the garage and does the drain field go past the two track driveway that goes around the house. He assumed it is about four feet from the garage and runs out to the dumpster. Shelley commented on this area in regard to parking. Craig asked about parking requirement for his size facility. Mr. Casey stated the square footage requires two spaces; there are four in the front. Shelley noted employee parking and loading spaces. She asked if the permit fee was paid. Mr. Casey said no but he asked last month and others agreed; she didn't hear it. Sue asked the number of employees; he said just himself because he is the only one listed on the FFL and anyone else would have to be approved. Questions about the application were answered. Sue asked if the house and building are on one lot; Mr. Casey said they are separate. The one-half of Lot 2 in the property description was questioned; he said it's close to the middle of the sidewalk. The outside stairs access a loft area which has no opening to the shop. Sue asked if ATF has been there; Mr. Casey said they have inspected it but, oddly, federal security requirements are lax. Debra asked about signage; for now he plans to put something in the window. She said the fire department has no ordinances that concern this application.

Shelley had a question for the board about permitted uses in zoning districts. The application reads Special Use for 'retail' and 'manufacture' of firearms, but there is no permitted use listed for manufacturing in C-1 as Special Use or By Right so how can we approve this application for a Special

Use? She read the C-1 Purpose which fits the use. However, according to the ordinance, a use is prohibited if it isn't specifically listed as 'S' or 'BR' it is prohibited. Firearms are not prohibited and not a concern. Don views this as retail sales same as a hardware or firearms sales at the trailer park. Shelley agreed and wanted to be sure all bases are covered because a special use requires a public hearing; we need to be able to support our decision with the ordinance and show the public if they question the use. Debra also felt it was retail. Irene asked what his FFL allows; Mr. Casey said he can build guns and ammunition with his 07 license. He needs it to add scopes and accessories to firearms which is considered manufacturing and compared it to Gander Mountain and other stores which do not sell guns with scopes because they don't have a manufacturer's license. Irene asked about gunsmith work; he said that requires a separate license which he doesn't have. Mr. Casey explained the difference between 01 and 07 licenses; the 01 process is basically the same but has more steps. He spoke about security that is planned with ADT and gun vaults. Don felt he was in a great location. Sue asked about parking in the back; eventually he would like to pave it but is a work in progress. Shelley asked Mr. Casey if he would be test firing guns; he said no but it is allowed with a containment area and another license. Striping of parking spaces was covered. Shelley asked about lot lines or a survey since loading/unloading requires a 50 foot rear setback from a residence; he didn't think it would be an issue. Sue asked if he had any concerns about the house and he did not. Shelley asked what he planned for the exterior as stated in his letter. He would like half logs but definitely wants to do something to improve it. She said the Master Plan vision is to improve the area's appearance and that blight has been an ongoing topic. She would like to see something as a condition of approval and asked what others thought. Don felt this was on the right track. Patrick Clouse asked about signage; Shelley read the basics from the ordinance. Craig gave Mr. Casey this section of the ordinance but he has not decided yet. Sue asked if there were more questions and said we need to set a public hearing date. Shelley said there is a process on what needs to be done. She did not want to make a decision tonight because wording needs to be part of the approval to document the reasons and facts and findings. Her concern is that we need to work on it to determine what it is going to be and have it ready for a public hearing.

Discussion turned to the Table 4-3; Shelley referred to the industrial uses which include manufacturing but commercial does not. Mr. Clouse commented on the word manufacturing, that what is in the ordinance may be different from the federal government. That was her point; Mr. Casey used the word on the application but it will not be a business function as intended in the ordinance. Don asked what would happen if this was to be a grocery store. Shelley said it is a change in use; if it remained a tire shop Mr. Casey would not be here. Grumpy's is opening as a restaurant but it was a restaurant. Debra asked what's the difference – it's still a commercial building. The difference is the use. A By Right use does not require a public hearing but a Special Use does. Mr. Casey asked about selling guns at his home. It would be fine as long as the activity is not a Home Occupation as defined. Parking requirements were reviewed for Retail Sales; what is decided needs to be documented. Regarding public hearings, there is no separate cost, it could be scheduled on a JPC meeting day and property owners within 300 feet must be notified according to the ordinance. Sue asked if we wanted Dick Figura to look at this. Shelley didn't feel it was necessary now that we know there will be no manufacturing. Don suggested Mr. Casey put something together to show the public if there are questions. Shelley felt it would be helpful as part of the approval process. It is recognized not all will be done right away; timing is worked out and becomes a 'condition' as part of the approval. Mr. Clouse asked if signs can be put on the front and side. Table 10-1 indicates one and does not mention a corner building; Shelley felt if the JPC knew the plan it would give something to work on. Mr. Clouse said they were thinking of signs for the front and side.

Mr. Casey said without wasting any more time on this he was withdrawing his application. Putting a business in is one thing, but spending \$10,000 on something that you don't know what is going to happen with is another. He went on to say he is pretty set with just doing collision work right there and withdrawing the application. Mr. Casey thanked the board for its time. He said it seemed like a lot of

what-ifs and something he doesn't want to pursue. Shelley said it is a process; he understood but said it seemed extensive...talking July. Debra expressed disappointment. He said his license would be expired by then and would cost more time and money; it is contingent on the zoning approval and it would be easier to switch his license. Sue said the process is up to that time. Shelley said if he comes back next month with plans for signage, and the JPC has the wording ready for the public hearing, it doesn't mean it's going to be July. Sue said we have long but it doesn't necessarily mean it will take that long. Debra asked when his license expires; Mr. Casey said middle of May and then has to go through the process again. He added that it's odd the ATF makes you get 100% legit prior to coming here for approval... federal ID number, tax ID number, bank accounts...which is absurd if you don't get approved. He thanked us again and Sue thanked him.

Sue received agreement to keep his package as part of the minutes. Shelley added that it needs to be recorded as withdrawn on the tracking form. Irene said it was too bad he didn't come to us sooner. Debra thinks there should be a faster process because we are trying to make the Village better and now we lost a potential business. Irene said it wasn't our fault. Shelley said we only got it last month; Debra agreed but said we've been studying it and studying it and felt there was too much negativity. Sally also thought it was negative from sitting in the audience, being told this and that needs to be checked. Shelley understood and said there is a process to follow and she doesn't want to be in a lawsuit. Sally agreed with Don that it is retail; Shelley agreed now that she understands it is not manufacturing. Sally thought we should get the paperwork together now and set a public hearing now for 45 days and get it done. Shelley said there are other things that need to be done. Sally said the restaurant is open and a sign is up; Craig to investigate.

B. Campground. Craig introduced Brian Childs, a builder located on 669, who is very interested in purchasing the Betsie River Campground. Craig said what will be presented is information only and is in an RC-1 District. Mr. Childs said he has been talking with Mark McGee since September. He and his wife are looking to take it from the 15 sites currently licensed to about 300 through three construction phases. There would be primitive sites, sites with power and water and full hookup RV sites with 50amp, water and sewer. Mr. Childs presented a preliminary layout of 147 sites for Phase 1 with a pool and playground area and a bath house. What is in the bath house is set by the DNR. The existing general store would be remodeled. There would be pull-through sites. Sites down at the river may be freshened up. He has ideas for rustic cabins and maybe full amenity cabins. Season may be April-November but depends on demand. The parcel is about 53 acres. An existing utility easement may be able to serve as an exit. Craig spoke about state land to the north; structures within 450' would affect hunters. Sue asked about tree removal; it should be minimal. Mr. Childs filled out an application but wanted to make sure the JPC would approve the project. Don thought this was a great idea and others agreed.

New Business

A. Anderson Property. Robert Anderson addressed the JPC concerning his Lindy Road property which was residential and is now zoned C-1 Commercial. It has been in the family almost 100 years; they use it for recreation and may want to build a dwelling. As it is now, a dwelling is not permitted in C-1 and would need to be built beyond the C-1 north boundary in RR-2. Mr. Anderson said it was zoned Agricultural years ago, then Residential and now it's Commercial. His brother wants to know if it can go back to Agricultural. Possible options were discussed such as Mixed Use or Commercial/Residential. Sue asked about spot zoning. Debra asked about the rationale of changing the zoning when it has been owned by a family for many years. Shelley felt we did not realize Residential would not be permitted. Colfax has wanted it rezoned for many years so it would serve as a commercial corridor in the area. Shelley offered to research uses in other communities. Contact Mark Eidelson for his opinion.

Unfinished Business

C. Mobile Home Replacement Amendment. Tabled.

D. Zoning Administrator Report. Oral and written reports were given. A problem was discovered with the frame of a manufactured home on Elm; looks like it can't proceed. Craig said the easement off Gallagher will need to be named in an agreement. Not on his report was a building off M-115 near Arner. A pole building was constructed without permits. Craig and Ron Hitesman met with Tom Frost, Production Industries. The project is on hold for now. It was noted this is an example for use of a performance bond. Construction at Crystal Mountain is on hold.

E. Budget/Compensation Authorization. Sue had copies of the payroll summary that Carrie prepares each month. One \$40 Zoning Permit was issued. Craig's postage expense was \$15.76; Dick Figura's bill was \$270.00. The compensation authorization was presented. Motion by Shelley, Irene seconded to approve the expenses and comp authorization as presented. Ayes: all; motion carried.

F. Eugene Allen. Sue will email everyone Dick Figura's message. There is no reason Eugene can't be on the committee if he is Village president. Dick referenced 4a of the Joint Ordinance he drafted which Sue read. The JPC is to follow procedures of a township that on September 1, 2008 had a planning commission.

G. Capital Improvements Plan. Weldon's list needs final touches. Colfax will develop theirs next week.

H. Community Action Report. Peggy will present a summary on Sarah Lucas' housing presentation at the next meeting. Sue is arranging for a developer to speak with us.

I. Village/Township Reports. There were no reports given.

New Business.

B. JPC Appointments/Schedule. Sue said we need to get terms updated if not done already. Colfax reappointed Peg Minster. Don Suchocki and Eugene Allen need to be reappointed. Debra said Eugene's position will be discussed at the next meeting. Motion by Shelley, Don seconded to approve the meeting schedule for the JPC's next fiscal year to remain on the first Thursday of the month at 7:00 P.M. at the Weldon Township hall. Ayes all; motion carried.

C. Business on Lindy Road. Shelley said the subject property seems to have accumulated many more vehicles, many without plates. She has heard complaints on the condition and has been asked if it's a junk yard. Is this a zoning ordinance violation, a township issue or both? Sally feels it has expanded a great deal from what it had been. Other locations were mentioned; Craig said a number of issues are being looked into. The feeling was that all of them need equal, not preferential, treatment. Shelley asked if the JPC should take action. Sue felt it was a mix and asked Craig to draft a letter for review by Dick Figura.

Correspondence. None.

Public Input. Craig gave an update on the Third Street property which was very positive and good news. He said the resident is thankful for the help. Brian Childs wants to move forward and asked about a public hearing. He will turn in his application and fee. Ask Mark Eidelson if there is a fast way to process a Special Use permit.

Adjournment. Motion by Shelley, Don seconded to adjourn at 10:12 P.M.

Respectfully submitted,

Shelley Greene
Secretary

Minutes are proposed until approved at the next meeting