

Otsego County Planning Commission

Minutes for October 17, 2011

Call to Order: 6:00 pm by Chairperson Stults

Pledge of Allegiance

Roll Call:

Present: Chairperson Stults, Vice-Chairperson Arndt, Secretary Borton, Mr. Hilgendorf, Mrs. Jarecki, Ms. Nowak, Mr. Klee, Mr. Hendershot, Mr. Hartmann

Absent: Mr. Colosimo, Mr. Mang

Staff Present: Mr. Ferrigan, Mr. Schlaud

Others Present: Patricia Osburn, Soil Conservation Director

Public Present: Olen Harris, Nora Corfis, Colleen Jozwiak

Consent Agenda: None

Approval of minutes from August 15, 2011:

Motion made to approve minutes by Mr. Borton; Seconded by Mr. Hendershot.

Motion approved unanimously.

Other:

Chairperson Stults stated he had received correspondence from the Cheboygan County Community Development Department on their efforts to prepare a new Master Plan. If anyone was interested in further details, Chairperson Stults could be contacted for information.

Public participation for items not on the agenda: None

Unfinished applicant business: None

Public Hearing: None

Unfinished Commission Business:

Chairperson Stults requested moving item two (2) *Proposed Mining language* to number one (1) to allow Ms. Osburn time to make another meeting.

1. Proposed Mining language

Mr. Ferrigan discussed the newest version of mining language given to the board at the meeting. It included information from two (2) technical guides, *Land Reclamation, Currently Mined Land* and *Land Reclamation, Abandoned Mined Land*, provided by Patricia Osburn.

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Ms. Osburn stated the guides are provided by *NRCS, National Resources Conservation Service* of the federal government and her department refers to them for every case. She also stated this information could be found online. (www.nrcs.usda.gov) Ms. Osburn commented that the process would move more smoothly if the Ordinance language followed the same guidelines.

Mr. Ferrigan stated he used these two (2) guides to revise the language and found them very useful. He stated they would be very helpful to future mining agreements.

Chairperson Stults directed the Commission members to the questions on Articles Mr. Ferrigan needed clarification on:

- Article 18.25 Mining, Gravel, Sand, Clay, Top Soil, Marl: (I) zoning district changed to, *Use Subject to Special Conditions*.
- Article 16: Add wording along the line of; *Allowed as a Use Subject to Special Conditions in (FR), (AR) and (I) zoning districts per the requirements of Article 16.*
- Article 18.25.1.4 Site Development Requirements/Restrictions: Mr. Ferrigan will come up with better language.
- A disclaimer is not needed for non enforcement of lease agreements.
- Article 18.25.6 Application Procedure: Bold faced type acceptable.
- Article 18.25.7 Operational Plan: There were no items added to the Operational Plan at this time. Mr. Ferrigan requested the Commission members read the technical guides and consider additional items.
- Article 18.25.10 Financial Guarantees: Members agreed the Bond should extend past the life of the permit. Chairperson Stults stated a Performance Bond never expires. The County attorney will be asked for language in the matter. Staff provided the following comment: Bond shall be in effect until Certificate of Completion is issued.
- Article 18.25.13 Evidence of Continuing Use: If abandonment is declared, they are in non compliance with the permit and enforcement should take place.
- Article 18.25.15 Permit Expiration: If the permit expires, they are in violation and enforcement should take place.
- Article 18.25.11 Inspection: The term, *inspection*, to be changed to, *supervision or supervision of the operation*, to better describe the Zoning Department's purpose.

2. Proposed new language regarding dumpsters

Mr. Ferrigan made changes to the Zoning Ordinance language regarding dumpsters and presented to the Planning Commission.

It was the consensus of the Commission members to delete the portion of Article 18.42.2.1 beginning with *and/or a fence between...through...to the adjacent residential property* and was decided that Article 18.18.5 Screening of Unsightly Areas to be left as is.

Mr. Ferrigan was asked to do a final revision and move the process forward.

3. Ken Arndt's update report on Assisted Living Facilities

After drafting thirty-five (35) to forty (40) pages throughout the Zoning Ordinance, Mr. Arndt requested guidance from Chairperson Stults concerning certain issues with the Ordinance language. It should be ready to present at the next Planning Commission meeting.

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New Business:

1. ZBA review of 18.1/Is 4000 square feet the total of all accessory buildings or any one building

Commission members decided the ordinance encompassed the total of all accessory buildings and requested Mr. Ferrigan draft the language to that effect.

2. Election of officers

A nomination was made for the current officers to remain for another term by Mr. Hendershot.

Motion made to accept unanimous ballot by Mr. Hilgendorf; Seconded by Mrs. Nowak

Motion passed unanimously.

Chairperson: Mr. Stults
Vice Chairperson: Mr. Arndt
Secretary: Mr. Borton

Chairperson Stults requested Mr. Ferrigan gather a list of Commission members whose terms end 2011. They will then be reappointed if they so desire.

Reports and Commission Member's Comments:

Ms. Jarecki stated the Commission's State Citizens Planner Program would possibly be held again in the spring in Gaylord. Chairperson Stults recommended the class.

Mr. Borton announced that as a County Commissioner, he was a member of the organization MAC, *Michigan Association of Counties*, and was recently elected Regional Director of the seventeen (17) counties in Region six (6).

Adjournment: 8:28 pm by Chairperson Stults.

Christine Boyak-Wohlfeil, Recording Secretary

Ken Borton, Planning Commission Secretary