

MANISTEE CITY PLANNING COMMISSION  
70 MAPLE STREET  
MANISTEE, MI 49660

MEETING MINUTES

JUNE 6, 2002

A meeting of the Manistee City Planning Commission was held on Thursday, June 6, 2002 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Bob Davis, Ray Fortier, Joyce Jeruzal, Phil Picardat, John Serocki, Tony Slawinski and Roger Yoder

**MEMBERS ABSENT:** Greg Ferguson and David Kelley

**OTHERS :** John Ball, 1820 Maple Street (Pail Face L.L.C.), Jon R. Rose (Community Development), Denise Blakeslee (City Staff) and others

Meeting was open at 7:01 p.m. by Chair Roger Yoder

**PUBLIC HEARING:**

Pail Face L.L.C., 215 Arthur Street - Special Use Permit

John Ball is a member of Pail Face L.L.C. and has filled out an application for a Special Use Permit to allow the construction of an eight boat slip marina behind the existing restaurant at 215 Arthur Street.

John Ball spoke about the proposed project. The marina provides 8 boat slips which would be an amenity to the restaurant and the proposed motel that he will construct where the existing car wash is located. Mr. Ball discussed the number of curb cuts that are currently located on both properties and asked for assistance from the City and/or MDOT for the safest means of ingress and egress.

Discussed the number of parking spaces for the motel, restaurant and marina. Mr. Ball discussed the proposed motel and it will have the largest rooms of all the motels in the City with the amenities of the Marina and restaurant on site. Mr. Ball had not submitted a request for site plan review for the motel and will need to fill out a request and return it to Mr. Rose's office for review. Mr. Rose discussed his concerns about the parking spaces that were shown on the plan. Some of the spaces appear to be shared between parcels. Mr. Ball was asked if he intended to combine the parcels. Mr. Ball said it was not his intention to combine the parcels because of the different means the parcels were purchased under. Mr. Ball has discussed with his attorney to prepare a License that would allow the shared parking and/or means of ingress and egress between parcels.

Chairman Yoder read a letter from A.D. Joslin Manufacturing Company, 123 Arthur Street. The letter express concerns that Joslin's has regarding the proposed marina and an existing lease with the former owner of the restaurant for parking. A copy of the letter is attached.

Chairman Yoder asked if Mr. Ball had any responses to the letter. Mr. Ball said that he had met with management at the local office of Joslin's this afternoon. Mr. Ball said that they do not plan on doing any dredging they did not feel it would be necessary even with the current low water. Waves created by his 8 slip marina would have no more impact than waves that are created by Solberg's Marina. The letter spoke about a fence or barrier between the two properties regarding the existing parking lot that is leased. Mr. Ball said that he would like to buy the property from Joslin's or lease the property. In the event that neither could be agreed upon he said that if Joslin's wanted to eliminate anyone using the parking area they would need to post or erect a fence.

There being no further discussion the public hearing closed at 7:26 p.m.

#### CITIZEN QUESTIONS AND CONCERNS:

No questions or concerns were expressed by the citizens in attendance.

#### APPROVAL OF MINUTES:

##### Planning Commission Meeting Minutes, May 2, 2002

MOTION by Ray Fortier, seconded by Joyce Jeruzal that the minutes of the May 2, 2002 Planning Commission Meeting be approved. Motion approved unanimously.

##### Amend Agenda

Chair Roger Yoder asked members of the Planning Commission if they would be willing to amend the agenda to include a request from Ruth Niemerowicz, 1510 Vine Street for a Parcel Split.

MOTION by John Serocki, seconded by Tony Slawinski that the June 6, 2002 agenda be amended to add under New Business a request from Ruth Niemerowicz, 1510 Vine Street for a Parcel Split. Motion passed unanimously.

#### UNFINISHED BUSINESS:

##### Open Space/Cluster Zoning

Members of the Planning Commission discussed ordinance language for Open Space/Cluster Zoning. This is a requirement under the new Zoning Act. The County is working with the County Extension Office and will bring a workshop into Manistee on Wednesday, June 26, 2002. This workshop will be on the Open Space/Cluster Zoning requirements. The Planning Commission discussed placing this item on hold until after the workshop.

MOTION by Ray Fortier, seconded by John Serocki that Open Space/Cluster Zoning be tabled until the July Meeting of the Planning Commission after members attend the workshop.

## NEW BUSINESS:

### Pail Face L.L.C., 215 Arthur Street - Special Use Permit

A public hearing was held earlier in response to a request from Pail Face L.L.C. for a Special Use Permit to allow the construction of an eight boat slip marina behind the existing restaurant at 215 Arthur Street.

MOTION by Ray Fortier, seconded by John Serocki that the request from Pail Face L.L.C. for a Special Use Permit to allow the construction of an eight slip marina behind the restaurant at 215 Arthur Street be approved with the condition that Licenses be prepared, reviewed by City Staff and recorded with the Register of Deeds Office to address the shared parking and ingress and egress to the two parcels. Motion passed unanimously.

### Ruth Niemerowicz, 1510 Vine Street - Parcel Split

Ruth Niemerowicz owns a home at 1510 Vine Street Parcel #51-51-764-710-07. This parcel includes the South ½ of Lot 3 and Lot 4 Block 10 Maxwelltown (residence) and Lots 5 and Lot 6 Block 10 Maxwelltown (two vacant lots on Maywood Street). Mrs. Niemerowicz would like to split Lots 5 & 6 from the parcel into two separate lots that she could put up for sale. Staff review of the request shows that the request meets all of the requirements of the Zoning Ordinance.

MOTION by Bob Davis, seconded by Tony Slawinski that the request from Ruth Niemerowicz, to split Parcel #51-51-764-710-07 into three separate parcels 1) Maxwelltown South ½ of Lot 3 and Lot 4 Block 10 (residence) 2) Maxwelltown Lot 5 Block 10 (vacant) 3) Maxwelltown Lot 6 Block 10 (vacant) be approved. Motion Passed Unanimously.

## OTHER COMMUNICATIONS:

### U.S. 31 Corridor Access Study Management Meeting

Members of the Planning Commission were reminded that the U.S. 31 Corridor Access Study Management Meeting will be on Thursday, June 13, 2002. Denise will get time and place from County Planning Department on Friday.

### Annual Report

Chair Roger Yoder will not be able to give the Annual Planning Commission Council Address on July 2, 2002. Roger asked if any member of the Planning Commission would like to read the speech that has been prepared. Ray Fortier said that he would give the Planning Commission Council Address for Chair Yoder.

City Update

Jon Rose gave members of the Planning Commission and update on the reconstruction of Cherry Road and the Grant received for Brownfield Redevelopment.

Change July Meeting Date

The July meeting of the Planning Commission had been changed from the first Thursday of the month to July 11<sup>th</sup> due to the July 4<sup>th</sup> holiday. The Parks Commission has invited the Planning Commission to attend their annual tour of the City Parks on July 11<sup>th</sup>. Members of the Planning Commission would like to go on the Parks tour and discussed changing the date of the July meeting. Due to the time frame that exists for placing items on the City Council Agenda any item brought before the Planning Commission on July 11<sup>th</sup> would not be forwarded to Council until their first meeting in August. Changing the date of the Planning Commission meeting to July 18<sup>th</sup> the third Thursday of the month would not have any impact on that time constraint.

MOTION by Ray Fortier, seconded by Joyce Jeruzal that the July Planning Commission Meeting be changed from July 11, 2002 to July 18, 2002. Motion passed unanimously.

WORK/STUDY SESSION

None

ADJOURNMENT:

MOTION by Bob Davis, seconded by Tony Slawinski that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 8:12 p.m.

MANISTEE PLANNING COMMISSION



Denise J. Blakeslee, Recording Secretary



(231) 723-3581 • FAX (231) 723-2908 • 123 Arthur Street • Manistee, Michigan 49660

June 6, 2002

Jon Rose  
Community Development  
City of Manistee  
70 Maple Street  
Manistee, Michigan 49660

Dear Mr. Rose:

In regard to the special use permit for Pail Face L.L.C., we have some concerns which are listed below.

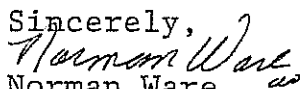
Currently we have a lease with Phil Celestine for most of the parking area at the restaurant. Since the sale of the restaurant, we have not been approached by anyone as to leasing this property when Mr. Celestino's lease expires. Our headquarters office has told us that at this time they are not considering leasing to anyone. They might consider doing so in the future but they are not sure.

On the drawing it shows curb cuts which does not look like they are planning on changing if not leasing our property. Are they planning to put in a new drive on their property?

Also, if not leasing our property, we are wondering where snow removal will be placed and who will be responsible for any kind of water run-off damage that might occur.

Are the new owners planning on putting up some kind of barrier or fence between our property and theirs? Phil Celestino is responsible for any liability until his lease runs out on September 30, 2002. After that we would be responsible and do not want any problems because restaurant patrons are parking on our property.

If the special permit is issued will any dredging be done? If so, will it have any impact on our property due to waves caused by boats coming and going? What would be done to prevent this?

Sincerely,  
  
Norman Ware  
A.D. Joslin Mfg. Company  
Div. Cosco Industries

