

CHARTER TOWNSHIP OF ALPENA PLANNING COMMISSION

MINUTES – Public Hearing

Monday, August 11, 2025

MEETING COMMENCED: 6:00 PM
PLEDGE OF ALLEGIANCE

THOSE PRESENT

Roxann Brown, Larry Dehring, Chairperson Tom Hilberg, John Stender and Vice-chairperson Michelle Woodruff

ABSENT

Michele Palevich and Delynn Pauly

OTHERS PRESENT

Abbi Kaszubowski – Township Supervisor
Lynn Daoust – Acting Secretary
Shadd & Rachel Smolinski – 1550 Greenhaven Lane
Mark & Patricia Mellingen – Applicant
Davy & A Beaudoin – 1318 Pebble St
Greg Weiland – 1102 Greenhaven Lane
Patricia & Joe Garant – 1104 Greenhaven Lane

ADOPTION OF AGENDA

Vice-chairperson Woodruff made a motion to adopt the agenda, supported by L. Dehring. Motion passed.

APPROVAL OF MINUTES

Vice-chairperson Woodruff made a motion to approve the June 9, 2025 minutes, supported by R. Brown. Motion passed.

PUBLIC COMMENT – None

CORRESPONDENCE

a. Report #02-25 – R. Deuell

Vice-chairperson Woodruff made a motion to file all correspondence along with Rick Deuell's Addendum to Report #02-25, supported by R. Brown. Motion passed.

PUBLIC HEARING

1. Case #P-02-25, Mark Mellingen Jr, requested a REZONE for property located at 1245 Greenhaven Lane from a One-Family Residential district (R-1) to an Agricultural district (A), Parcel No. 012-029-000-799-00.

Vice-chairperson Woodruff made a motion to open the public hearing, supported by L. Dehring. Motion passed.

Mr. Mellingen was present to address the commission. Chairperson Hilberg stated that a letter was received from Mr. Mellingen requesting a conditional rezone instead of a rezone. Mr. Mellingen explained he felt that a conditional rezone would better describe what he wants to achieve. He applied for a farm permit through EGLE and talked to them about invasive species that is on his property such as autumn olive and buckthorn which makes the property impassible. His old farm used to have apple and other fruit trees which he would like to plant here. In order to afford that, he wants to rezone the property agricultural because there are a number of grants available. He will leave any mature trees around the perimeter but will have the rest removed or ground down. He already spoke to EGLE and they approved grinding the trees down without removing the roots in areas deemed wetlands. If he wants to put sand around the base of the trees, EGLE will grant him a permit. He stated that he is also required to drain water off the property and after putting culverts in, the water drains off the road better than before. His intention is to clear and plant grass this year then plant the apple trees in the spring. L. Dehring asked how long it takes to get a grant. Mr. Mellingen responded that there are multiple state and federal grants but he cannot apply for them until the property is zoned agricultural so has not pursued those yet. Chairperson Hilberg pointed out that trees may be planted in an R-1 zone but the only reason Mr. Mellingen was pursuing a rezone was to be eligible for grants. Mr. Mellingen confirmed that statement then added that 200-300 trees at \$150 each was a lot of money.

Rachel Smolinski of 1550 Greenhaven Lane voiced her opposition to the rezone and read her letter to the commission listing five reasons why (see attached).

Chairperson Hilberg pointed out that as stated earlier, if that area is wetlands, it is not up to the planning commission to decide if fruit trees can be planted there or not. Only the conditional rezone is in their control. R. Smolinski reapproached the commission and added that if the property gets rezoned to agricultural, it will impact Mr. Mellingen's ability to fill in wetlands because it is easier to get a permit through EGLE when zoned that way.

Davy Beaudoin of 1318 Pebble Street pointed out that if the concern is flooding, Mr. Mellingen has put in drainage to clean out flooding from certain areas and it is way better since he moved there. He added that you cannot stop him from planting trees, the rezone would just make it easier for him to obtain grants. His only concern is that it not be a farm with cows but rather apple orchards and he has no problem with the rezone.

Patricia Garant of 1104 Greenhaven Lane commented on a strip of land owned by the county that acts as buffer and wanted to make sure it would stay. She is concerned with disturbing the balance of the wetlands that serve a purpose and keep their home from flooding.

Greg Weiland of 1102 Greenhaven Lane is concerned that if Mr. Mellingen moves in five years that the next people who move in might have cattle or such because of the rezone.

Vice-chairperson Woodruff made a motion to close the public comment, supported by L. Dehring. Motion passed.

Chairperson Hilberg reviewed the following options for voting. To approve the conditional rezone as is, deny the conditional rezone, approve with more conditions or table. He read an excerpt from Rick Deuell's Findings of Fact report that if the planning commission chooses to approve with the conditions offered by the applicant, the offered conditions should be included as a statement of record in the planning commission motion.

Vice-chairperson Woodruff made a motion to not recommend the conditional rezone request to the Board of Trustees for the following reasons, supported by R. Brown:

- a. A rezone is not required to plant trees.
- b. There is concern of future use in an agricultural zone.
- c. The soil is not conducive for growing fruit trees.

Roll call vote: R. Brown-aye; L. Dehring-aye; T. Hilberg-aye; M. Palevich-absent; D. Pauly-absent; J. Stender-aye; and M. Woodruff-aye. Motion passed unanimously.

NEW BUSINESS

1. Form CIP Committee

Discussion: Supervisor Kaszubowski reviewed the need to form a Capital Improvement Plan (CIP) committee that she and Michele Palevich were spearheading. Because Michele was absent, she gave the option of tabling any business. Michele and herself would be committee members appointed by the Board of Trustees and two members of the Planning Commission would be appointed as well. There is no need to wait for the master plan to be completed.

Vice-chairperson Woodruff made a motion to table the formation of the Capital Improvement Plan committee until the September meeting, supported by J. Stender. Motion passed.

DISCUSSION

Master Plan – Heather Runyan, NEMCOG

Supervisor Kaszubowski spoke on behalf of Heather in her absence. Herself and Vice-chairperson Woodruff met with others at the county wide joint master plan group to discuss the first five chapters of the master plan. The entire county including the county, all townships and the city were able to come together and work towards this goal. A master plan survey was developed with a goal to receive 10% feedback from the entire county yet only 1% was received so it was decided to extend the survey deadline 6-8 weeks or whatever is necessary. She expressed how important it is for the planning commission members to reach out to residents asking them to partake in the survey. The survey is the driving force and foundation of the joint master plan. The survey is available on the township website, the township Facebook page, paper copies and there is also a scannable QR code that links to the survey.

NEXT MEETING – September 8, 2025 at 6:00 p.m.

ADJOURNMENT – Vice-chairperson Woodruff made a motion to adjourn, supported by J. Stender. Meeting adjourned by Chairperson Hilberg at 6:38 p.m.

Respectfully submitted,

Lynn Daoust
Acting Secretary

Rachel and Shadd Smolinski

1550 Greenhaven Lane
Alpena, MI 49707

August 10, 2025

Charter Township of Alpena Planning Commission

Alpena, MI 49707

Re: Opposition to Proposed Conditional Rezoning – 1245 Greenhaven Lane (Parcel #012-029-000-799-00)

Dear Members of the Planning Commission,

We are writing to respectfully oppose the proposed conditional rezoning of property owned by Mr. Mark Mellingen Jr. at 1245 Greenhaven Lane from the current **One-Family Residential District (R-1)** to **Agricultural District (A)**. We reside at 1550 Greenhaven Lane and, along with two other neighbors, hold a legal easement for access to our properties via the gravel portion of Greenhaven Lane, which traverses Mr. Mellingen's property.

1. The proposed activities do not require rezoning; future impacts of a rezoning are detrimental to the area

The applicant has stated an interest in planting fruit trees and removing autumn olive. As noted in the Planning Consultant's report and in his own letter, these activities are permissible under current R-1 zoning and do not require an Agricultural zoning classification. A rezoning would permanently expand the range of permitted and special uses on this property far beyond fruit cultivation, introducing numerous potential uses listed in the Agricultural District ordinance—such as agricultural product processing, commercial event facilities, kennels, marijuana growing, racetracks, and utility-scale solar or wind installations—that are incompatible with the surrounding single-family residential neighborhood.

2. Wetlands and Part 303 regulated areas

A majority of the subject property, including the proposed orchard location, lies within a **Part 303 regulated wetland** as identified on the State of Michigan maps and qualifies for multiple reasons including being located within 500 feet of an inland lake, pond, river or stream and is a wetland greater than 5 acres in size. This wetland area is hydrologically connected to Sunrise (Mud) Lake and ultimately to Lake Huron.

Under Part 303 of the Natural Resources and Environmental Protection Act (NREPA), activities such as filling, dredging, draining, or altering the hydrology of a regulated wetland require a permit from the Michigan Department of Environment, Great Lakes, and Energy (EGLE). Planting fruit trees in this area would likely necessitate substantial filling and drainage, which could alter the hydrology on both the subject parcel and adjacent properties.

3. Flooding and hydrology concerns

Greenhaven Lane already experiences periodic flooding several times per year. Alterations to the

wetland area—such as filling for orchard planting—would increase stormwater runoff and exacerbate flooding on the road and surrounding parcels. This would directly impact our ability, and that of our neighbors, to access our properties via our shared legal easement as well as potentially cause flooding to adjacent parcels.

4. Autumn Olive considerations

While there may be some autumn olive present on upland portions of the parcel, wetland and hydric soils are not suitable for the growth of autumn olive. Altering these areas through filling and other activities could unintentionally increase invasive plant issues, not resolve them.

5. Incompatibility with surrounding zoning and land use

The surrounding area is uniformly zoned One-Family Residential and is characterized by small-lot, single-family homes. Agricultural zoning allows for a broad set of commercial, recreational, and industrial-intensity uses that are wholly inconsistent with the established residential character and inconsistent with the Township's 2017 Master Plan, which designates the area for waterfront and one-family residential uses.

Conclusion

We urge the Planning Commission to deny this rezoning request. The applicant's stated goals can be achieved under the current zoning without exposing the neighborhood to the far-reaching and incompatible uses allowed under Agricultural zoning. Moreover, the environmental constraints and potential flooding impacts make this property ill-suited for any development that would require significant alteration of regulated wetlands.

Further, Mr. Melligen moved to this property only about a year ago knowing the current zoning and allowable uses. A zoning ordinance's primary purpose is to regulate land use within by dividing it into districts and specifying the types of development permitted in each zone. This helps to prevent incompatible land uses in the same area and ensures a cohesive and functional community. Again, we urge you to maintain the subject property as the current **One-Family Residential District (R-1)**.

Thank you for your consideration of our concerns.

Sincerely,

Rachel Smolinski

Shadd Smolinski

1550 Greenhaven Lane
Alpena, MI 49707