

MANISTEE CITY PLANNING COMMISSION  
70 Maple Street  
Manistee, MI 49660

MEETING MINUTES  
December 6, 2007

A Meeting of the Manistee City Planning Commission was held on Thursday, December 6, 2007 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 p.m. by Chairman Yoder

ROLL CALL:

Members Present: Linda Albee, Maureen Barry, Ben Bifoss, Dave Crockett, Ray Fortier, Harlo Haines, Tony Slawinski, and Roger Yoder

Members Absent: Eric Gustad (excused)

Others: Michael Hagen (Morton Salt Company), J. Kevin Marion( 231 Helmbrook), Jon Rose (Community Development), Denise Blakeslee (Planning & Zoning) and Others

AMEND AGENDA:

Ms. Blakeslee requested that three additional Zoning Amendments ( forwarded to the Planning Commission via a memo dated November 30) be discussed under Proposed Zoning Amendments.

MOTION by Ray Fortier, seconded by Tony Slawinski that the Agenda be amended.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Bifoss, Albee, Crockett, Fortier, Haines, Slawinski, Yoder  
No: None

APPROVAL OF AGENDA:

Motion by Ray Fortier, seconded by Linda Albee that the agenda be approved as amended.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Bifoss, Albee, Crockett, Fortier, Haines, Slawinski, Yoder  
No: None

APPROVAL OF MINUTES:

Planning Commission Meeting of November 1, 2007

MOTION by Tony Slawinski, seconded by Lind Albee that the minutes of the November 1, 2007 Planning Commission Meeting be approved.

With a roll call vote this motion passed 8 to 0.

Yes: Slawinski, Haines, Fortier, Crockett, Albee, Bifoss, Barry, Yoder  
No: None

PUBLIC HEARING:

None

NEW BUSINESS:

Morton Salt Company, 280 Sixth Street - Site Plan Review

Morton Salt Company is requesting a Site Plan Review to relocate the existing 150 foot high boiler exhaust stack north of the present location and to construct an enclosure for a fly ash disposal system (Ash Silo Enclosure) and for emission control equipment (Fan Enclosure). A height variance was granted by the Zoning Board of Appeals at their meeting on November 27, 2007.

Michael Hagen, Plant Engineer, Morton Salt Company - Mr. Hagan explained the project and said that a change in engineers caused a mix up in obtaining the permits.

Jon Rose said that with the variance from the Zoning Board of appeals the request meets the requirements of the Zoning Ordinance.

MOTION by Ben Bifoss, seconded by Tony Slawinski to approve the request from Morton Salt Company for an addition to their facility (relocate the existing 150 foot high boiler exhaust stack, construct an Ash Silo Enclosure and a Fan Enclosure) as shown on Site Plan Labeled Morton International, Inc. Manistee Boiler #6 Boiler MACT Compliance Project (Project #5025.11)

With a roll call vote this motion passed 8 to 0.

Yes: Haines, Bifoss, Barry, Fortier, Slawinski, Albee, Crockett, Yoder  
No: None

Election of Officers 2007.

The By-Laws of the City of Manistee Planning Commission require the annual election of Officers to be held at the December Meeting for the following year.

Chair

At this time the meeting was turned over to Jon Rose who asked for nominations for the Position of Chair.

Ray Fortier, seconded by Tony Slawinski nominated Roger Yoder for the position of Chair

Nominations were asked for three times, there being no other nominations, nominations were closed.

With a roll call vote, Roger Yoder was unanimously elected Chair of the Planning Commission for 2008.

The Meeting was turned back over to Chairman Yoder

Vice-Chair

Chairman Yoder asked for nominations for the Position of Vice-Chair.

Maureen Barry, seconded by Dave Crockett nominated Ray Fortier for the position of Vice-Chair

Nominations were asked for three times, there being no other nominations, nominations were closed.

With a roll call vote, Ray Fortier was unanimously elected Vice - Chair of the Planning Commission for 2008.

Secretary

Chairman Yoder asked for nominations for the Position of Secretary.

Ray Fortier, seconded by Dave Crockett nominated Maureen Barry for the position of Secretary

Nominations were asked for three times, there being no other nominations, nominations were closed.

With a roll call vote, Maureen Barry was unanimously elected Secretary of the Planning Commission for 2008.

Appointment of a Recording Secretary 2008.

Once Elected the Secretary may appoint a Recording Secretary to handle the administrative functions of the office.

Maureen Barry appointed Denise Blakeslee to act as the Recording Secretary for the Planning Commission for the year 2008.

OLD BUSINESS:

J. Kevin & Barri T. Marion - Street Vacation Request

A public hearing was held on November 1, 2007 in response to the request from J. Kevin & Barri T. Marion to vacate the southernmost portion (Approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21. A motion to approve the request was tabled until the applicant could be present to answer questions from the Planning Commission.

J. Kevin Marion, 231 Hembrook (Owner of parcels, 51-51-373-703-09, 51-51-373-704-21 and 51-51-373-703-07) was in attendance to answer questions of the Commission. Mr. Marion agreed to the requirement of combining the parcels into one. He explained the erosion problems in the area and at this time does not have any plans to develop the property himself.

Commissioner Crockett expressed his concerns about the request. Included in his concerns were:

- ▶ Vacation of the Street would prevent any future extension of the street.
- ▶ This Street if extended to the South City Limits would provide a scenic access to Merkey Road.
- ▶ Review of the Master Plan shows we are to preserve views whenever possible.
- ▶ Stub Streets are noted in the Master Plan as a means to provide future street expansion.

Discussion by the Planning Commission included

All property owners within 300 feet were noticed and only one person came to express any concerns. Discussed how the street could not be developed because of the severe erosion problems. Commissioner Crockett said he would like to have further discussion at a Worksession. The other Planning Commissioners commended Commissioner Crockett for his research and concerns but felt they were able to make a recommendation this evening.

MOTION by Ben Bifoss, seconded by Linda Albee that the Planning Commission make a recommendation to City Council to approve the request from J. Kevin & Barri T. Marion to vacate the southernmost portion (Approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21 conditioned upon the combination of Lots 4, 5, 8 and 9 into one parcel.

With a roll call vote this motion passed 7 to 1.

Yes: Fortier, Albee, Bifoss, Haines, Slawinski, Barry, Yoder  
No: Crockett

Commissioner Albee left the meeting.

### Proposed Ordinance Amendments

The Planning Commission reviewed three proposed Ordinance Amendments at their Worksession on November 15, 2007. Changes were made and new drafts have been distributed to members.

#### Amend Definition of Accessory Use

After further discussion the proposed amendment was changed to read:

ACCESSORY USE: A use naturally and normally incidental to, and subordinate to, and devoted exclusively to, the principal use of the land or buildings **and located on the same parcel as the principal use.**

MOTION by Ray Fortier, seconded by Tony Slawinski that a Public Hearing be scheduled for January 3, 2008 to amend the definition of Accessory Use.

With a roll call vote this motion passed 7 to 0.

Yes: Slawinski, Barry, Crockett, Haines, Fortier, Bifoss, Yoder  
No: None

#### Amend the Zoning Ordinance as relating to Parking Facility

No changes were made by the Planning Commission to the proposed amendment.

MOTION by Ray Fortier, seconded by Maureen Barry that a Public Hearing be scheduled for January 3, 2008 to amend the Zoning Ordinance as relating to Parking Facility.

With a roll call vote this motion passed 7 to 0.

Yes: Bifoss, Crockett, Haines, Slawinski, Barry, Fortier, Yoder  
No: None

Amend the Zoning Ordinance as relating to Adaptive Reuse

Further discussion on (Section 1807.C.1.f) resulted in item f being changed to read as follows:

**f. The number of dwellings permitted in an adaptive reuse buildingsh all not exceed one dwelling for each 1,500 square feet of floor Area.**

MOTION by Maureen Barry, seconded by Ray Fortier that a Public Hearing be scheduled for January 3, 2008 to amend the Zoning Ordinance as relating to Adaptive Reuse.

With a roll call vote this motion passed 7 to 0.

Yes: Haines, Slawinski, Bifoss, Fortier, Crockett, Barry, Yoder  
No: None

Amend the Zoning Ordinance as relating to Section 2108, Use Type 3 - Ground Mount Signs

No changes were made by the Planning Commission to the proposed amendment.

MOTION by Ray Fortier, seconded by Tony Slawinski that a Public Hearing be scheduled for January 3, 2008 to amend the Zoning Ordinance as relating to Use Type 3 - Ground Mount Signs.

With a roll call vote this motion passed 7 to 0.

Yes: Barry, Slawinski, Haines, Bifoss, Crockett, Fortier, Yoder  
No: None

Amend the Zoning Ordinance as relating to Article 12: Waterfront District, Section 1200 Purpose be amended.

After discussion the first sentence of the Purpose was amended to read as follows:

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the **Waterfront. Manistee Lake shoreline.**

MOTION by Dave Crockett, seconded by Ray Fortier that a Public Hearing be scheduled for January 3, 2008 to amend the Zoning Ordinance to Amend Article 12: Waterfront District, Section 1200 Purpose.

With a roll call vote this motion passed 6 to 0 with Commissioner Haines Abstaining.

Yes: Crockett, Bifoss, Slawinski, Fortier, Barry, Yoder  
No: None

Amend the Zoning Ordinance as to Amend the Definition of Place of Public Assembly, Large and Place of Public Assembly Small.

No changes were made by the Planning Commission to the proposed amendment.

MOTION by Dave Crockett, seconded by Harlo Haines that a Public Hearing be scheduled for January 3, 2008 to amend the Definition of Place of Public Assembly, Large and Place of Public Assembly Small.

With a roll call vote this motion passed 7 to 0.

Yes: Barry, crockett, Bifoss, Haines, Fortier, Slawinski, Yoder  
No: None

#### PUBLIC COMMENTS AND COMMUNICATIONS:

None

#### CORRESPONDENCE:

Staff has received no response to the letter sent to Kate Wickstrom.

A letter was sent to Jon Rose from a neighbor regarding the Special Use Permit for Manistee Car Care. The Special Use Permit was issued to Blarney Castle (the property owner) not the Manistee Car Care the operator of the facility. The Planning Commission said if they are not complying with the requirements of the Special Use Permit then a citation should be issued.

Members were given a copy of a letter that Chairman Yoder received from Renee Ihlenfeldt, Executive Director of Alliance for Economic Success.

#### STAFF REPORT:

Jon Rose told the Planning Commission that the City applied for and received a grant from the Michigan Natural Resources Trust Fund for \$2.015 million dollars for the acquisition of Man Made Lake. Mr. Rose showed the Commissioners the Power Point Presentation that was given to the Trust Fund Board.

The request from Rieth Riley for a Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer Facility is still proceeding forward.

**MEMBERS DISCUSSION:**

Commissioner Fortier thanked staff for their work on the acquisition of Man Made Lake.

Chairman Yoder thanked the Planning Commission for his reappointment to Chairman for 2008.

Holiday wishes were exchanged.

**ADJOURNMENT:**

**MOTION** by Tony Slawinski, seconded by Maureen Barry that the meeting be adjourned. Motion passed unanimously.

**MEETING ADJOURNED AT 8:55 P.M.**

**MANISTEE PLANNING COMMISSION**

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Denise J. Blakeslee, Recording Secretary