

CHIKAMING TOWNSHIP PLANNING COMMISSION
Minutes of the August 3, 2016 Regular Meeting
Approved

The August 3, 2016 regular meeting of the Planning Commission was called to order at 6:51 p.m. by Chairman Andy Brown with a pledge of allegiance. Members Joseph, Richard Carlson, Gary Wood and Grace Rappe were in attendance. Mario Zarantenello and Bill Marske were absent.

Wood moved to approve the agenda as presented, supported by Rappe.
Motion carried.

Approval of previous July meeting minutes was postponed until the September meeting.

Public Comment

Brown opened the floor for public comments.

Larry Anderson, an alternate on the Zoning Board of Appeals (ZBA,) came forth to observe that the Michigan State University (MSU) extension guest from the previous meeting made a comment that the master plan, formerly believed to be law, was not. Anderson recommended seeking further advice on the issue. Brown responded he was not at that meeting but the township attorney previously mentioned that the Master Plan is linked to the ordinance which is unusual.

Jill Underhill stated that she feels the MSU guest was stating an opinion and trying to lead the commission.

Wood expressed that he agrees the relationship between the master plan and ordinance is unique. He continued to express concern that he is unsure of how the connection between the master plan and ordinance would stand up in court if ever tested. He continued that it is crucial that ordinances be created that are clear and concise to better support the master plan.

Layton Olson came forth to state that he feels the goal of the master plan along Red Arrow is to create a free flowing greenway and to put anything that is a major traffic draw could create major hazards which should be considered in future zoning.

Scott Rappe stated that when looking at the zoning ordinance it is important to remember that the Dollar General would not be on the table if it had not been granted a variance. He continued that the Master Plan should have been reviewed by the ZBA when they made a decision.

Kathy Sellers came forth to ask if it was the correct order that the ZBA review the application prior to the commission. Carlson answered that he feels this process needs to be reviewed and possibly changed.

Larry Anderson commented that the information on the township website is lacking. He furthered that he is unable to find the master plan document or previous minutes.

Brown then entered a letter from Rich Sullivan into the record.

Old Business

None

New Business

Discussion Regarding Hiring of an Interim Zoning Administrator

Brown stated that he received an email from Supervisor Wayne Warner 13 days ago stating the urgency of the planning commission's task of hiring a new ZA. In his email Warner asked Brown if he was aware that his

commission was to be overseeing this. Brown continued that he explained to Warner that he was unaware of this decision and questioned when it was voted on. He was informed that June 9 was the date the township board voted to assign the commission this responsibility. Brown stated that he is unhappy that the commission was notified over a month after the township vote.

Carlson stated that interim ZA, Rich Kubsch, has resigned. He continued that in the meantime the township has hired Estelle Brinkman from New Buffalo Township to temporarily fill the role.

Carlson stated that he feels it is important that the interim zoning administrator provide monthly reports to the Planning Commission. Rappe added that the ZA's attendance of commission meetings is crucial. Brown stated that because an interim ZA would likely have a job elsewhere a report would be adequate until a permanent person is hired.

Committee Formation to Hire a New Zoning Administrator

The committee will be responsible for determining if the role of zoning administrator should be full or part time position. They will also create a job description and seek candidates to be presented for final selection by the township board. As the commission chairman Brown was automatically selected for the committee.

Carlson stated that he thinks a member of the township board should serve on the committee.

Schrader stated there is a newly created personnel committee consisting of Marske, Warner, and Tim Hawkins, director at the Senior Center.

Brown moved that Marske be appointed as a member of the committee since he is on the personnel committee as well as the township board. Wood supported.
Motion carried.

Carlson stated that he feels a member of the ZBA needs to be on the committee. Brown will discuss this with ZBA chairman Lee Strohls.

Carlson moved that Rappe be selected as a member of the committee. Brown supported.
Motion carried.

Carlson moved that Rappe, Marske, and Brown form a committee along with a nominee, to be selected, of the ZBA. Supported by Wood.
Motion carried.

Formation of a Subcommittee to Review Changes to the Zoning Ordinance and Hire a Consultant

Wood stated that creating a request for proposal (RFP) should be the first step to identify qualified consulting firms and individuals. Rappe stated that a request for qualifications (RFQ) could also be a first step to better see who fits prior to sending the RFP.

Moved by Brown that Carlson, Wood, and Reed form a subcommittee to create an RFQ to begin the search for a consultant to assist in the updating of the zoning ordinance. Seconded by Rappe.
Motion carried.

Public Comment

Layton Olson offered that a number of areas of assistance with planning and funding are available to the township as we prepare to update the zoning ordinance.

Janet Schrader came forth to ask what happens if the proposed development adjacent to Cherry Beach is permitted by the Department of Environmental Quality (DEQ.) She continued that the applicant has missed their deadline to submit an endangered species study and she is concerned about the current property line dispute with an adjacent parcel.

Carlson answered that the commission may not be required to review the proposal. Rappe added that if a special land use were required they would then see it. She continued that if a variance were required the ZBA would instead review the proposal.

Schrader continued that the proposal includes the removal of 115 trees. She expressed that she would like the commission to consider a tree ordinance and she is willing to help any way she can.

Reed recalled that townships have the right to oversee the DEQ properties and can be more restrictive. Schrader continued that she would like to see a coastal zoning management plan created in the future. Reed questioned the possibility of putting a moratorium on issues that the commission would like to update in the ordinance. Carlson advised that an attorney be consulted on the legitimacy of a moratorium and the appropriate use.

Rappe asked that a tree ordinance discussion be added to new business for the next meeting.

Gary Wood called for a moment of silence in respect for Jean Dudack who passed away during the previous week.

With nothing further, Wood moved to adjourn the meeting at 8:28 p.m., Rappe supported.
Motion carried.

Meeting adjourned.

Respectively submitted,
Jessica Miller
Recording Secretary