

BOYNE VALLEY TOWNSHIP
PLANNING COMMISSION MINUTES

DATE: March 6, 2017

CALL TO ORDER: Mark Felton called the meeting to order at 7:00 PM.

ROLL CALL: Members present – Mike Skop, Lenore Senter, Laurie Hodack, Lenore Senter and Marie Kelenske

ABSENT:

ALSO PRESENT: Township Zoning Administrator/Supervisor Sue Hobbs, Carl Fiel, Mike Utley, Ranae Utley, Lee Sherwood, Charles Utley, Danella Sherwood, Brad Baird, Todd Tarsi, Lee Sherwood, Lesley Tarsi, Susan Linetzky , Peter Linetzky, Bernie Kondrat, Mark Kondrat, Peter R Wendling, Gale Reynolds, Larry Czerkies, Julie Reynolds, Randy Reynolds, Henry Baumgartner, Randy Baumgartner, Martha Baumgartner, Patricia West, Christine Thomas, Mark Thomas, Jason Johnson, Duane Reynolds

APPROVAL OF MINUTES: Motion by Hodack to approve the minutes of February 6, 2017 seconded by Skop.
Motion carried

NEW BUSINESS: Open Public Meeting for Heartwood Mills at 7:06 p.m.

Brad Baird from Heartwood Mills did a recap on why the mill wanted to have a rezone from Rural Residential to Industrial with a special land use permit for production and processing, assembly, manufacturing or packaging of goods or materials – i.e. current use as sawmill, including related sawmill uses. Bank will not loan money for new saw unless it is rezoned Industrial. Skop road improvements were done because of a \$600,000 grant for upgrade to road and natural gas installed to support the mill. In the process of cleaning up the area with the shavings and sawdust being all disposed of. Heartwood Mills offered conditions on rezoning with the conditional rezoning request for the property as follows:

Government Bldgs and associated Public Facilities

Agricultural services

Plant nurseries, tree & sod farms

Building materials sales (which is what the mill is doing now)

Contractor office with inside storage

Professional or Business Office (such as real estate, bank, accounting, attorney, medical, dental or financial services).

Small scale repair shops

The uses permitted by Special Use Permit in this district would be the following:

Public Utility Offices and Equipment Storage

Production, processing, assembly, manufacturing or packaging of goods or materials

Sawmills and other mills

Wholesale or commercial warehousing

Mini warehousing/storage

Before hours truck parking will be on the property will move fencing back so a truck could park off the road.

Danella Sherwood living on Springbrook Rd said what has been done is appreciated but what does a Government building mean could the property be turned into a freight terminal with trucks in and out all night?

Sue Hobbs explained to her that the Government buildings are allowed in single family residential, commercial and industrial areas. If another type of business purchased the property and wanted to put in a different type of business they would have to present a site plan and request a special permit and a public hearing would have to be held.

Mr. Linetzky is concerned that the mill would increase their work hours and that the noise would be too much for the neighborhood with the saw running all the time. There will be an increase in employees but the saw will be in an enclosed concrete insulated building like the planer building .

The company will increase the work force with more yard people to load trucks, take wood to be dried in kiln, and to operate the new saw.

Larry Czerkies stated he was pleased with the cleanup so far and hopes it continues.

Leland Sherwood expressed his concern of the truck traffic and the jake braking that has been going on and was told by Mike Skop to notify the logging company of this concern and they will notify their truckers.

Todd Tarsi concerned of a lot more truck traffic but was told that the truck traffic will not increase and the parking of the trucks before hours would be addressed with the moving of the fence so they would not be parking on the road.

Public Hearing closed at 7:40 p.m.

Brad Baird of Heartwood Mills spoke what has happen in the past he cannot do anything about but OSHA is on board with what is happening now. They have a chipper installed and are in the process of cleaning up all old product. Cleanup could take up to two (2) years. One of the permitted uses for the mill is to make and sell wood furniture and that is a possibility. The Planning Commission Board reviewed the request description as follows:

- 1) **Is the proposed rezoning consistent with the Boyne Valley Township Master Plan?** Yes, The Industrial category is designed to primarily accommodate the existing industrial uses, and notes that the Township believes that industrial needs can be met without designating much additional land for such use.
- 2) **Is the proposed rezoning reasonably consistent with the surrounding uses?** Yes, this has been a sawmill for a number of years.
- 3) **Will there be an adverse physical impact on surrounding properties?** No, no adverse physical impact on surrounding properties.
- 4) **Will there be an adverse effect on property values in the adjacent area?** No, because there is an existing industrial sawmill use which existed on the property for about 40 year and there was no adverse impact on surrounding property values.
- 5) **Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?** No, there has been one primary change to the area since zoning was originally implemented, residential use began on neighboring property despite the existence of the sawmill.
- 6) **Will rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations?** No, no changes in current use will not deter improvement of adjacent property in accordance with existing regulations.
- 7) **Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?** No, The Township Master Plan goal is to accommodate existing industrial uses and is the only sawmill that does not have Industrial zoning.
- 8) **Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?** Yes, the property has been used as a non-conforming pre-existing use for about 40 years. But the banking industry has changed in regulations and the removal of an artificial barrier to financing is the best interest of the Township, especially where there are no other practical adverse effects to the neighborhood or the Township.
- 9) **Is the rezoning in conflict with the planned use for the property as reflected in the master plan?** No, the Master Plan does recognize the need to accommodate industrial uses within the Township.
- 10) **Is the site served by adequate public facilities or is the petitioner able to provide them?** Yes, in 1998 a Community Development Block Grant was obtained by Town & Country (now Heartwood Mills) to improve Skop Rd and have natural gas brought to the site for the kiln.
- 11) **Are there sites nearby already properly zoned that can be used for the intended purposes?** No, because of the existing use, consisting of 13 existing buildings, it would be impractical to attempt to move the operations to any other location.

12) **The community should evaluate whether other local remedies are available.** Heartwood Mills knows of no other remedies to bring them into compliance with the Zoning Ordinance.

Felton made the motion to approve the rezone to Industrial based on the findings of the Planning Commission. Seconded by Hodack.

A roll call vote was taken:

Senter Yes

Felton Yes

Skop Yes

Hodack Yes

Kelenske Yes

Motion carried to approve the conditional rezone and send to the Charlevoix County Planning Commission for their approval and recommend approval to the Township Board.

Application for Rezone requested by Carolyn Gabriel of the Mitten Farm was tabled until she can attend a meeting and able to answer questions presented by the Planning Commission and interested neighbors.

Randy Reynolds question on what is a Special Use permit and would she be able to do anything she wants at the location other than having a wedding venue or parties.

Henry Baumgartner asked why all three properties were included? It is because of the property all contingent.

Mike Skop made a motion to table until April 4th meeting the Planning Commission has more questions for her and a better site plan.

ADJOURNMENT: Motion by Skop seconded by Hodack to adjourn. Motion carried

Meeting adjourned at 8:30 p.m. Next meeting scheduled for April 4th at 7:00 which will be a public hearing for the Special use permit for the Mitton Farm will be held.

Submitted by Marie Kelenske

Planning Commission Secretary