

Mason County Planning & Zoning Department

102 E. FIFTH STREET
SCOTTVILLE, MICHIGAN 49454
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July 19, 2016

Minutes of the Mason County Planning Commission meeting held at 102 E. Fifth St.,
Scottville, on July 19, 2016 at 7:00 p.m.

MEMBERS PRESENT: Michael Shaw, Tom Hooper, Cary Shineldecker, Doug
Robidoux, Janet Anderson, Jim Wincek

MEMBERS ABSENT: Steve Bieniek (excused)

OTHERS PRESENT: Trudy Roy, Mary Reilly

The meeting was called to order at 7:00 p.m. by Tom Hooper.

Tom Hooper welcomed Jim Wincek to the Board.

A motion was made by Doug Robidoux and 2nd by Mike Shaw to approve the minutes of
June 28, 2016 as presented. Motion carried, 6 Yes 0 No.

A motion was made by Mike Shaw and 2nd by Janet Anderson to approve the minutes of
July 7, 2016 as presented. Motion carried, 6 Yes 0 No.

Addition or deletions to the agenda: None

Conflict of Interest: None

Tom Hooper opened public comment. There was none. Tom Hooper closed public
comment.

Correspondence: None

A public hearing was held for application PZ16098, a mini-warehousing/self storage
business located at 7090 S. Pere Marquette Hwy, Summit Township in a C-3 district.
The applicant is Richard Whitcomb/Trace Summit. The applicant has requested a site
plan amendment related to a previously approved special land use permit to establish a
mini-warehousing/self storage business. The owner will construct one 60' x 120'
commercial storage building in lieu of several other smaller buildings measuring
approximately 30' X 140'. There were no letters for or against.

Ms. Reilly went through the site plan worksheet and stated Jim Riffle, Drain
Commissioner, has seen the site plan and did not have any concerns with drainage.

Doug Robidoux made a motion to accept the staff analysis as part of the file. Second by
Cary Shineldecker. Motion carried, 6 yes 0 no.

There was a discussion on what would be stored in the buildings and the fact that a
green belt was not needed because of the existing screening.

1
2 Mary Reilly asked Mike Kissel if there were plans for any more buildings. If this site plan
3 revision is approved there could be no more buildings on the site. All of the smaller
4 buildings were removed from the site plan.

5
6 Mike Kissel stated the owner does not plan on building any more buildings on the site.

7
8 A motion was made by Mike Shaw and 2nd by Jim Wincek to approve revised site plan as
9 amended. Motion carried, 6 Yes 0 No.

10
11 A Public Hearing was held for a text amendment request by Dann and Julie VanDyke on
12 Section 19.05 Off-street Parking Space Layout, Standards, Construction and
13 Maintenance. Mary Reilly went over the applicant's proposed language and the
14 proposed language from Adam Young as part of the zoning ordinance update. Ms. Reilly
15 explained the options available to the Board.

16
17 Julie VanDyke stated they would like to see a lease holder not held responsible for
18 paving someone else's property. A start up business can take 3-5 years "to get on its
19 feet and we are asking for more time to pave". Ms. VanDyke stated that trap rock is a
20 good surface for some businesses; not all businesses need asphalt.

21
22 Dann VanDyke stated he hoped the proposed text amendment would allow more leeway
23 instead of being "hard nosed".

24
25 Tom Hooper closed the public hearing.

26
27 Cary Shineldecker stated he was concerned with item # 6 in the applicant's proposed text
28 amendment. The proposed text amendment stated "all parking lots shall be striped
29 according to approved site plan". Mr. Shineldecker stated that If trap rock is used "you
30 can not stripe the parking lot because the rock will move all over". Handicap parking
31 needs to be marked. In item # 7, the 4 year period to pave is too long.

32
33 There was a discussion by the Board on various types of surfacing, the dangers of
34 various surfaces on US-10, and the maximum amount of time to meet the paving
35 requirement.

36
37 Mary Reilly summarized what the Board had discussed.

- 38 1. If an exception is given for paving and then there is a change of use there needs
39 to be a mechanism for change.
- 40 2. Safety issues on US 10
- 41 3. Attention should also be given to outside expansion not just the size of the
42 building.
- 43 4. When stated not visible – what about tall structures (6.v).
- 44 5. Questions on different zoning districts having different requirements
- 45 6. 4 years is too long to wait for paving. 2 years with 3rd year option.

46
47 Mike Shaw asked about changing to 2 years.

1
2 Board consensus was 2 years with no extension.

3
4 There was a discussion on the definition of the different types of surfaces and what
5 thicknesses to use as a bed for the parking area.

6
7 Doug Robidoux asked if tonight's ideas would be sent to Adam Young or if Mary Reilly
8 was going to work up a draft ordinance.

9
10 Mary Reilly stated she would give Adam Young all the ideas/questions from tonight and
11 bring his comments back to the Board.

12
13 Cary Shineldecker asked if Adam Young could address striping on different types of
14 parking lots (non hard-surface).

15
16 Doug Robidoux asked if something could be brought back for the August 16th meeting.

17
18 A public hearing was held for application PZ16105, a home business expansion request/
19 impound lot to be located at 1947 S. Darr Road, Custer Township in a RE district. The
20 applicant is Jeff and Kathy Fiers. The applicant has requested a special land use to add
21 an impound lot (65' X 128') to the rear yard in order to be put on a list to respond to
22 accidents. Mary Reilly gave a staff report (portion below) and presented photos, site
23 plan, and aerial view. There were no letters for or against.

24
25 **PROJECT DESCRIPTION:** The applicant established a towing company "Fiers Towing and
26 Recovery LLC" in 2014. The business is operated as a home base for operations off site. The
27 business is operated by Kathy and Jeff Fiers (homeowners), and son Adam Fiers. **The owners**
28 **want to add an impound lot (65' X 128') to the rear yard in order to be put on a list to**
29 **respond to accidents.** This area would be enclosed with privacy fencing on three sides
30 (potentially four sides) and locked at all times. The south side of the rear yard is in a forested area
31 and the owner is uncertain if he can get posts for a privacy fence into the ground and may go with
32 a chain link on that side only.

33
34 **PHYSICAL SITE CHARACTERISTICS:**

- 35 1. The business would be operated out of a 12' X 12' room in the dwelling.
36 2. There would be two trucks stored in the driveway, approximately 150' from the edge of
37 Darr Road and 5-feet from the south property line.
38 3. The south property line has a buffer of trees, but the majority of the trees are located on the
39 adjoining property.

40
41 **FINDINGS OF FACT:**

- 42 1. 8 sf sign on the garage
43 2. The business would be operated out of a 12' X 12' room in the dwelling.
44 3. Employees: Jeff and Karen Fiers (residents) and later Adam Fiers
45 4. No typical hours of operation—on demand only.

46
47 A motion was made by Mike Shaw and 2nd by Jim Wincek to accept staff analysis into the

1 record. Motion carried, 6 Yes 0 No.

2
3 Jeff Fiers mentioned he has been in business for 2 years and would like to be added to
4 the list of wrecker services to respond to accidents. Mr. Fiers explained how the process
5 works and stated he must meet all Sheriff and State requirements. About 90 to 95% of
6 fluids in a vehicle come out at the time of an accident. The impact of fluids at the
7 impound lot is very minimal and he has remedies available for such occurrences such as
8 tarps, shovels, and oil pads.

9
10 Mary Reilly asked what the average number of cars in the lot would be.

11
12 Jeff Fiers told the Board he would have approximately 4 to 8 cars at a time. He would be
13 one of four companies on the list.

14
15 Tom Hooper closed public hearing.

16
17 The Board discussed concerns for the number of cars, size of the lot, fluid leaks and the
18 need for a solid fence.

19
20 Tom Hooper asked the Board if there were any comments on Standard 17.32 Home
21 Based Business.

22
23 Mike Shaw stated he would like to see a written hazardous waste plan that meets
24 OSHA/MDEQ.

25
26 There was a discussion by the Board on what should be included in a hazardous waste
27 plan.

28
29 Mary Reilly asked if the plan could be submitted to her or did the Board want to see it.

30
31 Board agreed plan could be submitted to Mary Reilly.

32
33 A motion was made by Janet Anderson and 2nd by Doug Robidoux to approve Section
34 17.32 Home Base Business per staff analysis. Motion carried, 6 Yes 0 No.

35
36 Tom Hooper asked the Board if there were any comments on Standard 16.05 Special
37 Land Use.

38
39 There was a discussion by the Board on the size of the impound lot or the number of cars
40 allowed in the impound lot.

41
42 Board agreed on a condition to allow a maximum of 15 cars in the impound lot at one
43 time.

44
45 A motion was made by Doug Robidoux and 2nd by Jim Wincek to approve Standard
46 16.05 Special Land Use per staff analysis with the condition that a maximum of 15 cars
47 can be stored in the impound lot. Motion carried, 6 Yes 0 No.

1 Tom Hooper asked for any comments on standard 18.05 Site Plan

2
3 A motion was made by Cary Shineldecker and 2nd by mike Shaw to approve section
4 18.05 site plan per staff analysis. Motion carried, 6 Yes 0 No.

5
6 The Board took a 5 minute recess at 9:25 pm

7
8 Board reconvened at 9:30 pm.

9
10 A public hearing was held for application PZ16120, site plan review request/Dollar
11 General to be located at 6649 E. US-10, Branch Township in a C-2 district. The applicant
12 is Midwest V, LLC (Peter Oleszczuk). The applicant has requested a site plan review to
13 build a Dollar General Store. There were no letters for or against.

14
15 Ms. Reilly went through the site plan worksheet and stated Jim Riffle, Drain
16 Commissioner, has seen the site plan and had approved the stormwater drainage plan as
17 presented. Access Management reviewed the site plan and approved the driveway on
18 the west side of the property. The Zoning Board of Appeals granted several variances on
19 the parcel at their last meeting related to landscaping in the parking lot and allowing
20 loading in the side yard rather than the rear yard.

21
22 Peter Oleszczuk, the developer, explained the site plan to the Board and stated the
23 outside lighting on the building is night sky compliant. Mr. Oleszczuk stated he has public
24 health, soil erosion, and stormwater approval. He discussed the west-side driveway and
25 initial discussions with MDOT to place the driveway on the east side of the lot. The
26 driveway location was changed because of the curve in US-10.

27
28 Tom Hooper closed public hearing.

29
30 There was a discussion by the Board on various aspects of the site plan. The Board
31 agreed the site plan was excellent.

32
33 A motion was made by Janet Anderson and 2nd by Mike Shaw to approve the site plan as
34 presented because it met Section 18.05, Standards for Approval. Motion carried, 6 Yes
35 0 No.

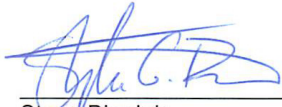
36
37 Public comment– None

38
39 Zoning Directors Report: Mary Reilly stated she has not heard back on the sample she
40 sent in for testing and she is having a hard time finding someone to come out and test the
41 towers. Tom Greene's interference complaint will be tested on Thursday.

42
43 Zoning Board of Appeals: Mary Reilly gave the Board a summary of the variances
44 granted at the July 6th meeting for Dollar General and Robert Osmolski.

45
46 The next meeting will be Tuesday, August 16, 2016 at 7:00 PM.

1 Meeting adjourned at 10:05 PM.
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Steve Bieniek
Mason Planning Commission Secretary

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