

CHARTER TOWNSHIP OF ALPENA PLANNING COMMISSION

MINUTES - Special Meeting

Tuesday, April 23, 2019

MEETING COMMENCED: 7:00 PM

PLEDGE OF ALLEGIANCE

THOSE PRESENT

Secretary Lisa Brendle, Larry Dehring, Chairperson Tom Hilberg, Jon Kohart, Vice-chairperson Chuck LeFebvre and Norm Poli

ABSENT

Ann Marie Rich

OTHERS PRESENT

John Fisher - Applicant
Brock Johnson - Applicant
Nathan Skibbe - Township Supervisor

ADOPTION OF AGENDA

L. Dehring made a motion to adopt the agenda, supported by N. Poli. Motion passed.

PUBLIC MEETING PARTICIPATION RULES

PUBLIC COMMENT

CORRESPONDENCE

A. Report 02-19/Aerial Photos - R. Deuell

C. LeFebvre made a **motion** to receive and place on file all correspondence, **supported** by L. Dehring. *Motion passed.*

NEW CASE

1. **Case #P-02-19**, John Fisher and Brock Johnson requested a SITE PLAN REVIEW for construction of eight (8) mini waterfront cabins. Property is located at 9011 W. Long Lake Road, Parcel No. 013-009-000-190-00, in a Waterfront Residential (WR) zone district.

A public hearing was conducted during which the applicants, John Fisher and Brock Johnson, addressed the Planning Commission and all other persons in attendance were then given the opportunity to comment on the SITE PLAN REVIEW for the construction of eight (8) mini waterfront cabins. B. Johnson gave an overview of the Site Plan and discussed where the berms and swails would be located. The swails would be for storm water runoff and empty into the lake. Also noted was that the proposed cabins would have a post and beam foundation.

Following the public hearing, a **motion** was made by L. Dehring and **supported** by C. LeFebvre to adopt the following Findings of Fact from Rick Deuell's Findings of Fact Report 02-19: Section A of the Report ("Location") and Section B of the Report ("District Standards").

Roll call vote: L. Brendle-aye; L. Dehring-aye; T. Hilberg-aye; J. Kohart-aye; C. LeFebvre-aye; N. Poli-aye; and A. Rich-absent. **Motion passed.**

The Planning Commission reviewed and discussed in detail the communication provided by Planning Consultant, Rick Deuell, for Case #P-02-19. **Article VII WR -- Waterfront Residential District Preamble:** *The WR - Waterfront Residential District is primarily established to provide residential sites and uses on Lake Huron, inland lakes and streams within the Township in keeping with the master plan. In addition to waterfront residential uses, the district will allow as a special approval use certain commercial and recreational developments which are water-related, providing such development is designed to be compatible with the residential character of neighboring properties. Further, all development plans are intended to insure the continued maintenance of high environmental quality in Township waters and shoreline areas.* **Section 701. Uses Permitted on Special Approval:** *Motels, hotels, cabin courts and tourist rooms when the following conditions are met: 1. The proposed use is adjacent on at least one side to an existing business use, Business District or Industrial District. Standards are met. 2. Parking areas, entrance drives and exits shall be so arranged as to provide maximum safety to traffic on public thoroughfares, uses on adjacent properties and users of the premises. Standards are met. 3. No guest shall establish permanent residence at the motel. Standards are met.* **Section 1804. Parking Requirements:** *There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces. Hotels, motels, cabins and homes - One (1) for each rental unit and standards are met.* **Section 1807. Special Land Uses Procedures and Supplemental Site Development Requirements. Standards Review:** *Uses by special permit shall be subject to the following special requirements of this section, in addition to the requirements and standards of the Zoning District wherein located, in order to prevent conflict with or impairment of the principal permitted uses of the Zoning District. 1. The use, location and size of use, and the nature and intensity of operations shall not be such as to disrupt the orderly and proper development of the district as a whole, or be in conflict with, or discourage the principal permitted uses of adjacent or neighboring lands and buildings. Standards are met. 2. The use shall not diminish the value of land, buildings, or structures in the neighborhood, or increase hazards from fire or other dangers to either the property or adjacent properties. Standards are met. 3. The use shall not increase traffic hazard or cause congestion on the public highways and streets of the area. Adequate access to the use shall be furnished by either existing roads and highways or proposed roads and highways. Standards are met. 4. The water supply and sewage disposal system shall be adequate for the proposed use. Standards are met. 5. Uses by special permit shall not be more objectionable to nearby properties by reason of traffic, noise, vibrations, dust, fumes, smoke, glare, flashing lights or disposal of waste than the operation of any principal permitted use. Standards are met.* **Section 1811. Site Plan Review (All Districts):** *Site*

plans give the Planning and Zoning Commission an opportunity to review development proposals in a concise, consistent manner. The use of a plan insures that physical changes in the property meet with local approval and that building actually occurs as it was promised by the developer. **A. Circumstances Requiring a Site Plan:** Site plans are subject to review for the following reasons: 1. All new uses except one-family residential units. **B. Site Plan Data Required:** Each site plan submitted shall contain the following information, unless specifically waived, in whole or in part, by the Township Planning and Zoning Commission. All of the data required has been provided. **C. Site Plan Review Standards:** Section 1811 (Site Plan Review: All Districts) The Planning and Zoning Commission shall have the responsibility and authorization to approve, disapprove or approve with modifications, the Site Plan in accordance with the requirements of the zoning district in which the proposed use is located and shall further consider the following criteria: 1. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic. Ingress and egress will be provided from West Long Lake Road. 2. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets. There appear to be no conflicts in pedestrian and vehicular traffic. Parking is adjacent to each cabin and group parking is provided at two locations. Parking does not conflict with access road. 3. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods. Use of a berm and onsite landscaping including planting shrubs and trees will screen the development and improve the overall visual appearance of the development. The proposal appears to be harmonious to the existing and future development. 4. Whether the sewage disposal facilities, water supply, stormwater drainage, fire protection, and other utility provisions will be safe and adequate. a. Planting of shrubs, trees and groundcover plants will provide some stormwater run-off reduction. Additional information is needed to determine of stormwater drainage and retention is addressed. b. Engineered septic system and water well will be provided in accordance with District Health Department requirements. c. All other facilities appear to be safe and adequate. 5. Whether the location, use and the nature of the operation will be in conflict with the primary permitted uses of the District or neighborhood. The use is permitted under special approval in the WR District. The Sand Bar and Grill is adjacent to the parcel and a storage facility is located across the street. No conflicts with the nature of the use are anticipated. 6. Whether the use will be objectionable to adjacent and nearby properties by reason of traffic, noise, vibration, dust, fumes, odor, fire-hazard, glare, flashing lights, disposal of waste or sewage, erosion, pollution, or negative effects upon significant environmental features. Adjacent uses are residential, and commercial. The Sand Bar and Grill is north of the parcel. Outdoor lighting should be installed to limit light leakage to adjacent properties and West Long Lake Road. Based on information provided, the use should not be objectionable to adjacent and nearby properties or have negative effects upon significant environmental features. 7. Whether the use will discourage or hinder the appropriate development and use of adjacent premises and neighborhood. The development should not discourage or hinder the appropriate development and use of adjacent premises and neighborhood.

Sec. 1813. Stormwater Retention: *The property owner or developer is required to retain on site all stormwater drainage in excess of natural conditions. This provision may require stormwater retention ponds where appropriate. An exception can be made for water leaving the site via an existing stormwater pipe, or through other stormwater facilities which will be developed at the same time as the proposed new use. All stormwater facilities, including detention or retention ponds, shall be designed at minimum to handle a storm with the projected frequency of once every ten years (ten year design storm). There will be an increase in impermeable surfaces on the site. Landscaping and tree plantings will provide some stormwater run-off reduction. However, the reviewer was not able to determine if stormwater retention has been properly addressed.*

Section 1814. Greenbelts: *To preserve natural resources, water quality and community scenic and recreational values, a greenbelt shall be established and maintained on all property located within twenty-five (25) feet of the ordinary high water mark of a lake or stream. Within the greenbelt area, the following development or use restrictions shall apply: 1. It is strongly recommended that at least 70% of the lot width at the water line shall be kept in natural vegetation; either trees, shrubs, herbaceous plants or un-mowed grass. Trees, shrubs and herbaceous vegetation are currently growing in the waterfront greenbelt. All efforts should be made to retain existing vegetation and where disturbed the greenbelt should be replanted to native plants (shrubs, trees and herbaceous vegetation), and not be replaced by manicured and mowed lawns. 2. No structures will be permitted in the Greenbelt except those related to use of the water; such as boat launches, docks or boathouses. The cabins will not be located in the greenbelt. 3. No burning of leaves or stockpiling of grass, leaves or compost is allowed in the Greenbelt. The proposal shows fire pits in the Greenbelt. In accordance with this section, **fire pits would not be compatible.** Discussion centered around that the proposed fire pits meet any/all Fire Code Regulations. 4. Use of pesticides, herbicides and fertilizers in the Greenbelt is strongly discouraged. 5. Setbacks for septic systems must meet minimum requirements set by the Health Department. The proposal indicates the engineered septic system will meet health department standards. 6. The developer will obtain a Soil Erosion and Sediment Control Permit. The development plan provides information on erosion control during and after construction. 7. Greenbelt is shown on site plan provided to the Township.*

C. LeFebvre then made a **motion** to approve the Site Plan Review for Case #P-02-19 based on the above-noted fact findings, the above-noted discussion regarding the applicable site plan review requirements and the following contingencies, **supported** by L. Dehring.

1. Based on an analysis of aerial photos, sometime between 2016 and 2018 the site was cleared of trees and ground cover vegetation, the greenbelt must be left intact.
2. It was not possible to determine if post-development stormwater runoff has been adequately addressed. The percent of impermeable surfaces will increase compared to the previous use. In accordance with Section 1813, "*The property owner or developer is required to retain on site all stormwater drainage in excess of natural conditions*". This needs to be added to the site plan.

3. With the exception of the lack of information addressing stormwater retention, the site plan and proposed development complies with zoning ordinance regulations. Stormwater retention must be noted on the site plan.
4. Given its proximity to other residences and on the lake, lighting will need to be shielded so as not to glare or reflect upon any residential district or cause dark sky light pollution. The applicant will need to install lighting to minimize light pollution.
5. Section 1814 "recommends" retention of 70% of the lot width at the water line shall be kept in natural vegetation; either trees, shrubs, herbaceous plants or un-mowed grass. Given the site has already been cleared of vegetation, retention of the existing greenbelt vegetation must be maintained and is critical to protecting water quality of Long Lake, both in the short and long term. This needs to be noted on the site plan.

*Roll call vote: L. Brendle-aye; L. Dehring-aye; T. Hilberg-aye; J. Kohart-aye; C. LeFebvre-aye; N. Poli-aye; and A. Rich-absent. **Motion passed.***

DISCUSSION

None

NEXT MEETING - May 20, 2019 at 6:00 p.m. (workshop)

ADJOURNMENT - Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Lisa Brendle
Secretary

/ldt