

**MELROSE TOWNSHIP PLANNING COMMISSION MINUTES
MELROSE TOWNSHIP HALL**

REGULAR MEETING OF APRIL 24, 2023

I. Call to Order/Roll Call

A. Call to Order: Chair Bart Wangeman called the meeting to order at 5:30 PM.

B. Members present: Bart Wangeman, Julie Christy, Tim LaGasse, and Douglas Jenkins.

C. Members absent: Dan Nowland.

D. Staff present: Zoning Administrator Ken Lane.

II. Approval of Agenda

Member LaGasse suggested that the agenda be modified to consider unfinished business before new business to accommodate the Recreation Plan consultant.

By consensus the agenda, as amended, was approved.

III. Approval of Minutes

Member Christy motioned to approve the March 27, 2023, draft minutes as presented, seconded by Chair Wangeman, the motion was approved unanimously.

V. Unfinished Business

a. Recreation Plan

Jennifer Neal with Networks Northwest provided an update on her continued work on the draft Recreation Plan. Ms. Neal stated that after the Recreation Plan was complete, it will be sent to the Michigan Department of Natural Resources to allow the Township to be eligible for state recreation grants.

Jennifer Neal stated that the focus of the two previous meetings that the Planning Commission had discussed the draft Recreation Plan was demographics and the community survey. She added that tonight's focus will be on the three items that received the most comments in the survey, the boat launch, the playground, and the swimming beach.

Jennifer Neal used a projector to display a presentation that was included in the Planning Commission's meeting packet.

Jennifer Neal stated that based on the Planning Commission's prior discussion on the boat launch, it had been determined that a boat washing station was being considered by the Township Board, commercial operations create backups, and there isn't much that can be done about the traffic on M-75.

Jennifer Neal presented examples of mobile and permanent boat washing stations from other communities.

Township Clerk Robin Berry, as a member of the public in attendance, stated that the Township will be installing a temporary boat washing station that does not use water or electricity, but uses air and solar power. She added that the hope is to

have the station installed at the boat launch by May. She further added that if the temporary boat washing station is used, the Township may consider a permanent station that uses water in the future for the boat launch, and relocate the temporary station to another location.

The Planning Commission agreed by consensus that the addition of a permanent boat washing station at the boat launch should be included in the draft Recreation Plan.

A member of the public in attendance stated that it is important to ensure that drainage from the temporary boat washing station drains away from Walloon Lake.

Member LaGasse stated that the Township Board had considered drainage, and the temporary boat washing station will be placed in a location that drains appropriately. He added that the washing station at Jones Landing is very well used, and he hopes the new station at the boat launch will also receive a lot of use.

Chair Wangeman stated that the Planning Commission had previously discussed the execution of rental paperwork before boats get in line to access the lake as a way to reduce backups.

Jennifer Neal stated that based on the Planning Commission's prior discussion of the park and playground equipment, it had been determined that the Recreation Plan should include playground equipment upgrades and recreational options for older children. She provided the Planning Commission with handouts that included options for upgrades and recreational equipment.

In relation to playground equipment upgrades, Jennifer Neal presented examples for younger children and children with disabilities, a dual playground equipment plan that included separate areas and equipment for younger and older children, and theme based equipment, including nature and water based themes.

After discussing the examples, the Planning Commission by consensus agreed they preferred the dual playground concept with rubber surfaces to provide access for children with disabilities.

In relation to recreational options for older children, Jennifer Neal presented examples of adventurous play, alternative sports play, creative play, and traditional playground equipment.

After discussing the examples, the Planning Commission by consensus agreed they preferred the adventurous play option for older children, finding that it best fits with Northern Michigan and existing aesthetics at the park.

In relation to recreational amenities for adults, Jennifer Neal presented examples of pickleball courts, a community garden, a dog park, and a rain garden.

Robin Berry stated that a community garden did not have to be in the park, it could go on any Township property.

Member LaGasse stated that there is a community garden in Clarion near Petoskey that is well maintained. He added that he thinks a community garden would be a good community asset. He further added that he liked the dog park example.

Robin Berry stated that a butterfly garden might be another example of an adult amenity.

Member Christy stated that she liked the idea of a butterfly garden along the river.

Chair Wangeman stated that a garden along the river may help to clean up some of the mud that was mentioned in the community survey.

Robin Berry stated that the Township DDA has preliminary plans to install a wooden boardwalk along the river.

Jennifer Neal presented some other amenities including bike racks, paved picnic areas, and food trucks. She added that paved areas in the park are lacking and are needed, especially for disabled people.

Robin Berry stated that deed restrictions with the park do not allow the sale of items in the park.

After discussing the examples, the Planning Commission by consensus agreed they preferred paved picnic areas and dog waste facilities at the park for inclusion in the draft Recreation Plan.

Jennifer Neal stated that based on the Planning Commission's prior discussion on the swimming beach, it had been determined that the draft Recreation Plan should include beach upgrades and improved signage.

In relation to the swimming beach, Jennifer Neal presented examples of beach upgrades, including shaded areas, picnic areas, and paved pathways, and options for signage.

Member LaGasse stated that current accessibility for disabled persons is not ideal, especially if a person's wheelchair is not designed to go into the water.

After discussing the examples, the Planning Commission by consensus agreed they preferred picnic areas and paved pathways for beach upgrades, and informational signs that incorporate the style of signs currently used by Melrose Township featuring the Township logo.

Chair Wangeman asked if the items discussed by the Planning Commission were presented in any order of importance or priority.

Jennifer Neal replied that the items were not presented in any particular order.

Robin Berry suggested that trail expansion might be another item to include in the draft Recreation Plan.

Member LaGasse stated that drafting the Recreation Plan was a big endeavor, and that the three items initially focused on by the Planning Commission represent a start. He added that additional items could be considered at a later time.

Chair Wangeman stated that the boat launch, the playground, and the swimming beach were the top three items referred to in the community survey responses.

Jennifer Neal stated that she will provide a recreation inventory for the Planning Commission to rate at a future meeting. She added that with the information

provided by the Planning Commission at tonight's meeting, she will start preparing a draft plan.

Jennifer Neal stated that she plans to discuss Recreation Plan goals and objectives with the Planning Commission at the next meeting.

IV. New Business

a. Mass Gathering License—Northern Michigan Antique Flywheelers

Chair Wangeman opened the mass gathering license application for review by the Planning Commission. Chair Wangeman asked Zoning Administrator Lane if he would like to make any comments.

Zoning Administrator Lane stated that the Northern Michigan Antique Flywheelers Club had submitted their annual application for a Mass Gathering license to hold their event on July 27-30, 2023. He added that this is an annual event held since the 1990s.

Zoning Administrator Lane stated that based upon a review of Flywheeler events from previous years, no changes in the event layout, traffic flow, parking, security, or sanitation are anticipated for the 2023 event. He added that the application and map were included in the Planning Commission's meeting packets.

Zoning Administrator Lane stated that according to the Township Mass Gathering Ordinance, the factors to be considered by the Planning Commission when reviewing a mass gathering application include the suitability of the site for the proposed mass gathering, the length of the proposed mass gathering, the number of people anticipated to attend, whether there is a conflict with other uses of the site, the increased demands on the fire department and emergency medical resources, and the plan to provide adequate food and water facilities, bathroom facilities, disposal of solid waste and garbage, and vehicle parking and access to the site. He added that the Planning Commission makes a recommendation to the Township Board on approval or denial of an application.

Chair Wangeman asked if anyone would like to speak on behalf of the applicant.

Dave Korthase, President of the Flywheelers Board, introduced himself and provided an overview of the event. He added that the event is not just a tractor show, it's a good, wholesome family event with a lot of different activities for all ages. He further added that the entrance fee is by suggested donation only.

Member LaGasse stated that the Township fire department was aware of the proposed event and is planning to be on site during each day.

Member LaGasse made the following motion:

I move to recommend the Township Board of Trustees grant a Mass Gathering License to the Northern Michigan Antique Flywheelers for their annual event on July 27 through July 30, 2023, based upon compliance with the Mass Gathering Ordinance and the long history of operation without problems or complaints.

Member Christy seconded the motion, and it was approved unanimously.

b. Development Plan Review—02594 Springvale Road-Bear River Health

Chair Wangeman opened the review for the Planning Commission. Chair Wangeman asked Zoning Administrator Lane if he would like to make any comments.

Zoning Administrator Lane stated the original development plan submitted by Bear River Health was denied by the Planning Commission in January 2023. He added that nothing in the Township Zoning Ordinance prevents an applicant from reapplying for development plan review after a denial. He further added that in this case, an updated development plan and application packet were submitted in April 2023, and both include much more information than the original submission.

Zoning Administrator Lane referred to his analysis memo included in the Planning Commission meeting packet and stated that the applicant is requesting to add two pre-fabricated 1,125 square foot mobile classrooms to the existing Bear River Health campus. He added that the classrooms are proposed to be placed on permanent foundations and located on the southwestern portion of the property outside the existing landscaping.

Zoning Administrator Lane stated that the proposed classroom buildings will be for current resident and staff use. He added that the classrooms will be connected to a new septic tank that discharges to an existing but unused drain field as depicted on the submitted development plan.

Zoning Administrator Lane stated that, to my knowledge, required permits from the County building and health departments have not been obtained for the mobile classrooms. He added that the Planning Commission may condition any approval on obtaining these permits before a final zoning permit is issued.

Zoning Administrator Lane referred to his analysis memo that was included in the Planning Commission meeting packets. Zoning Administrator Lane went through his memo describing the existing zoning for 02594 Springvale Road, its current uses, and site conditions.

Zoning Administrator Lane stated that the proposed mobile classrooms are permitted accessory uses in the B-1 District, and the proposed classrooms meet the height, setback and area regulations of the B-1 District. He added that it was his opinion that the proposed classrooms complied with the other development regulations provided in Section 6.4 (g) of the Township Zoning Ordinance because the proposed classrooms should not create any nuisance conditions for adjacent properties.

Zoning Administrator Lane stated the proposed development plan met the parking requirements under the Township Zoning Ordinance and that no additional parking was proposed in relation to the mobile classrooms.

Zoning Administrator Lane referred to the development plan graphic requirements in Section 11.1 (A) (2) of the Township Zoning Ordinance and his findings in relation to those requirements as provided in his analysis memo. He added that he had determined that the revised development plan satisfied or partially satisfied the majority of the requirements. He further added that no new lighting or screening was proposed in relation to the mobile classrooms. Zoning Administrator Lane stated that the applicant had provided that no landscaping will be impacted by the installation of the mobile classrooms.

Zoning Administrator Lane stated that he had included an email from the applicants engineer in the meeting packets that provided how the revised development plan meets the development plan data requirements and standards of the Township Zoning Ordinance.

Zoning Administrator Lane referred to the development plan review standards in Section 11.4 of the Township Zoning Ordinance and his findings in relation to those standards as provided in his analysis memo. He stated that he is suggesting that many of the standards are open for discussion by the Planning Commission. Zoning Administrator Lane stated that the responses relating to the standards as provided by the applicant's engineer are included within his analysis memo.

Chair Wangeman asked if anyone would like to speak on behalf of the applicant.

Eric Hoogland, the owner of Bear River Health, introduced himself and stated that it was his fault that the two mobile classrooms showed up on the property prior to receiving zoning approval. He added that he is open to doing whatever is necessary to comply with the Township Zoning Ordinance.

Eric Hoogland stated that the classrooms will be used 4-5 hours per day to teach residents at the facility. He added that this educational component is needed for Bear River Health to obtain a certain level of certification.

Eric Hoogland stated that he is happy to add more landscaping, relocate the classrooms to another location on the property, or move one of the classrooms off the property to his facility in Gaylord. He added that he owns one of the mobile classrooms and is leasing the other. Eric Hoogland stated that he has not yet received a permit from the health department, but the health department does not have a problem with the classrooms, and he is going through the permitting process.

Chair Wangeman referred to Zoning Administrator Lane's memo included in the Planning Commission meeting packet and stated that the Zoning Administrator found that many of the graphic requirements for development plans as required by Section 11.1 (A) (2) of the Township Zoning Ordinance had been satisfied. He offered that he agreed with the staff findings in relation to the graphic requirements for subsections (a), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o), and asked the Planning Commission if they also agreed.

The Planning Commission members by consensus stated they did agree with the staff findings in relation to Sections 11.1 (A) (2) (a), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o), as provided in the memo.

Chair Wangeman read aloud Section 11.1 (A) (2) (b) and stated that he did not believe this section was satisfied because the development plan did not include post development topographic elevations, grades, and drainage flows. He added that it was not possible for him to find that this section was satisfied because the development plan did not depict how topography and stormwater runoff will be impacted by the addition of the mobile classrooms.

Member LaGasse stated that he also had questions about drainage on the site, and that the area proposed for the classrooms is not flat and has a tendency to pool water.

The Planning Commission members by consensus agreed that the development plan did not meet the requirements of Section 11.1 (A) (2) (b).

Chair Wangeman read aloud Section 11.1 (A) (2) (e) and stated that he did not believe this section was satisfied because the development plan did not include finished floor elevations and did not depict covered walkways attached to certain buildings that would increase the total square footage of the buildings. He added that a covered walkway is attached to the residence hall adjacent to the proposed classroom locations and the walkway is not shown on the development plan. He further stated that the walkway may impact emergency access to the classrooms and drainage. Chair Wangemen stated that the covered walkway, and all other building additions, must be shown on the development plan.

The Planning Commission members by consensus agreed that the development plan did not meet the requirements of Section 11.1 (A) (2) (e).

Chair Wangeman read aloud Section 11.1 (A) (2) (p) and stated that he did not believe this section was satisfied because the development plan did not show all exterior lighting locations on the property.

The Planning Commission members by consensus agreed that the development plan did not meet the requirements of Section 11.1 (A) (2) (p).

Chair Wangeman read aloud Sections 11.1 (A) (2) (q) and (r) and stated that he did not believe these sections were satisfied because the development plan did depict any landscaping or screening between the proposed classrooms and existing buildings. He asked Zoning Administrator Lane to offer his opinion on this section.

Zoning Administrator Lane stated that the mobile classrooms will be used during the day, and should not create any noise or nuisance factors that will impact other buildings on site. He added that considering the requirement for screening and whether it was reasonable to create privacy between the classrooms and other buildings, the addition of screening or landscaping was not really needed.

The Planning Commission members by consensus agreed that additional screening or landscaping was not needed, and that the development plan did meet the requirements of Sections 11.1 (A) (2) (q) and (r).

Chair Wangeman read aloud Section 11.1 (A) (2) (s) and stated that he did not believe this section was satisfied because the development plan did not depict trash or dumpster storage locations.

The Planning Commission members by consensus agreed that the development plan did not meet the requirements of Section 11.1 (A) (2) (s).

After further discussion, the Planning Commission members by consensus agreed that the requirements of Sections 11.1 (A) (2) (t), (u), and (v) were not applicable, and the development plan did meet the requirements of Section 11.1 (A) (2) (w).

Chair Wangeman suggested that the Planning Commission go through each of the development plan review standards listed in Section 11.4 of the Township Zoning Ordinance.

Chair Wangeman read aloud Section 11.4 (A) (1) and offered that the submitted development plan and application did not show how the proposed classroom locations were harmonious with the site because the topography was not accurately depicted adjacent to the classrooms. He added that the engineer's response in relation to this section was insufficient and the development plan did not provide enough information to determine whether Section 11.4 (A) (1) can be satisfied.

Member LaGasse agreed and stated the mobile classrooms will be vastly different from the overall campus.

Eric Hoogland agreed that the mobile classrooms will stick out like a sore thumb, and that may be reduced if one of the classrooms is removed from the property and taken to Gaylord.

Chair Wangeman stated that a revised development plan could be submitted that shows only one classroom.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (1) had not been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (2) and offered that the applicant's development plan did not provide enough information to determine whether Section 11.4 (A) (2) can be satisfied. He added without knowing the topography changes across the property associated with the addition of the proposed classrooms, its not possible to make such a determination.

Member LaGasse agreed and stated the final height and grade of the classrooms was not provided. He added that the development plan made it appear that stormwater would flood right under the proposed classrooms.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (2) had not been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (3) and offered that the submitted development plan did not satisfy this standard because topography and drainage were not sufficiently depicted as the Planning Commission had discussed.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (3) had not been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (4) and stated that the submitted development plan did not provide any information on how the visual and sound privacy of existing residential buildings would be protected or screened from the two proposed classrooms. He added that the Planning Commission had determined that the classrooms would likely not create any noise or privacy issues.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (4) had been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (5).

Member LaGasse stated that the proposed classroom locations created a potential hazard for residents trying to exit the classrooms during an emergency, and that he could not determine how emergency vehicles will maneuver around the classrooms during an emergency. He added that the development plan did not depict all entrance and exit doors, stairs and walkways associated with the classrooms and this information was required.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (5) had not been satisfied, and more information was needed relating to emergency exits from the proposed classrooms.

Chair Wangeman read aloud Section 11.4 (A) (6) and stated that an existing covered walkway was not depicted on the submitted development plan.

Member LaGasse stated that Sections 11.4 (A) (6) and 11.4 (7) are related, and that with the addition of the covered walkway, he could determine these sections were satisfied. He added the applicant cannot force residents to use the designated walkways and sidewalks even if they are provided.

The Planning Commission members by consensus agreed that the requirements of Sections 11.4 (A) (6), and (7) had not been satisfied by the submitted development plan.

Chair Wangeman read aloud Section 11.4 (A) (8) and noted that loading and unloading areas were not shown on the submitted development plan.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (8) had not been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (9) and offered that the development plan did not accurately depict lighting on the property. He added that no lighting specifications were provided.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (9) had not been satisfied.

Chair Wangeman read aloud Section 11.4 (A) (10).

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (10) had been satisfied because access from all public roads were surfaced with asphalt.

Chair Wangeman read aloud Section 11.4 (A) (11) and offered that the applicant's development plan satisfied this standard because no street or road changes were being proposed.

The Planning Commission members by consensus agreed that the requirements of Section 11.4 (A) (11) had been satisfied.

The Planning Commission members by consensus agreed that the requirements of Sections 11.4 (A) (12), (13), (14), (15) and (16) were not applicable.

Chair Wangeman stated that Section 11.4 (A) (17) allowed the Planning Commission to condition its approval on the applicant obtaining required permits from Charlevoix County.

Chair Wangeman stated that based upon the review by the Planning Commission, the data requirements and development standards required by Section 11.1 (A) (2) and Section 11.4 (A) of the Zoning Ordinance were not satisfied.

Member LaGasse made the following motion:

I move to deny the application submitted by Charles Eric Hoogland, on behalf of Bear River Health, requesting Development Plan Review to add two mobile classrooms at 02594 Springvale Road in Melrose Township, tax parcel 15-010-009-058-25, as shown on the development plan dated April 14, 2023, because the applicable standards of the Melrose Township Zoning Ordinance have not been met.

The motion was seconded by Chair Wangeman and approved unanimously.

Chair Wangeman thanked the applicant and reminded him that they could reapply with a revised development plan. He added that if the decision is made to remove one of the mobile classrooms, the revised plan should only show one classroom.

Eric Hoogland stated that they will revise the development plan and try and resubmit it for the Planning Commission's May meeting.

VI. Other Communications/Reports

A Zoning Administrator report and planning report were provided to the Planning Commission.

VII. Zoning Board of Appeals Report

Chair Wangeman stated that the ZBA had not met since the last Planning Commission meeting, so he had nothing to report.

VIII. Planning Commissioner Comments

None.

IX. Citizen Comments on Non-Agenda Items

None.

X. Next Meeting Scheduled

May 22, 2023.

Zoning Administrator Lane stated that Mass Gathering License applications for summer and fall events at the Barrel Back Restaurant and continued work on the draft Recreation Plan will be on the May agenda.

XI. Adjournment

At 7:32 P.M.

Prepared by:

Planning Commission Approval by:

Ken Lane, Zoning Administrator/Recording Sec.

Julie Christy, Secretary

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