

Mason County Planning & Zoning Department

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August 18, 2020

Minutes of the Mason County Planning Commission meeting held at 5300 W. US 10,
Ludington, August 18, 2020 at 7:00 p.m.

MEMBERS PRESENT: Michael Shaw, Doug Robidoux, Janet Andersen, Jim Wincek,
Dennis Dunlap

MEMBERS ABSENT: Alan Neushwander

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 July 7th, 2020 and July 21st, 2020 as amended. Second by Janet Andersen. Motion carried, 5 yes 0 no.

Addition or deletions to the agenda: Brady Selner stated Jay Shillinger requested to appear before the Planning Commission at this meeting for clarification of permit conditions. Mr. Selner stated that discussion would be added under new business.

Conflict of Interest: None

Public Comment: None

Correspondence: Brady Selner stated he received correspondence from Pere Marquette Township regarding proposed amendments to their zoning ordinance.

Jim Wincek opened the public hearing for application PZ20072, Custom Conveyor Concepts, LLC, a special land use request to establish a repair and light assembly shop for the purpose of assembling custom conveyors on a property located in the Mixed-Use Transitional (C-3) zoning district, Custer Township, parcel 003-007-007-02, access 978 N. US Hwy 31. Brady Selner presented a staff report and site photos. A portion of the staff report is below:

FINDINGS OF FACT:

1. "Repair and light assembly shops" were added to the C-1, C-2, and C-3 zoning districts as a special land use following a text amendment effective 12-26-2019.
2. Equipment is designed at the shop.
3. Components are produced off site and are received at the shop for assembly.
4. The shop operates with a saw, drill press, welder, and hand tools.
5. Equipment is not painted and the operation does not produce any type of pollutants.
6. Semi-traffic is expected at the facility about 2 or 3 times a month on average. A majority of the components from vendors are delivered on pick-up trucks/vans or from UPS/Fed-Ex.

1 UNIQUE PHYSICAL CHARACTERISTICS

- 2 a. The site is relatively flat and contains underground storage tanks. The MDOT right-of-
3 way was recently extended.

4
5 Mike Shaw made a motion to approve the staff analysis as presented. Second by Doug
6 Robidoux. Motion carried, 5 yes 0 no.

7
8 Mike Shaw asked if there was a recommendation for an off-ramp for semi traffic into the
9 facility.

10
11 Brady Selner stated the trucks are pulling in, backing up, and then pulling out once on the
12 property.

13
14 Matt Gill stated the recent road construction widened the driveway to accommodate larger
15 semi trucks. Mr. Gill added they received possibly three to six trucks delivering supplies
16 per month. Mr. Gill stated those trucks varied from semis to box trucks.

17
18 Jim Wincek closed the public hearing.

19
20 Dennis Dunlap stated there was a commitment on the proposed site plan for a parking
21 block.

22
23 Matt Gill stated the parking blocks existed from the previous tenant's site plan, but it was
24 never installed. Mr. Gill claimed he was unaware the proposed parking blocks still
25 remained.

26
27 Dennis Dunlap asked if the applicant could take the site plan back and make modifications
28 to the parking proposal.

29
30 Brady Selner stated the applicant could do that and return for administrative approval.

31
32 Janet Andersen made a motion to approve application PZ20072 based on Section 16.05
33 and 18.05 with the conditions as noted with the changes on parking for administrative
34 approval. Second by Mike Shaw. Motion carried, 5 yes 0 no.

35
36 Jim Wincek opened the public hearing for application PZ20094, Maas Development, a
37 special land use request to construct and operate a 32 unit adult foster care large group
38 home on a property located in the Highway Commercial (C-1) zoning district, Amber
39 Township, parcel 001-018-086-01, access 4743 W. US Hwy 10. Brady Selner presented
40 a staff report and site photos. A portion of the staff report is below:

41
42 FINDINGS OF FACT:

- 43 1. Maas Development/Retirement Living Management has a purchase agreement on
44 approximately 10.5 acres of land in the southwest corner of parcel 001-018-086-01.
45 2. The 10.5-acre property was rezoned from R-E to C-1 (Effective 11-26-2019).
46 3. A text amendment adding "Adult Foster Care Large Group Home" to the (C-1) Highway
47 Commercial District, as a special land use, was approved and became effective 11-26-2019.

4. The facility is licensed through the State of Michigan as an Adult Foster Care facility.
5. The 35,896 square foot assisted living building will have 32 residential units.
6. There will be one and two bedroom units with private baths and kitchenettes.
7. Staffing at the facility will include an Administrator, Kitchen Manager, Nurse, and Maintenance Supervisor as the "Management Team".
8. The facility also has direct care workers that are there 24 hours a day.
9. There will be approximately 9 employees during the day shift, 5-6 employees during the afternoon shift, and 2-3 employees during the overnight shift. Each shift may overlap for 20 minutes.

UNIQUE PHYSICAL CHARACTERISTICS

2. The property has several areas of wetlands.
 - a. EGLE Permit WRP018216 V.1 (Part 303, Wetlands) has been issued.

Janet Andersen made a motion to accept the staff analysis as presented. Second by Doug Robidoux. Motion carried, 5 yes 0 no.

Dennis Johnson, Maas Development's architect, stated he was present to represent the property owner. Mr. Johnson stated the owner believed in keeping the elderly in their communities.

Mike Shaw stated the purpose of the sidewalk ordinance was to connect Ludington and Scottville, and would not benefit the purpose on the proposed site as it would be on a North to South traversing road.

Dennis Johnson stated the owners "aim for the edge of commercial districts" so families can take their grandparents out instead of staying in the buildings for the entire visit.

Brady Selner stated he received one letter of correspondence from Gerald and Diane Smith addressing transportation concerns as there is no dial-a-ride services in the area.

Jim Wincek closed the public hearing.

Janet Andersen stated she was fine with the proposed landscaping and would want to keep the natural environment as much as possible. Ms. Andersen stated removing the requirement for the sidewalk made sense, and she added there was a big need for the facility.

Dennis Dunlap stated the culvert requirement on the south side of the property should be addressed as a condition of approval as well as the movement of the monument sign out of the setback requirement.

Mike Shaw made a motion to approve application PZ20094 based on sections 17.02, 16.05, and 18.05 with the conditions of making amendments to the site plan including waiving the sidewalk requirement, waiving the shrubbery requirement, moving the monument sign out of the required setback, and the addition of a culvert on the south drive. Second by Dennis Dunlap. Motion carried, 5 yes 0 no.

1 New Business: Brady Selner gave a history of special land use permit PZ17191, Jay
2 Shillinger, and asked the Planning Commission to weigh in on what was approved for
3 both during operations and when operations are complete. Mr. Selner clarified and
4 specifically asked if the 10:1 approved slope was meant for during operations or when
5 complete as Mr. Shillinger was working with an approximate 3:1 slope.

6
7 Doug Robidoux stated the Planning Commission did not want a steep sloped pond.

8
9 Jay Shillinger stated he would have larger areas of open land if he were held to a 10:1
10 slope while mining sand. Mr. Shillinger claimed he thought he was working within what
11 was allowed.

12
13 Dennis Dunlap stated the ability to use a bank run cut minimizes the amount of area that
14 is open at a time and eliminates the need to stockpile. Holding a 10:1 slope would leave
15 a huge area open and is not best practice. Mr. Dunlap stated the language on the permit
16 was not clear.

17
18 Mike Shaw stated the neighbors' biggest concern was the creation of a pond as there are
19 many children who live in the area. Mr. Shaw stated the agreement was to do one section
20 at a time then seed it and move on to the next section while being held to a 10:1 slope.

21
22 Jay Shillinger stated the water table was 12' below the bottom of where he stops digging.

23
24 Janet Andersen asked Jay Shillinger what slope he would be requesting if he were to
25 return with an amendment request. Mr. Shillinger stated he would request a 3:1 slope and
26 dig until he hit water before moving on.

27
28 Jim Wincek asked if there was a timeframe Jay Shillinger was looking at for completion
29 of his work at the site. Mr. Shillinger stated that was dependent upon the economy so he
30 would be unable to provide a timeframe.

31
32 The Planning Commission agreed to proceed with good faith and allow Jay Shillinger to
33 continue working how he was with the understanding that he would be returning by the
34 last meeting in October with an updated site plan.

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36 Unfinished Business: None

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38 Zoning Directors Report: Brady Selner stated he was hoping to have some solar material
39 together for the September 1st meeting. Mr. Selner stated the state, through Michigan
40 State University, was compiling all solar ordinances within the state.

41
42 Brady Selner stated Indian Summer would be returning September 15th with a request for
43 a special land use amendment to build a pole barn for the storage of irrigation equipment.

44
45 Brady Selner stated an access management had been held for a proposed electric car
46 charging station in Amber Township. Mr. Selner stated the Planning Commission would
47 be hearing that application at the September 1st meeting.

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2 Zoning Board of Appeals: None
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4 Jim Wincek opened public comment.
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6 There was no public comment.
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8 Meeting adjourned at 8:21 P.M.
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Alan Neushwander, Secretary
Mason County Planning Commission