

Mason County Planning & Zoning Department

102 E. FIFTH STREET
SCOTTVILLE, MICHIGAN 49454
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March 6, 2018

Minutes of the Mason County Planning Commission meeting held at 102 E. Fifth St.,
Scottville, March 6, 2018 at 7:00 p.m.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Fabian Knizacky, Mary Reilly, Cayla Christmas

The meeting was called to order at 7:00 p.m. by Chairman Jim Wincek.

Janet Andersen made a motion to approve the minutes of the March 1, 2018 public
hearing as amended. Second by Tom Hooper. Motion carried, 7 Yes 0 No.

Additions, deletions or modifications to the agenda: Fabian Knizacky made a motion to
approve the agenda as presented. Second by Janet Andersen. Motion carried, 8 yes 0
no.

Conflict of Interest: None

Jim Wincek opened public comment.

Evelyn Bergaila provided a 4 page handout to the board regarding the International Fire
Code for site access. Ms. Bergaila summarized information from the State of Michigan
on the LARA website regarding adequate access for emergency vehicles. Ms. Bergaila
stated the International Fire Code should at least be referenced in the zoning ordinance.

Mary Reilly read a letter for public comment from Andrew Plocienniczak. Mr.
Plocienniczak stated the term "safe means of egress" is too vague of language to
ensure adequate access for emergency vehicles. He also commented on building
grades. Mr. Plocienniczak stated a surveyor should be required to sign off on all
residential site plans.

Correspondence: None

Applications: None

New Business: Mary Reilly read the proposed changes to the Mason County Zoning
Ordinance stemming from the public comments at the public hearing on March 1, 2018.

Jim Wincek suggested the Planning Commissioners discuss each item one at a time.

The Planning Commission discussed the standard in Section 18.05 regarding Safe

1 Egress.

2
3 Mary Reilly stated "safe means of egress" means "adequate access to site." Ms. Reilly
4 that a review of fire access should be done and the Planning Commission can
5 determine how that may occur. There may be times when a fire chief needs to review
6 the site plan and other times where it may not be necessary.

7
8 Doug Robidoux agreed there would be unintended consequences to refer to the code in
9 the ordinance without the proper fire official to interpret it.

10
11 Cary Shineldecker stated he did not believe the reference to the fire code is needed. Mr.
12 Shineldecker believed if six different people were to look at a site plan then all of them
13 would come up with the same outcome given the language.

14
15 Janet Andersen stated safety cannot be ignored.

16
17 Doug Robidoux suggested setting something up similar to access management to
18 establish fire safety.

19
20 Mike Shaw stated he liked the language Adam Young had written. Mr. Shaw
21 acknowledged that Evelyn Bergaila made good points, but he felt "demonstrates safe
22 egress" sets the requirement. Mr. Shaw said they could require a safe means of egress
23 be shown.

24
25 Fabian Knizacky suggested a conversation be had with the rural fire chief.

26
27 Mary Reilly agreed with Fabian Knizacky.

28
29 The Planning Commission agreed they would not make a decision until Mary Reilly
30 brought more information back to the board.

31
32 Jim Wincek moved on to the language regarding the number of accessory structures on
33 vacant land.

34
35 Cary Shineldecker made a motion to strike paragraph b #2 (regarding required
36 setbacks) because of redundancy with existing standards. Second by Tom Hooper.

37
38 Tom Hooper made a motion to amend the motion by Cary Shineldecker to amend the
39 numbering. Cary Shineldecker agreed with the amendment to his motion.
40 Motion carried, 8 yes 0 no.

41
42 Fabian Knizacky stated allowing up to 3 accessory buildings on one property will not
43 prevent people from splitting their land. Instead, they will split their land and have 6
44 buildings instead of 2.

45
46 Janet Andersen agreed with Fabian Knizacky and stated the language should be kept at

1 allowing 1 building.

2
3 The Planning Commission agreed the owner can expand their 1 building at a later date
4 if they would like as long as they do not exceed the 3,000 square foot dimensional
5 maximum.

6
7 Cary Shineldecker made a motion to keep the original language draft language from
8 Section 3.01 13.b in the February 15, 2018 amendment package but adding the
9 exception within the R district to not exceed 20' in height. Second by Janet Andersen.

10
11 There was a discussion about allowing a building and another type of accessory
12 structure such as a pavilion or gazebo.

13
14 Fabian Knizacky stated by allowing 1 building they are acknowledging the initial issue of
15 allowing an accessory building for storage, not for entertaining.

16
17 Mike Shaw and Frank Redmond agreed there should be 1 building allowed.

18
19 Motion carried, 8 yes 0 no.

20
21 Jim Wincek moved on to the language regarding the Keeping of Animals, Section 3.19.

22
23 Doug Robidoux stated the current language of "domesticated pets" could mean dogs
24 and cats and suggested that language be deleted.

25
26 Fabian Knizacky asked if a 150' setback would be an adequate setback from the water.

27
28 Mary Reilly stated there are many different factors, i.e. slope, soil, vegetation, manure,
29 etc., that would determine the setback's effectiveness, but the 150' setback is a start.
30 Ms. Reilly added there are no other setbacks to water bodies for animals in other
31 districts such as AG or RE.

32
33 Janet Andersen acknowledged there is an issue in lake areas and questioned if 150'
34 would be enough of a setback. Ms. Andersen stated her concerns over the number of
35 animals people could have as well.

36
37 Cary Shineldecker stated the keeping of animals is allowed in the Ag zoned district
38 without any regards to restrictions involving setbacks from creeks, rivers, and lakes. Mr.
39 Shineldecker agreed 150' would be a good starting point as it provides some buffer
40 zone.

41
42 Fabian Knizacky stated restrictions can't be made in the Ag district, but agrees 150' is a
43 good starting point.

44
45 Tom Hooper stated his concerns with the high number of animals allowed. Mr. Hooper
46 stated there should be a lower limit in the RR and R districts. Mr. Hooper agreed 150' is

1 a good starting point.

2
3 Frank Redmond stated having a cap for 20 acres would reduce the number of animals
4 allowed.

5
6 Doug Robidoux and Mike Shaw agreed that 150' is a start.

7
8 Cary Shineldecker agreed with Doug Robidoux about correcting "domesticated pets."
9 Mr. Shineldecker added that no one has addressed the two options given for #7, but
10 stated neither option was needed. Doug Robidoux, Janet Andersen, Frank Redmond,
11 and Mike Shaw agreed they are not in favor requiring permits for Keeping of Animals.

12
13 The board questioned the word "recreation" when referring to the animals in Section
14 3.19 #2..

15
16 Fabian Knizacky stated there is a difference between "recreational" animals and food on
17 the table.

18
19 Jim Wincek suggested striking the word "recreation" as well.

20
21 Janet Andersen stated the language given was a start and agreed with Fabian Knizacky
22 about the zoning map needing to be revisited. Doug Robidoux, Mike Shaw, and Tom
23 Hooper agreed.

24
25 Fabian Knizacky made a motion to accept all of the bolded language with the exception
26 of item 7, and to eliminate the language of "domesticated pets or recreation" in #2.
27 Second by Mike Shaw. Motion carried, 8 yes 0 no.

28
29 Fabian Knizacky stated the Planning Commission should address two other issues
30 brought up at the public hearing with the proposed language. Mr. Knizacky stated
31 Evelyn Bergaila mentioned the contour issue, and Tom Coleman stated 80% of surface
32 area for electronic signs was too large.

33
34 Tom Hooper stated he liked the thought of putting contours on site plans, but
35 recognized it would be an expensive burden to put on a homeowner for a small site plan
36 as an engineer or surveyor would be required.

37
38 Mary Reilly suggested adding "finished contour lines" as letter O to Section 18.03 #2
39 under site plan review instead of administrative review.

40
41 Janet Andersen, Mike Shaw, and Tom Hooper agreed and liked Mary's suggestion.

42
43 Doug Robidoux agreed but stated he is concerned with subdivisions.

44
45 Fabian Knizacky made a motion to add "proposed contours" as item O in Section 18.03
46 #2. Second by Tom Hooper. Motion carried, 8 yes 0 no.

1 Fabian Knizacky read back Tom Coleman's comment from the public hearing of thinking
2 80% of electronic sign is too much.

3
4 Tom Hooper stated the Planning Commission had looked at the language and
5 considered it several times and recommended they leave the language as is.

6
7 Tom Hooper made a motion to leave the language regarding signs in Section 20.14 as
8 is. Second by Frank Redmond. Motion carried, 6 yes 2 no. Fabian Knizacky and Janet
9 Andersen voted no.

10
11 Unfinished Business: None

12
13 Zoning Directors Report: Mary Reilly stated the next meeting will be March 20th at the
14 Amber Township Hall. There are 4 special land use requests for crane pads by
15 Consumers Energy and a special land use request to expand an existing agribusiness
16 by Mason County Fruit Packers.

17
18 Zoning Board of Appeals: Cary Shineldecker stated ZBA has had a meeting on
19 February 21st where they granted a dimensional variance on a nonconforming lot on
20 Bass Lake.

21
22 Jim Wincek opened public comment.

23
24 Public Comment: Evelyn Bergaila complimented the Planning Commission's
25 discussions and their taking of the public's comments seriously. Ms. Bergaila stated the
26 NFPA offers free trainings according to an article she read. Ms. Bergaila stated the text
27 is the same under the NFPA and International Fire Code regarding access.

28
29 Meeting adjourned at 9:53 PM.

30
31 
32 Frank Redmond Jr., Secretary
33 Mason County Planning Commission