

Otsego County Planning Commission

Minutes from 9-21-09

Call to order at 7:00pm.

Pledge of Allegiance

Roll call:

Commission Members Present: Chairman Stults, Vice Chairman Arndt, Ms. Backenstose, Mr. Hilgendorf, Mrs. Jarecki, Ms. Nowak, Mr. Klee, Mr. Mang and Mr. Borton.

Commission Members Excused: Mr. Ernst, Mr. Colosimo

Joe Ferrigan and Sharon Bolinger were also present.

Public present: Elliot Blumberg, Duane Webber, Jay Webber, Stacey Jo Shiller, Barton C Briley, Allen O'Shea

Record to show that Mr. Colosimo joined the meeting and was present at 6:07pm.

Approval of Minutes:

Motion to approve the minutes from 8-04-09 Planning Commission special meeting made by Vice Chairman Arndt. Support by Mr. Klee.

Motion approved unanimously. Motion carries.

Motion to approve the minutes from 8-17-09 Planning Commission regular meeting with corrections made by Mr. Mang. Support by Mr. Hilgendorf.

Motion approved unanimously. Motion carries.

Mr. Mang requested the placement of the Matelski/Northern Processing LLC. ongoing debate for restoration plan under unfinished business

Public Comment for Items not on the Agenda: None

Open Public Hearing for Case # PSPR09-02 Site Plan Review:

PSPR09-02 Site Plan Review of Parcel #020-024-300-015-07 located in Charlton Township on Hilltop Road.

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David Drews addressed the Commission on behalf of the owners Ronald F. Otto and Joan Otto. He stated that under the land division act the number of splits have been maxed out. They are requesting a (4) unit Site Condominium project. All units are to be of five acres or more and there are to be no structures to be built on the sites at this time. There is an existing Home Owners Association that would incorporate these units.

Mr. Mang inquired about the control structure at the south end of 6th Spectacle Lake.

Mr. Drews explained the ownership & who would be the responsible party to maintain the control structure.

The portion of the map provided by Mr. Drews showing that there is an expandable area to the north of the property also owned by the Otto's will only show that there is an expandable area and is a part of this site plan review for the Condominium Units, however there are no specific lots drawn out and they are only showing that there may be future development. There are specific time limits under the Condominium Act and they would have to come back and apply for the process at that time.

The Public Hearing was closed at 6:35pm.

Unfinished Commission Business:

a.) Capital Improvements Program

Motion to adopt the Capital Improvement Program process made by Mr. Hilgendorf. Support by Mr. Mang.

Motion approved unanimously. Motion carries.

b.) Township Input on Signs (set public hearing date)

Motion to schedule a public hearing on the changes to the Zoning Ordinance regarding message signs made by Mr. Borton. Support by Ms. Nowak.

Motion approved unanimously. Motion carries.

c.) Township Input on Article 23(set committee members)

Phil Alexander will chair this committee. Mr. Mang, Mr.Ferrigan, Kevin Saggasser, and Chairman Stults will be the members of this committee.

d.) Township Input on Wind Turbine Generators (set public hearing date)

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Motion to schedule a public hearing on the revisions to the Ordinance for Wind Turbine Generators made by Vice Chairman Arndt. Support by Mr. Borton.

Motion approved unanimously. Motion carries.

Added item e: Update on the Matelski/Northern Processing LLC. gravel pit.

Mr. Ferrigan has not heard back from the County's legal counsel at this time. Chairman Stults requested that Mr. Ferrigan follow up on getting input from the County's Attorney.

A member of the public, the Chairman of Manistee County Planning, Allen O'Shea gave the Commission some additional materials on Wind Turbines that he thought might be helpful (Mr. Mang picked up these materials from the Zoning office the following day).

Added item f: Assisted Care Facilities Report

Vice Chairman Arndt gave an update. His committee is almost ready to present a draft of the new language to the Commission.

Chairman Stults added that the MUZ committee is making good progress also.

New Business:

A. Site Plan Review for PSPR09-02

The Commission and Mr. Drews discussed the exhibit list #1 thru #8 and added #9 thru #12. List is attached.

There were multiple discussions between the Commission and Mr. Drews.

At 8:13pm Mr. Arndt announced that he was developing a conflict of interest and removed himself from the discussion and the room.

The Commission discussed the General Finding of Facts #1 thru #6 prepared by Mr. Ferrigan.

The Commission discussed the Finding of Facts under Article 16 of the Zoning Ordinance.

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The Commission discussed the PSPR09-02 Standards for Special Land Use Approval. All standards under 16.7.1 thru 16.7.8 have been met.

The Planning Commission, under Section 16.8 of the Otsego County Zoning Ordinance places the following conditions upon PSPR09-02.

- 1.) Provide a copy of the Health Department findings.
- 2.) Provide the final legal description for the four units and their depiction on the site plan.
- 3.) Provide a revised site plan showing detail of access to 6th Spectacle Lake control structure as a common area.
- 4.) Provide a copy of the master deed.
- 5.) Substantial construction as it appears in Section 16.11.1 shall be the completion of recording the Site Condominium documents.

Motion by James Hilgendorf based on the attached finding of facts to approve PSPR09-02. Support by Charles Klee.

Motion approved unanimously. Motion carries.

Mr. Arndt rejoined the regular meeting.

B. Election of Officers:

Mr. Borton nominated Mr. Ernst for Secretary. Support by Ms. Nowak.

Approved unanimously.

Mr. Klee nominated Mr. Stults for Chair. Support by Mr. Hilgendorf.

Approved unanimously.

Mr. Hilgendorf nominated Mr. Arndt for Vice Chair. Support by Mr. Mang.

Approved unanimously.

Mr. Stults made the Commission aware that there is a meeting on Wednesday 9-23-09 at 1:30pm with Township Officials to ask for more funding for the Planning and Zoning department.

Meeting Adjourned at 7:34pm