

**Melrose Township Planning Commission Minutes
Melrose Township Hall
Regular Meeting of March 28, 2022**

I. CALL TO ORDER / ROLL CALL

- A. Call to Order:** Chair Bart Wangeman called the meeting to order at 5:30PM.
- B. Members present:** Bart Wangeman, Dan Nowland, and Tim LaGasse,
- C. Members absent:** Julie Christy, and Charley Zimmer (both excused)
- D. Staff present:** Zoning Administrator Vern Goodwin and Recording Secretary Tom Mackie.

Township Clerk Robin Berry administered the Oath of Office for the three Planning Commission members present. The appointments expire on:

Bart Wangeman	March 2025
Tim LaGasse	March 2024
Dan Nowland	March 2024 (concurrent with his term as Township Trustee)

The three members submitted signed Conflict of Interest Acknowledgement forms to the Recording Secretary in accordance with Planning Commission Bylaws.

II. APPROVAL OF AGENDA

The agenda was approved by consensus as amended to reverse the order of the two agenda items under “New Business.”

III. APPROVAL OF MINUTES

Tim LaGasse motioned, Dan Nowland seconded, to approve the January 10, 2022 meeting minutes as presented. All members present voted Yes, motion carried.

IV. NEW BUSINESS

- A. Waterfront Overlay Application for 01163 South Shore Drive owned by Donna McIlvenna Trust (Property ID# 15-010-017-060-00):**

Vern noted this application is an amendment to an application approved at the January 10, 2022 Planning Commission meeting. At that time details relating to new vegetation plantings, replacement of existing concrete steps, rehabilitation of an existing stone retaining wall, and installation of a pump house (all in the front yard setback) as well as a patio with fire pit, privacy screening trees, steps, ground cover plantings, and (2) bocci ball courts (all beyond the setback), were not available.

Landscape Architect and Applicant Representative Carrie May indicated she had no additional opening comment but is available to answer questions.

Bart indicated the Planning Commission will now review the (6) site plan approval standards in Section VI paragraph D of the zoning ordinance.

- a) "... *impact minimized by preserving natural habitat...*" All agreed the standard is met.
- b) "... *erosion and sedimentation prevented...*" A County Soil Erosion Permit has been issued and a silt fence will be used during construction. All agreed the standard is met.
- c) "... *natural character and aesthetic value of shoreline maintained by minimizing visual impact...*" All agreed the standard is met.
- d) "... *fitted to topography to minimize loss of vegetation...*" All agreed the standard is met.
- e) "... *structures located to maintain unobstructed views...*" The current application includes no new structures. All agreed the standard is met.
- f) "... *review by Zoning Administrator and Planning Commission...*" All agreed the standard is met.

Bart Wangeman motioned, Tim LaGasse seconded, to approve a Waterfront Overlay permit as presented in an application by Gary Forbrig, agent for owner Donna McIlvena Trust dated March 21, 2022 at 00163 South Shore Drive (property ID# 15-010-017-060-00). Approval is based on review of the application, a site plan dated March 19, 2022, and a review of Zoning Ordinance standards in Article VI, section 6.11D)1. All ayes motion passed.

B. Development Plan Review for 4766 US131 N owned by Milo Logistics, previously known as Ingalls Party Store (Property ID# 15-010-009-022-20):

Vern described the application for conditional approval to replace an existing gas station and party store as well as to construct a new 3-level, 12-unit apartment building. The 5.1-acre parcel is currently zoned B1, General Business. Site plans have been submitted to other regulatory agencies but the only comments received to-date are from County Soil Erosion and are relevant to the proposed apartments. Vern also noted apartment buildings (unlike motels or hotels) are not a permitted use in the B1 district and suggested the application could be considered by the Planning Commission if the apartment structure is withdrawn.

Owner representative and Project Manager Jordan Irish related the property owner's intentions and agreement to withdraw the apartment building from the current application. Engineer David Drews (Northern Michigan Engineering, Inc.) stated the property could be split for a future rezone to R-4, Multi-Family Residential. The two new parcels would continue to comply with all other zoning regulations. David also noted a Deceleration Lane would be created on US131 from the marina property north to the proposed gas station. He also indicated the site is mainly clay soils so stormwater would be routed to a lower area on the site. The overall stormwater system is designed to meet a 100-year storm event and will also address stormwater runoff from Clarion Road.

Vern then stated the parcel would not have to be split, as our Zoning Ordinance does not prohibit multiple zoning districts on one parcel. The gas station/store could be considered for conditional approval now as a B1 use. The apartment building could be

removed from the application pending a re-zone of the eastern portion of the parcel from B1 to R-4. The present gas station is non-conforming with setback requirements so the Zoning Board of Appeals would also need to consider a variance for expansion of a non-conforming structure. MDOT and Soil erosion permits would also be conditions for approval. Bart noted the positioning of a proposed canopy over gas station pumps also appear to be within the front-yard setback.

Vern indicated the number of parking spaces identified in the application's drawing far exceeds zoning ordinance requirements.

After a call for public comment, and none being offered, Bart indicated the Planning Commission would now evaluate the application against Zoning Ordinance standards in Article 11.4, "Standards for Development Plan Approval."

1. "... *harmonious and efficiently organized...*" All agreed the standard is met.
2. "... *landscape preservation...*" All agreed the standard is met.
3. "... *development drainage of stormwater...*" All agreed the standard is met.
4. "... *privacy for dwelling units...*" N/A – no residential units exist on the property.
5. "... *buildings arranged for emergency vehicle access...*" All agreed the standard is met.
6. "... *structure access to street, walkway, or other common use...*" All agreed the standard is met.
7. "... *pedestrian circulation system...*" With access on 3 ½ sides of the structure all agreed the standard is met.
8. "... *loading areas and trash storage not visible from residential districts or thoroughfares...*" Proposed dumpster is screened and behind the building. All agreed the standard is met.
9. "... *exterior lighting deflected from neighboring property...*" A lighting plan in conformance with zoning ordinance standards must be submitted and verified by the Zoning Administrator before a permit is issued.
10. "... *approaches surfaced...*" All agreed the standard is met.
11. "... *arrangement of common ways for vehicle/pedestrian circulation...*" All agreed the standard is met.
12. "... *documentation of proposed streets...*" All agreed the standard is met.
13. "... *public streets deeded to Road Commission...*" Standard is not applicable.
14. "... *standards for private roads...*" Standard is not applicable.
15. "... *private roads servicing 3 or more lots...*" Standard is not applicable.
16. "... *guarantee of long-term maintenance...*" Standard is not applicable.
17. "... *development plans conform to all requirements...*" Acknowledged as a responsibility of the applicant.

Bart Wangeman motioned, Tim LaGasse seconded, to conditionally approve an application for development of a gas station and convenience store as presented in an application by Jordan Irish for owner Milo Logistics, Inc. dated March 18, 2022 at 4766 US131 N (property ID# 15-010-009-022-20). Approval is based on the application and accompanying drawings and a Site-Plan checklist all dated March 18, 2022. Approval is also based on a review of Zoning Ordinance standards in Article 11.4, "Standards for Development Plan Approval." Approval is contingent on Zoning Board of Appeals approval of necessary variances, the plan for construction of an apartment building is removed from the application, lighting

and signage plans to be submitted for administrative approval by the Zoning Administrator, and the applicant shall provide a greenbelt plan in compliance with the zoning ordinance. All ayes motion passed.

V. UNFINISHED BUSINESS

A. Further Discussion Regarding Minimum Square Footage for a Residential Structure in the Farm and Forest (FF) District:

Bart noted this agenda item is part of a long-term effort to provide for reduced home sizes in the FF District.

Tim reiterated we are only considering changes to the minimum structure size – not minimum lot size. He doesn't see a problem with smaller dwellings if that's what an owner wants. If an owner wants multiple housing units the parcel would have to be split.

B. Short Term Rentals

Vern reported the State Legislature has still not acted on a proposed bill that would preclude townships from regulating short-term rentals.

VI. OTHER COMMUNICATIONS / REPORTS: - Vern suggested the zoning map for R-4 "Multi Family Dwelling" should be reviewed for potential updates. He noted one parcel in the township currently zoned R-4 is actually a single-family dwelling and two parcels in the village of Walloon Lake zoned B1, "General Business" should be zoned R-4.

VII. ZONING BOARD OF APPEALS REPORT – Bart reported the ZBA recently approved expansion of a non-conforming structure in a conforming way on Winsor Street.

VIII. PLANNING COMMISSIONER COMMENTS: None.

IX. CITIZEN COMMENTS ON NON-AGENDA ITEMS: None

X. NEXT MEETING: Scheduled for Monday, April 25, 2022 at 5:30 PM.

XI. ADJOURNMENT: At 6:55 PM

Prepared by

Planning Commission Approval by:

Tom Mackie, Recording Secretary

Charley Zimmer, Secretary

Copies: Melrose Township Board, Planning Commission Members, www.melrosetwp.org