

ESCANABA TOWNSHIP PLANNING COMMISSION MEETING MINUTES January 2, 2023
7:30 pm Escanaba Township Hall 4618 County 416 20th Rd Gladstone, MI 49837

Meeting called to order by Chairperson Dean VanLoon at 7:30 pm followed by the Pledge of Allegiance. Roll Call -Present are Chairperson Dean VanLoon, Greg Faust, Nate Neumeier, Theresa Chenier and DJ Dean. All members are present. Attorney Laura Genovich present via Zoom conferencing.

Mr. VanLoon announced this is a regular scheduled meeting of the Planning Commission with a Public Hearing on Zoning Map Amendments.

Motion to approve December 5, 2022 meeting minutes as amended made by N. Neumeier. Second by G. Faust. All in favor. Motion passed. (OLD BUSINESS, date of special meeting s/b Jan 2, 2023).

Public Participation: NONE

Motion to approve Agenda made by N. Neumeier. Second by G. Faust. All in favor. Motion passed.

No Zoning Administrator Report. Al Gareau not present.

Board Liaison Report by T.Chenier. Board discussed FEMA requests for Flood Plain Management. Verso Grow concerns continue. Fire Department participated in Christmas Parade, Shop with a Cop, CANDY CANe drive, funeral tribute and the Menominee paper mill fire. Gratitude has been expressed for a great job the fire department performs. Four volunteer fire fighters are participating in training classes. Tri Media meeting re-scheduled to review process on cemetery mapping and internet access. Shumacker Technology Group is preparing a new website with government domain name. ARPA Funding suggestions are encouraged. Townhall water in basement repairs are still in planning stage. Blight concern forward to attorney for enforcement. Future Land Use Map and 3 land division ordinances were approved and published. They will be active 30 days after that. Dates for 2023 Board meetings were approved and are posted. Vicky Gobert, Bob Tourangeau and Nate Neumeier were appointed to the Board of Review. Carla Beauchamp is alternate. JC Property Maintenance will provide snow removal. A referendum of Ordinance 11-22 was received by Bob Barron. On December 20, 2022 there was a Special meeting held at the Delta Chamber of Commerce Bldg with Biilerud requesting a renaissance zone, which was passed unanimously.

OLD BUSINESS. Continuing education offered by the MTA, Now You Know seminar access is available. Fence Ordinance discussion tabled.

NEW BUSINESS. D.VanLoon made a nomination to appoint DJ Dean as Planning Commission Secretary. DJ.Dean accepted. Mr. VanLoon inquired if any other member would be interested in Chair or Vice Chair positions. None. D.VanLoon will continue as Chairperson. Greg Faust will continue as Vice Chair. **Motion made by G. Faust to accept DJ Dean as Secretary. Second by D.VanLoon All in favor. Motion passed.**

PUBLIC HEARING OPENED 7:48 PM.

Fred Minor addressed the Commission with concerns of zoning history, parcel sizes, setbacks, livestock, fertilizers, pesticides, neighbor's horse and an electric fence next to his property on N.3 Lane. Feels river frontage is valuable asset for township.

Jake Nyquist, also a resident of N.3 Lane, addressed the Commission with zoning concerns. As previous Supervisor of Escanaba Township he feels the township should not have zoning or look at having 1 zone in township. At the end of N.3 Lane, the gravel pit areas should be zoned industrial.

Public Hearing Comments: **Maradee Luft** feels small farming should be protected and allowed. **Lynn Williams** stated her property located next door to Minor has been farmed for over 100 years, since 1905. There have been inspections of her property and they were assured their process for the handling of waste was done properly. She said having 4 H animals are all good for the youth to experience and enjoy. **Sara Soper** voiced concerns that fowl could also be restricted. This is the rural lifestyle. Taking away someone lively hood is wrong. **Mike Williams** stated his fences are contained. Not all are electric. Their property has always been given a Grade A Exceptional report. **Mick VanEffen** has lived on N.3 Lane 45 years asking why there even is an issue for change. He has no problems with any of the animals. **Tom Piche** remarked that people live in rural areas to have animals. **Reino Maki** state he has no problems with any of the animals on N.3 Lane and there is probably more pollution from fertilizing lawns. **Bob Barron** said zoning takes away a landowners rights. **Theresa Piche** sees a need to keep zoning in check and requested that the township does not get rid of zoning.

8:24 pm Laura Genovich, Attorney for Escanaba Township, explained the reason for the public hearing is due to an appeal request of the RR zoning on N.3 Lane declared by the ZBA.. Public records have been reviewed and found the 1976 and 2010 Zoning maps have different zoning designated for N.3 Lane. The 2010 map has R2 with no documents to prove the change. The Planning Commission's duty is to make a recommendation to the Township Board if there should be an amendment to the 2010 Zoning Map so the Board can make the legislative decision to change map or not. The Planning Commission's options are:

- 1) Adopt a resolution recommending that the Township Board amend the Zoning Map to designate all (or some) of the properties as being in the RR zoning district
- 2) Approve a motion recommending that the Township Board NOT amend the Zoning Map to designate the properties as being in the RR zoning district. *(The Township Board still must consider the possible Zoning Map amendment.)*
- 3) Table the issue following the public hearing for further consideration at a future public meeting. (The Planning Commission is not required to make its recommendation at this meeting and can take up the issue at a future meeting.)

Chairperson VanLoon stated there is confusion in this area and others on the 2010 map. He personally has researched back since 1976 and found no records to show this area is correctly zoned on the 2010 map. He also reviewed the township Master Plan stating the township can re-zone if consistent with the Master Plan. He then opened the discussion to the Planning Commission members. G.Faust commented that no real records showing changes or the 1988 changes were never followed through are concerns. N.Neumeier felt more time was needed. Atty Genovich did explain that the ZBA spent a lot of time and research preparing their decision. N.3 Lane Resident **Mike Williams** requested a decision be made soon. This has been going on for a very long time. Another N.3 resident said she liked all the comments the neighbors were making but had serious concerns regarding an article in newspaper. She felt it would be terrible if someone would be denied rebuilding in case of a loss due to fire. She also asked that the committee consider a grandfather clause be considered. **Public Comment closed at 8:47pm.**

Members continued discussions to include but not limited to: RR zoning allows up 3 horses per lot, R2 restricts animals that are allowed. Gravel pits are a conditional use permit. Setbacks need to be considered. The ZBA interpretation is RR zoning based on their research. There is litigation pending on this presently. Planning Commission is tasked with what the zoning should be. Greg F stated it keeps going back to the only item approved is the 1976 zoning map. Hoping to make it work for all.

with a conditional use permit if lot size is sufficient

is zoning map was incorrect

Attorney Genovich advised a resolution can be presented to the Board with all parcels that are included to be listed with a geographical description along with the public comments at the February 2023 meeting.

Motion to table until February meeting made by D.VanLoon. Second by DJ Dean. All in favor. Motion passed.

PUBLIC HEARING CLOSED AT 9:35 PM.

PUBLIC COMMENTS. Fred Minor

T.Chenier added a statement of clarification, "The newspaper article (referred to by N.3 Lane resident comment) was not put in the paper by the Township Board or Planning Commission."

Motion to adjourn made by N.Neumeier at 9:37pm. Second by T.Chenier. All in favor. Motion passed.

The Next meeting of the Escanaba Township Planning Commission is scheduled for February 6, 2023 7:30 pm at the Escanaba Township Hall 4618 County Rd 416 20th Rd Gladstone MI 49837.

Minutes prepared by Cathy Culliton, Recording Secretary

*2-6-2023
Cathy Culliton*