

# Mason County Planning & Zoning Department

102 E. FIFTH STREET  
SCOTTVILLE, MICHIGAN 49454  
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April 18, 2017

Minutes of the Mason County Planning Commission meeting held at 102 E. Fifth St.,  
Scottville, on April 18, 2017 at 7:00 p.m.

MEMBERS PRESENT: Michael Shaw, Tom Hooper, Doug Robidoux, Janet  
Andersen, Jim Wincek, Frank Redmond, Cary Shineldecker

OTHERS PRESENT: Mary Reilly, Cayla Christmas

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

The meeting minutes from April 4, 2017 were approved as presented with a motion by  
Doug Robidoux and second by Jim Wincek. Motion carried, 7 yes 0 no.

Addition or deletions to the agenda: None

Conflict of Interest: None

Public Comment: 2

Brian Smith, Zeeland, asked if anything could be done to allow him to put a small shed  
on a piece of property he owns that does not have a dwelling on it. The zoning  
ordinance currently does not allow it.

Tom Hooper stated the zoning ordinance is currently under review and that is  
something they are looking into modifying.

Gary and Tina Holey, Branch Township, purchased a store on a land contract (6592 E.  
US-10) and are living in it. They received a violation notice and were told the necessary  
steps to make the store into a dwelling. Mr. and Mrs. Holey stated they don't have the  
funds to apply for a variance, special land use, or building permit to convert the store  
into a dwelling.

Mike Shaw asked if a payment plan can be set up to try and help Gary and Tina Holey.

Mary Reilly stated Gary and Tina Holey do not hold ownership of the property as the  
land contract has not been registered at the Register of Deeds. The Planning  
Commission agreed ownership needs to be determined with the Register of Deeds  
before they can move forward with anything.

Tom Hooper closed the public comment period.

Correspondence: 0

Tom Hooper opened the public hearing for application PZ17034 for an expansion of an

open-air business in Amber Township requested by Carter Lumber (parcel 001-015-045-40, behind Carter Lumber), 2323 W. US-10. Carter Lumber is proposing a 6-acre storage area expansion, fenced in with a 6' chain-link fence with 3-strands of barbed wire. There will be a new driveway on Stiles Road for truck traffic and deliveries, not for customer traffic. There are no new structures proposed, only the fence and gate. There was no correspondence related to this application. Below is a portion of the staff report:

#### FINDINGS OF FACT:

1. Existing parcel, 5.51 acres; new parcel 26.92 acres
2. The proposed area is 480' X 500' (approximate) and a total of 5.9 acres.
3. The area will be covered in gravel.
4. The area will be enclosed by a chain link fence, 6' height with single strand of barbed wire (if approved by the PC).
5. The proposed driveway is gravel with a paved entrance to Stiles Rd.
6. The proposed driveway is for truck/delivery traffic only—not for customers.
7. Drainage plan has been approved by the Drain Commissioner- water will drain to the north and west—a retention area is located along the west side of the gravel area.
8. Stiles Road is not an all-season road in that location. Carter Lumber is in discussions with Mason County Road Commission on bonding that section of road or whatever means are necessary to allow for truck traffic during frost law restrictions. (Hope to have more details at the meeting)
9. Greenbelt is shown along US-10 in front of Carter Lumber—outside of detention areas and clear vision.
10. Existing trees and shrubs to remain along Stiles Rd and the east side of the property to shield this from public view and residential properties.

#### UNIQUE PHYSICAL CHARACTERISTICS

1. The property has well drained, sandy soils (32B- Fern Fine Sand). No major building concerns or drainage (within the storage area).
2. Areas closer to Stiles Road and nearby (not subject area) are not as permeable soils/wetlands on the front and along west side of Carter Lumber site.
3. A County drain is located along the west side of Stiles Road.
4. The parcel is relatively flat—with about 5 feet of relief within the subject storage area.

Tim Albanese, Carter Lumber's Construction Superintendant, stated Carter Lumber is purchasing 46 acres from the owner. They plan on using 6 acres for the outdoor storage expansion. Mr. Albanese stated the property will be fenced in and a gate will be controlled on Stiles Road for security.

Mary Reilly stated the Planning Commission would need to approve a 6 ft high chain link fence with a strand of barbed wire on the top in the site plan. Ms. Reilly also stated Stiles Road is not an all-season road, and Carter Lumber would need to work out an agreement with Mason County Road Commission for truck traffic.

Doug Robidoux stated he is on the Mason County Road Commission and presented options to Carter Lumber to be able to put an access on Stiles Road. Mr. Robidoux stated Carter could choose to not receive shipments during road weight restrictions, make the road an all-seasons road to the train tracks south of the access point, or seek a bond from the Road Commission to guarantee the road and hold Carter Lumber

1 responsible for any damages.

2  
3 Mary Reilly stated Carter Lumber will be planting trees and shrubs along US 10 to  
4 conform to the Greenbelt requirements. Ms. Reilly presented relevant sections of the  
5 zoning ordinance. Ms. Reilly stated the site plan meets Standards 17.47, 16.05, and  
6 18.05.

7  
8 Cary Shineldecker asked why it was required for Carter Lumber to plant trees and  
9 shrubs along US 10 when there are already mature trees there. Mary Reilly stated that  
10 requirement can be waved by the Planning Commission. Ms. Reilly stated the site plan  
11 complies with the Greenbelt ordinance.

12  
13 Mike Shaw made a motion to accept the staff analysis as part of the file. Second by  
14 Janet Andersen. Motion passed 7 yes, 0 no.

15  
16 Kim Wild, Carter store manager, stated he is excited to make it safer for the trucks to  
17 deliver supplies.

18  
19 Jim Wincek stated he thinks this is a great project. Mr. Wincek agreed it will be safer for  
20 delivery trucks to use Stiles Road instead of blocking traffic on US 10.

21  
22 Janet Andersen said she likes the project as long as the issues with the Road  
23 Commission are resolved. Ms. Andersen stated she is concerned with the dust that  
24 could be generated from the gravel surface.

25  
26 Mike Shaw agreed with Janet Andersen about the dust and expressed support for the  
27 project.

28  
29 Cary Shineldecker stated the barbed wire approval needed to be included in the site  
30 plan conditions to be approved. Mr. Shineldecker also stated he was concerned with the  
31 dust and Road Commission approval.

32  
33 Doug Robidoux stated Carter Lumber could look into geo-textile fabric in their driveway  
34 if they wanted to open their other 40 acres to future businesses. Mr. Robidoux also  
35 pointed out that if Carter Lumber was planning to move sand that is already on the  
36 property for use in the driveway and area which is being developed, the property could  
37 become "a big blow" if the ground is not stabilized. Mr. Robidoux thinks this is a good  
38 project.

39  
40 Frank Redmond agreed this is a good plan and is also concerned with the dust.

41  
42 Mary Reilly asked if different types of surfacing product could be required on the storage  
43 area vs. the access drive.

44  
45 Tim Albanese stated certain types of product must be used for compaction reasons. Mr.  
46 Albanese said the fork lifts and other equipment will not work on certain types of product  
47 because they will "just spin out." Mr. Albanese explained the type of gravel they will be

1 using is the same as what is there now.

2  
3 Tom Hooper recapped on what conditions to the site plan needed to be approved by the  
4 Planning Commission: 3 strands of barbed wire at the top of a 6ft tall chain link fence,  
5 meets conditions of the Mason County Road Commission, and the dust has to be  
6 controlled.

7  
8 Cary Shineldecker proposed a condition that "materials used will minimize dust and be  
9 maintained to minimize dust".

10  
11 Frank Redmond motioned to conditionally approve the site plan and special land use  
12 application PZ17034 for a expansion of an open-air business (Carter Lumber) with the  
13 following conditions: 1) approval received by Mason County Road Commission 2) 3-  
14 strand barbed wire approved 3) owner will use materials to minimize dust and maintain  
15 property to minimize dust. Approved according to Section 16.05, 18.05 and 17.47 of the  
16 Mason county Zoning Ordinance. Second by Janet Andersen. Motion carried, 7 yes 0  
17 no.

18  
19 Mary Reilly presented an application submitted by Jeff Hettinger (PZ17045), a site plan  
20 amendment for a proposed used car sales business at 1795 W. US Hwy 10 in Amber  
21 Township (parcel 001-015-054-01). The property is owned by B and K Holdings (aka  
22 Brian Smith). A portion of the staff report is below.

23  
24 **FINDINGS OF FACT:**

- 25 1. The previous business was Cottage works, which had open air business and retail uses.  
26 2. The entire building is heated.  
27 3. 680 sf of office space  
28 4. 2400 sf of detailing space at rear.  
29

30 **UNIQUE PHYSICAL CHARACTERISTICS**

- 31 1. The property has well drained, sandy soils (57 B and 57C- Grattan Sand)  
32 2. The environmental features (existing vegetation, drainage, topography) of the property  
33 will remain unchanged.  
34

35 Ms. Reilly stated the open air business was established by Cottage Works and that use  
36 had not been abandoned. Therefore a site plan amendment is all that is required to  
37 establish that the retail use is being abandoned and the use of the building is changing  
38 to include office space in front. The location of display items, location of building, etc.  
39 has not changed from the Cottage Works site plan when the open air business was  
40 established. Ms. Reilly stated the back part of the existing building will be used for  
41 detailing vehicles. There will be no automobile maintenance or repair at the location.  
42 Jeff Hettiger is planning to use the existing Cottage Works sign structure and stated  
43 they are 2 weeks out from having the parking lot resurfaced.

44  
45 Mary Reilly stated the standards in Section 18.05 were relevant to granting a site plan  
46 approval.

47  
48 Doug Robidoux made a motion to accept the staff analysis into the file. Second by Cary

1 Shineldecker. Motion carried, 7 yes 0 no.

2  
3 Mike Shaw stated he likes the idea of having pavement.

4  
5 Frank Redmond said he likes the existing privacy fence on the property.

6  
7 Doug Robidoux asked if there was a proposed start date.

8  
9 Jeff Hettiger said he hopes to start June 1<sup>st</sup>.

10  
11 Mike Shaw made a motion to approve the site plan as noted with crushed, rolled asphalt  
12 hard surfacing for customer parking area and required landscape greenbelt. Second by  
13 Jim Wincek. Motion carried, 7 yes 0 no.

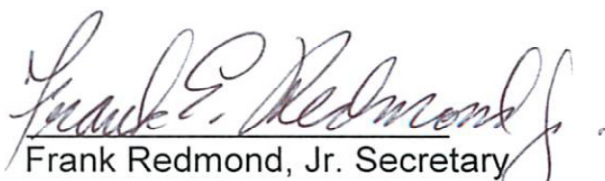
14  
15 Unfinished Business: None

16  
17 Zoning Director's Report: Mary Reilly stated she is expecting something from Benedict's  
18 where Smalley's Construction used to be on US 10. Ms. Reilly also said she received a  
19 phone call about a development in front of Meijer.

20  
21 Zoning Board of Appeals: None

22  
23 Tom Hooper opened the floor for public comment. There was no public comment.

24  
25 Tom Hooper adjourned the meeting at 8:37 pm.

26  
27  
28  
  
Frank Redmond, Jr. Secretary  
Mason County Planning Commission