

Mason County Planning & Zoning Department

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

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

MEMBERS PRESENT: Tom Hooper, Jim Wincek, Doug Robidoux, Frank Redmond,
Michael Shaw, Dennis Dunlap

MEMBERS ABSENT: Janet Andersen (excused)

OTHERS PRESENT: Brady Selner, Cayla Christmas

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

Doug Robidoux made a motion to approve the minutes of the August 7, 2018 meeting
as written. Second by Frank Redmond. Motion carried, 6 yes 0 no.

Additions, deletions or modifications to the agenda: None

Conflict of Interest: None

Public Comment: Evelyn Bergaila requested an update on the sound testing for
Consumers Energy.

Correspondence: None

Jim Wincek opened the public hearing for application PZ18156, a special land use
request by Consumers Energy to construct a crane pad at Wind Turbine number 24.
The turbine is located in the Agricultural (AG) zoning district in Riverton Township
described as W 1/2 OF SW 1/4 EXC W 133 FT OF N 183 FT SEC 8 T17N R17W
PA116 53-18289-123119 access 4286 S. Brye Rd, Ludington, parcel 011-008-013-00.
Brady Selner presented the staff report, site plan, and photos. A portion of the staff
report is below:

FINDINGS OF FACT:

1. The crane pads are about 1' or 2' above grade and are generally not visible to the public—they appear “at grade” with the access road.
2. The dimensions are 54' x 100'.
3. The pads consist of crushed limestone.
4. The LWEP was approved under a special land use permit on July 7, 2011.
5. The special land use contemplates access roads, and sub stations, but not crane pads.
6. Based on a legal opinion of attorney Ron Redick from the public hearing on March 20, 2018, it was determined that the entire LWEP special land use permit did not need to be amended to allow for individual crane pads. However, it was appropriate to require a special land use for each individual site going forward.

PHYSICAL SITE CHARACTERISTICS: The sites are nearly flat around the perimeter of the turbine. All of the

1 sites have an access road which would be widened for the crane pad in proximity to the wind turbine tower base.

2
3 Doug Robidoux made a motion to accept the staff report as presented. Second by
4 Frank Redmond. Motion carried, 6 yes 0 no.

5
6 Rich Castle, Consumers Energy Representative, stated Consumers Energy would be
7 building the crane pads as needed with property owners' consent. Mr. Castle stated by
8 building a permanent crane pad, they would be saving their company and customers
9 money as it costs roughly \$30,000 to build and remove the nonpermanent crane pads.
10 Mr. Castle added the crane pads would be accessible and usable to the property
11 owners when not being used by Consumers Energy.

12
13 Tom Hooper asked Rich Castle if they had a crane pad planned for each wind turbine
14 and if they would be hearing a request for each individual crane pad. Mr. Castle stated
15 some of the sites are not ideal for a permanent crane pad while other property owners
16 do not want permanent crane pads on their property.

17
18 Jim Wincek closed the public hearing.

19
20 Mike Shaw stated he liked the concurrence with the property owners and stated the
21 crane pads were a good idea.

22
23 Dennis Dunlap asked what would happen to the crane pads at the end of the life of the
24 wind turbines.

25
26 Rich Castle stated the crane pads would be removed as part of the decommissioning
27 plan.

28
29 Doug Robidoux made a motion to approve application PZ18156 in regards to Sections
30 18.05 and 16.05 as per the staff analysis. Second by Mike Shaw. Motion carried, 6 yes
31 0 no.

32
33 Jim Wincek opened the public hearing for application PZ18165, a request for a special
34 land use amendment by Michigan American Legion in the Rural Estates (RE) and
35 Recreational Residential (RR) zoning districts in Eden Township described as E-139 NE
36 1/4 SEC 14 T17N R16W, 160 A M/L access 3383 E. Hawley Rd, parcel 004-014-001-
37 00. Brady Selner presented the staff report, site plan, and pictures. A portion of the staff
38 report is below:

39
40 FINDINGS OF FACT:

- 41 1. The following parcels are also included in the request (vacant land): 004-011-005-00, 004-014-002-00,
42 004-023-001-00, 004-013-002-00, 004-024-002-00, total of 1,183 acres m/l.
- 43 2. Please see attached brochure regarding recreational activities available, purpose, activities, etc.
- 44 3. The dwelling, outbuildings, etc. on the north side of the lake are being used by Veterans now and will
45 continue to be. Handicap modifications/ ramps and other ADA facilities have been made to existing
46 buildings.
- 47 4. The facility is private and not open to the public.

- 1 5. The RR district extends 300' from the edge of Woodruff Lake where Clubs are allowed as a special land
- 2 use (Section 7.03).
- 3 6. The remainder of the parcel is RE where Outdoor Recreation most closely aligns with the proposed use of
- 4 the land (Section 6.03).
- 5 7. Scouts and other youth groups may use the expansive acreage in a "leave no trace" fashion. They will
- 6 bring in their own food, pack out their own waste, and not be using the facilities.
- 7 8. Larry Crawford, Custer Fire Chief, has been given a tour of the facility and the property to orient the fire
- 8 department to the expansive area.
- 9 Additional findings of fact since approval of PZ16088 on October 18, 2016.
- 10 9. First review of the health departments BPA, for sewage disposal, was not approved. (See BPA form dated
- 11 10/10/18)
- 12 10. Upon second review of the BPA, the septic system was provisionally approved and the well was approved.
- 13 (See BPA form dated 10/18/18)
- 14 11. The new cabin will be fully ADA accessible.
- 15 12. There will be an ADA compliant bathroom in the new cabin.

16 PHYSICAL SITE CHARACTERISTICS:

- 17 1. The parcel contains a private lake.
- 18 2. The entire parcel will be kept in its most natural state.
- 19 3. No boats are allowed within the Lake other than those provided on the property in order to prevent
- 20 nuisance species from entering the lake.

21 Well and septic were placed by DHD #10

22
23
24 Mike Shaw made a motion to approve the staff analysis as presented. Second by Frank
25 Redmond. Motion carried, 6 yes 0 no.

26
27 Earl Ruttkofsky, Michigan American Legion Representative and Wilwin at Cygnet Cove
28 Caretaker, gave an overview of how the project has evolved with donations from the
29 public. Mr. Ruttkofsky stated he would be sitting down with the Michigan American
30 Legion to get a 5 year plan together to hopefully bring before the Planning Commission.

31
32 Jim Wincek stated the project was "a wonderful thing being done" and added the
33 Planning Commission would work with the Michigan American Legion when a 5 year
34 plan came before them.

35
36 Frank Redmond asked if there were any requirements regarding possible medical
37 needs at the location.

38
39 Beverly Ruttkofsky, Caretaker at Wilwin at Cygnet Cove, stated they had resources
40 lined up when needed.

41
42 Dennis Dunlap stated he was a member of the American Legion and would abstain from
43 voting.

44
45 Tom Hooper stated he was a member of the American Legion and would also abstain
46 from voting.

47
48 Jim Wincek closed the public hearing.

49
50 Frank Redmond stated he did not have any problems with the project and thought it was

1 a nice thing to do for veterans.

2
3 Mike Shaw stated he liked the thought of a 5-year plan coming before the Planning
4 Commission.

5
6 Doug Robidoux agreed with Frank Redmond and Mike Shaw.

7
8 Doug Robidoux made a motion to approve application PZ18165 in reference to Sections
9 17.16, 17.53, 16.05, and 18.05 as per staff analysis subject to recommendation of
10 District Health Department #10. Second by Mike Shaw. Motion carried, 4 yes 0 no.

11
12 New Business: Brady Selner asked the Planning Commission when they would like to
13 begin the interview process with consultants regarding the Master Plan Update.

14
15 The Planning Commission decided they would interview the two consulting firms at the
16 next meeting.

17
18 Jim Wincek stated he would like the consultants to be asked about their experience and
19 knowledge regarding solar as well as the possibilities of different ex-officios.

20
21 Brady Selner asked the Planning Commission if they would like to work on the Master
22 Plan Update while working on language for an ordinance regarding solar power or if
23 they would like to update the Master Plan first.

24
25 The Planning Commission agreed to update the Master Plan and create an ordinance
26 for solar power simultaneously.

27
28 Unfinished Business: The Planning Commission signed an amended site plan which
29 was approved at the August 7, 2018 meeting.

30
31 Zoning Director's Report: Brady Selner stated there was no further data obtained during
32 fall sound testing.

33
34 Brady Selner stated Betten Baker Ford had contacted him about the possibility of
35 expanding at one point but had not contacted him recently.

36
37 Brady Selner said Point North RV and Ludington Storage had not completed the
38 landscaping requirement as detailed on their approved site plans.

39
40 Brady Selnder stated there would be an Access Management meeting the following day
41 for a possible new gas station in Amber Township.

42
43 Brady Selner stated there was a commercial disc golf course constructed without the
44 proper permits. Mr. Selner added the owners were working with him to get a proper site
45 plan created.

1 Brady Selner stated he had started listing and classifying Home Occupations that were
2 not listed in the Zoning Ordinance.

3
4 Zoning Board of Appeals: Doug Robidoux stated the ZBA met on October 17 and
5 approved an application in Summit Township for a detached accessory building to be
6 located in the front yard due to topography, and they approved an application in
7 Riverton Township to rebuild and expand a legal nonconforming deck on a house.

8
9 Public Comment: None

10
11 Jim Wincek reminded the Planning Commission of the meeting location change
12 effective January 1, 2019. Mr. Wincek also stated Section 18.05 regarding safe egress
13 was still an outstanding issue on the Planning Commission's work list.

14
15 Jim Wincek congratulated Dennis Dunlap on his appointment as the Mason County
16 Drain Commissioner.

17
18 Meeting adjourned at 8:15 PM.

19

Frank Redmond, Jr. Secretary
Mason County Planning Commission