

# Mason County Planning & Zoning Department

102 E. FIFTH STREET  
SCOTTVILLE, MICHIGAN 49454  
(231) 757-9272

February 21, 2023

Minutes of the Mason County Planning Commission meeting held at 5300 W. US 10, Ludington, February 21, 2023 at 7:00 p.m.

MEMBERS PRESENT: Janet Andersen, Steve Bieniek, Dennis Dunlap, Chuck Lange, Alan Neushwander, Mike Shaw

MEMBERS ABSENT: Kim Halladay

OTHERS PRESENT: Cayla Sanders, Tammy Lowe

The meeting was called to order at 7:00 p.m. by Chairman Chuck Lange.

Dennis Dunlap made a motion to approve the February 7, 2023 meeting minutes as amended. Second by Steve Bieniek. Motion carried, 6 yes 0 no.

Additions, Deletions or Modifications to the agenda: None

Conflict of Interest: Steve Bieniek stated he had a conflict of interest with the site plan review for the Branch Township Fire Department and Township Hall because he worked with Branch Township Supervisor, Mike Shoup.

Public Comment: None

Correspondence: None

Chuck Lange opened the public hearing for application PZ23007, Michael Brown, Burdco Inc., an amendment to a previously approved Special Land Use request to establish a new Professional Office (Dental Clinic). The subject property is located within Amber Township in the Mixed Use Transitional (C-3) zoning district, parcel 001-014-029-05, access 60 S Gordon Rd. Cayla Sanders presented the staff report. A portion of the staff report is below:

## FINDINGS OF FACT:

1. The property has no developmental history.
2. The site plan is changing via parking layout and building location. Building will be further west and south than previously approved.
3. The applicants are proposing to hook into public water but not sewer. Sewer is available on the south side of US 10 by running under US 10 to hook into the system that runs along the north side of the highway.
4. It is not a requirement within the C-3 District for public water or sewer hookup. Amber Township has decided against requiring the project to hook into the sewer system.

1 5. Access Management requirement waived by MDOT due to access being along a side road and  
2 not US 10.

3  
4 Cayla Sanders stated the applicant would like to move the proposed building to the  
5 south and the west of what was originally approved as well as modify the parking area.

6  
7 Cayla Sanders read an email received from Stacy Slater, neighbor to the project site,  
8 stating concerns about an increase in traffic on Gordon Rd.

9  
10 Mike Shaw made a motion to accept the staff analysis as presented. Second by Steve  
11 Bieniek. Motion carried, 6 yes 0 no.

12  
13 Chuck Lange opened the floor for the applicant and interested parties to speak.

14  
15 Stacy Slater stated she did not believe access on Gordon road was necessary when the  
16 property runs along US 10. Ms. Slater added she hoped to keep Amber Township as rural  
17 as possible.

18  
19 Chuck Lange closed the public hearing.

20  
21 Dennis Dunlap asked the applicant about a proposed expansion of office spaces in the  
22 future and if the proposed septic included that expansion.

23  
24 Holly Mulherin and Dan O'Brien stated the ten treatment rooms were included in the septic  
25 permit.

26  
27 Dennis Dunlap asked if the applicant would be opposed to hooking up to public sewer  
28 services.

29  
30 Chuck Lange stated the minutes provided from the Board of Public Works meeting stated  
31 the owner had the right to decide if they were going to hook into sewer services.

32  
33 Jim Gallie, Amber Township Supervisor, stated the sanitary sewer system was addressed  
34 at the previous Board of Public Works meeting where the Health Department stated it  
35 was up to Amber Township whether or not to require property owners to hook into sewer  
36 services.

37  
38 Janet Andersen asked what the reason was to change the location of the building on the  
39 property.

40  
41 Dan O'Brien stated the change in location was due to natural slopes and changes in grade  
42 on the property making it more cost effective to move the building rather than excavate  
43 the property.

44  
45 Mike Shaw asked why access was proposed on Gordon Rd when the property has  
46 frontage along US 10.

1 Cayla Sanders read from the Zoning Ordinance, Section 10.05, b, where it was stated  
2 access to a side road shall be required for parcels that are adjacent to a side road.

3  
4 Janet Andersen made a motion to approve application PZ23007 as presented based on  
5 meeting the standards from Sections 16.05 and 18.05. Second by Steve Bieniek. Motion  
6 carried, 6 yes 0 no.

7  
8 New Business: Chuck Lange opened the public hearing for application PZ22222, Branch  
9 Township, a site plan review for the establishment of a new Public Use – Fire Department  
10 and Township Hall. The subject property is located within Branch Township in the  
11 Neighborhood Commercial (C-2) and Recreational Residential (RR) zoning districts,  
12 parcel 002-016-032-00, access 6532 E US 10. Cayla Sanders presented the staff report  
13 and photos. A portion of the staff report is below:

14  
15 FINDINGS OF FACT

- 16 1. The property was wooded prior to minimal trees being removed from the proposed building  
17 location.
- 18 2. Public water and sewer is not available along that stretch of US 10.
- 19 3. Access Management recommends the installation of roadway with flashing light signaling an  
20 emergency response is happening – at a minimum a sign without a flashing light indicating a  
21 fire department is present.

22  
23 UNIQUE PHYSICAL CHARACTERISTICS

- 24 1. The parcel is heavily wooded and relatively flat.

25  
26 Cayla Sanders stated the Access Management Committee met to discuss the property  
27 and made the recommendation for a 40' turn radius but would be satisfied with a 30'  
28 turn radius on the access drive. Ms. Sanders noted the site plan still showed a 20' turn  
29 radius.

30  
31 Janet Andersen made a motion to accept the staff analysis as presented. Second by  
32 Mike Shaw. Motion carried, 6 yes 0 no.

33  
34 Dennis Dunlap stated the site plan did not show drainage nor any handicap parking  
35 spaces.

36  
37 Dennis Dunlap asked if a storage tank for chemicals or oils would be present on the  
38 site.

39  
40 Adam Abbott stated there would be no storage of chemicals or oils.

41  
42 Cayla Sanders stated the ordinance required two handicap spaces for the use and the  
43 amount of spaces provided.

44  
45 Dennis Dunlap stated he wanted contours shown on the site plan.

46  
47 Cayla Sanders stated she spoke with the surveyor and contours are not shown because

1 the property doesn't vary more than one foot. Ms. Sanders stated that was the  
2 reasoning for the notation on the site plan stating that.

3  
4 Alan Neushwander made a motion to approve application PZ22222 with conditions  
5 based on meeting the standards of Section 18.05. The conditions for approval are as  
6 follows:

- 7 1. Two handicap parking spaces required.
- 8 2. Reflect DHD #10 permitted 1,200 square foot drain field and two 1,200 gallon  
9 septic tanks.
- 10 3. 40' turn radius on access.

11 Second by Mike Shaw. Motion Carried, 5 yes 1 no.

12  
13 Unfinished Business: Cayla Sanders stated she made the previously discussed changes  
14 to the Planning Commission bylaws which included removing Free Soil Township from  
15 the list of townships governed by the Mason County Planning Commission and  
16 "housekeeping" grammatical corrections. Ms. Sanders stated the amended bylaws would  
17 need to go in front of the Buildings, Planning, Drains, and Airport subcommittee and then  
18 to the Mason County Board of Commissioners for approval of the proposed changes.

19  
20 Mike Shaw made a motion to send the amended bylaws to the Mason County Buildings,  
21 Planning, Drains and Airport Committee. Second by Alan Neushwander. Motion Carried,  
22 6 yes 0 no.

23  
24 Zoning Director's Report: Cayla Sanders stated Nathan Mehmed with Williams & Works  
25 would not be able to make the March 7<sup>th</sup> meeting but would be available for the March  
26 21<sup>st</sup> meeting. Ms. Sanders stated there was one application for a site plan review already  
27 on the agenda for March 21<sup>st</sup>, but the ordinance update could also be an agenda item.

28  
29 Chuck Lange suggested beginning the March 21<sup>st</sup> meeting at 6:00 p.m. if Nathan Mehmed  
30 was available for that time. The Planning Commission agreed to change the meeting time  
31 to 6:00 p.m. if Mr. Mehmed and the additional applicant were available for that time.

32  
33 Zoning Board of Appeals: Chuck Lange stated the ZBA had not conducted a meeting.

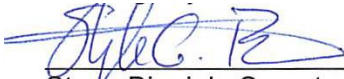
34  
35 Chuck Lange opened public comment.

36  
37 Jim Gallie, Amber Township Supervisor, stated Amber Township had not yet voted on  
38 whether or not the township would pay for the sewer hookups on the south side of US 10  
39 yet. Mr. Gallie stated that would be an agenda item at the next scheduled township meeting.

40  
41 Tim Jones, Atwell, stated he worked for a renewable energy company out of Southfield  
42 Michigan and handed his business card to the Planning Commission members. Mr. Jones  
43 added his company was looking into properties within Mason County for solar  
44 development.

45  
46 Chuck Lange closed public comment.

1 Meeting adjourned at 8:01 P.M.

A handwritten signature in blue ink, appearing to read "Steve C. Bieniek", written over a horizontal line.

Steve Bieniek, Secretary  
Mason County Planning Commission