

MANISTEE CITY ZONING BOARD OF APPEALS

70 Maple Street, P.O. Box 358

Manistee, MI 49660

MEETING MINUTES

August 3, 2000

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, August 3, 2000 at 5:30 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 5:30 p.m. by Chairman John Serocki.

MEMBERS PRESENT: Ed Grabowski, Mary Ann Johnson, John Perschbacher, John Serocki

MEMBERS ABSENT: Mark Wittlief

ALTERNATE PRESENT: Marlene McBride

ALTERNATES ABSENT: Brenda Alfred-Birks

OTHERS PRESENT: R. Ben Bifoss (City Manager), Bill Dahlquist (Manistee Golf & Country Club), Gary Hodges (Manistee Golf & Country Club), Mike Fatke (Manistee Golf & Country Club), Tom Stege (714 Harbor Drive), Elaine McWatt (730 Harbor Drive), Larry Bielski (717 Harbor Drive), Tanya Cabala (Muskegon Michigan), Bob Shrauger (Pentwater, Michigan), Dana Schindler (2005 Merkey Road), Ann Stanton (Michigan Land Use Institute), Paul Swidorski (Swidorski Bros), Jon Rose (Community Development), Mark Niesen (Building and Zoning) and others

PUBLIC HEARING:

Manistee Golf & Country Club

Ed Grabowski and Mary Ann Johnson sat in the audience due to a conflict of interest.

Ben Bifoss, City Manager explained the order in which the public hearing will be conducted.

1. Manistee Golf & Country Club
2. Jon Rose, Zoning Administrator
3. Adjacent Property owners (within 300 feet)
4. Other Citizens

Mr. Bifoss gave an overview of Section 9606, Appeals to the Appeals Board of the City of Manistee Zoning Ordinance. All parcels within 300 feet of the Manistee Golf and Country Club property were notified by mail of the meeting. The meeting is for the Zoning Board of Appeals to determine if the removal of sand from the Country Club property is Sand Mining or Golf Course Maintenance.

The Manistee Golf & Country Club requested a Land Use permit to allow removal of sand from the golf course. Zoning Administrator Jon Rose interpreted removal of sand from the sand dune at the Country Club would be classified as a Sand Mining Operation. Sand Mining is not a permitted use in the R-1 Zoning District.

Manistee Golf and Country Club are requesting that the Zoning Board of Appeals reverse the Zoning Administrator's decision. The Country Club claims that without the ability to remove the sand a severe maintenance issue is created and without correction they may not be able to preserve the #16 green on the golf course.

Bill Dahlquist, Manistee Golf & Country Club said that the removal of sand should be considered part of the maintenance of the course not sand mining. They would like to remove enough sand to provide a buffer between the dune and hole #16.

Jon Rose, Zoning Administrator said that the R-1 Zoning District does not permit sand mining and that the removal of sand from the Country Club property would fall under the classification of sand mining.

Tom Stege, 714 Harbor Drive said that there is vegetation on the hill by the 16 green and that the removal of sand at the base would create worse problems. Harbor Drive is not a truck route and sand mining would result in taking something off premise for profit.

Elaine McWatt, 730 Harbor Drive said that she has concerns with future removals of Sand. Harbor Drive should not be considered an appropriate route for the hauling of sand.

Larry Bielski, 717 Harbor Drive asked if this would result in reversing R-1 to what? Harbor Drive is patched and heavy truck traffic would be bad for the road. He asked if there were any Pitcher Thistles in this area?

Tanya Cabala, Lake Michigan Federation, 161 Muskegon Mall, Muskegon, Michigan. Ms. Cabala said that it took 1,000 years to make the dune. She spoke on the Manistee Birth of the Sand Dune Protection Act. She said that the request would result in the removal of the dune not the removal of sand. She spoke of using dune grass as a means to prevent erosion.

Bob Shrauger, 6152 Longbridge Road, Pentwater. Mr. Shrauger spoke about the noise, infrastructure stress, pollution and tourism. He asked where does it stop? The Board should uphold the community feeling not grant a special permit.

Dana Schindler, 2005 Merkey Road. Ms. Schindler said that this request is for mining not maintenance. Mining would create more erosion. This dune is Manistee's last remaining dune and should be preserved.

Gary Hodges, Manistee Golf & Country Club President. Mr. Hodges said that the dune is moving and that the sand is going to be moved either on or off premise.

Anne Stanton, Michigan Land Use Institute. Ms. Stanton said that once we lose the dune it is gone. They should stabilize the dune and look into volunteer resources and man power that could assist.

There being no further discussion the public hearing closed at 6:00 p.m.

BUSINESS SESSION:

Minutes

MOTION by John Perschbacher, supported by Marlene McBride that the minutes from the June 29, 2000 meeting be approved.

MOTION PASSED UNANIMOUSLY.

Manistee Golf & Country Club

The Manistee Golf & Country Club has requested that the Zoning Board of Appeals reverse the Zoning Administrator's decision to deny them a Land Use Permit to remove sand from the Golf Course.

John Serocki said the question is to allow them to mine and remove sand from site.

Marlene McBride said that she visited the site and asked what they would be taking. Paul Swidorski said that there would be no more disturbance than would happen if a house were being built

Ben Bifoss stated that approval would not give the Country Club permission to run overweight trucks on City Streets.

John Serocki asked if it could be put on the west side and why it needs to be trucked out. Paul Swidorski said that it would be much more difficult. They only want to remove less than 1% of well over a million yards. If the Club House were to be built would we allow it?

John Perschbacher asked Ben Bifoss what exactly are we making a decision on.

Ben Bifoss said the Board needs to deny the Country Club's request to reverse the Zoning Administrator's decision to deny the issuance of a Land Use Permit to allow removal of sand from the golf course or not.

MOTION by John Perschbacher, seconded by Marlene McBride that the request from the Manistee Golf and Country Club to reverse the Zoning Administrator's decision be denied.

MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

The Zoning Board of Appeals has been asked to review a list of potential Capital Improvements for the City of Manistee. Jon Rose asked if they would like to schedule a special worksession. A worksession will be scheduled for August 10, 2000 at 5:30 p.m.

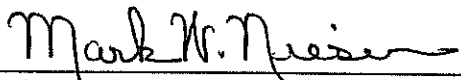
ADJOURNMENT:

MOTION by Marlene McBride, seconded by John Perschbacher that the meeting be adjourned.

MOTION PASSED UNANIMOUSLY.

There being no further business meeting adjourned at 6:47 p.m.

Respectfully Submitted


Mark W. Niesen, Acting as Secretary