

# Otsego County Planning Commission

Approved Minutes for April 17, 2017

**Call to Order:** 6:00pm by Chairperson Hartmann

Pledge of Allegiance

**Roll Call:**

Present: Chairperson Hartmann, Vice Chairperson Jarecki, Mr. Borton, Mr. Hilgendorf, Mr. Brown, Ms. Nowak, Mr. Klee, Mr. Caverson, Mr. Bauman, Ms. Corfis

Absent: Mr. Arndt

Staff Present: Mr. Mouch, Ms. Boyak-Wohlfeil

Public Present: Ed Johnson, Johnson Oil representative, David Delaney, Johnson Oil Attorney, Randy Stults

**Approval of minutes from:** March 20, 2017

Motion made to approve minutes by Mr. Brown; Seconded by Mr. Hilgendorf

Motion approved unanimously.

**Consent Agenda:** None

**Other:** None

**Public participation for items not on the agenda:** None

**Public Hearing:** None

**Advertised Case:** None

**Unfinished Commission Business:**

1. Case PZSU16-004:  
*Johnson Oil Company, property owner, has requested a Special Use Permit for property located in Otsego Lake Township:  
900 Marlette Rd  
Frederic, MI 49733  
090-028-300-010-01  
Property is located in a HX/Highway Interchange Zoning District  
PZSU16-004-proposed use of the property is to install an eighteen thousand (18,000) gallon propane tank at their existing gas station site*

Chairperson Hartmann stated the returned case and asked Ms. Corfis for input from Otsego Lake Township.

Ms. Corfis stated the site plan had been reviewed again at Otsego Lake Township and was approved with two (2) conditions placed on it. The Township requested the entire tank, pump and bulkhead be enclosed with a fence and secured with a locked rolling gate and also the depiction of the fifty foot (50') traffic pattern area on the site plan. She stated the site plan included in the packets was the revised plan including the conditions the Township requested.

Chairperson Hartmann asked Mr. Mouch for comments.

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Mr. Mouch stated it was a good process and was fully approved at Land Use.

Chairperson Hartmann asked for additional comments. Hearing none, he read aloud Article 19 Section 19.7 Standards for Special Land Use Approval with all standards having been met. *SEE ATTACHMENT #1*

Chairperson Hartmann requested a motion from Ms. Corfis for PZSU16-004.

Motion made by Ms. Corfis to approve Special Use Permit PZSU16-004 to Johnson Oil located at 900 Marlette Rd in the Highway Interchange Zoning District with the special conditions recommended by Otsego Lake Township to be placed on the installation of the propane tank to include fencing around the entire tank, pump and bulkhead and be secured and to depict the fifty foot (50') traffic pattern; Seconded by Mr. Klee

Motion approved unanimously.

## 2. Section 23 Site Plan Review/Application – *Proposed changes*

Chairperson Hartmann thanked the Committee for their time involved and asked for discussion on the proposed language for Section 23 Site Plan Review including the site plan application.

Ms. Corfis stated she agreed with the elimination of the 'Not Applicable' language on the application. She suggested adding more detail to the Agency Review Form at the end of the Site Plan Review application to include a date, applicant name, site address, etc. She felt it needed to be more user friendly.

Chairperson Hartmann stated they had not reviewed that page of the application and suggested they discuss the additions to be included after the meeting so it could be forwarded to townships for input.

**New Business:** None

## **Reports and Commission Member's Comments:**

### 1. Otsego County Parks & Recreation report

Mrs. Jarecki, Otsego County Parks and Recreation Commission representative stated Lynn Smith, was hired as a full time ranger for the Groen Preserve; site work had begun for the new cabins, the old cabins had been moved to their new sites at the County Park and two (2) seasonal employees have started work at the Park, the rest will start in May; a state grant for \$19,000 had been approved and will be used for benches, signs, drinking fountains and fencing at Libke Fields; and work will begin on the Capital Improvement Plan giving a future look at items to be done.

### 2. Land Use Services report/Jim Mouch

Mr. Mouch stated the report distributed was an overview of permits issued to date this year and also in comparison to permits issued last year. He will update the report each month to keep the members informed.

Mr. Bauman stated Livingston Township continued to work on their Master Plan; they had completed Chapter 4 thus far. They were also applying for a grant to purchase property for a recreation area by Five Lakes but the property they were considering had been sold.

Mr. Brown stated Charlton Township will hold a public hearing May 3<sup>rd</sup> for their Master Plan.

Mr. Hilgendorf stated he had issues with the addresses in his neighborhood. He was on the border of two (2) counties and the numbering was different on either side of the street.

Mrs. Jarecki stated Corwith Township had received the grant monies for the Gateway Trail project and were looking to finalize the plans.

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Mr. Borton stated things were running smooth at the County.

Mr. Mouch stated things were busy at Land Use being shorthanded but the department was successful.

3. Selected Planning and Zoning Decisions: 2005/Zoning Information

Chairperson Hartmann adjourned the meeting.

**Adjournment:** 6:30pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

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ATTACHMENT #1

## FINDINGS UNDER ARTICLE 19

### SECTION 19.7 STANDARDS FOR SPECIAL LAND USE APPROVAL

The Planning Commission shall approve, or approve with conditions, an application for a special land use permit only upon a finding that the proposed special land use complies with all of the following standards:

**19.7.1** The property subject to the application is located in a zoning district in which the proposed special land use is allowed.

~~HAS~~ HAS NOT BEEN MET

**19.7.2** The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the county or the natural environment as a whole.

~~HAS~~ HAS NOT BEEN MET

**19.7.3** The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.

~~HAS~~ HAS NOT BEEN MET

**19.7.4** The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for the surrounding properties to be used and developed as zoned.

~~HAS~~ HAS NOT BEEN MET

**19.7.5** The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity.

~~HAS~~ HAS NOT BEEN MET

**19.7.6** The proposed special land use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.

~~HAS~~ HAS NOT BEEN MET

**19.7.7** If the proposed special land use includes more than fifteen thousand (15,000) square feet of impervious surface, then the storm water management system employed by the use shall (i) preserve the natural drainage characteristics of the site and enhance the aesthetics of the site to the extent possible, (ii) employ storm water disposal through evaporation and infiltration when reasonably possible, (iii) shall not discharge storm water directly to wetlands or surface waters unless there is no other prudent or reasonably feasible means of discharge, (iv) shall not serve to increase the quantity or rate of discharge leaving the property based on twenty-five (25) year storm criteria, (v) shall be designed using Best Management Practices identified by the DNR or its successor agency, and (vi) shall identify the party responsible for maintenance of the storm water management system.

~~HAS~~ HAS NOT BEEN MET

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**19.7.8** The proposed special land use complies with all specific standards required under this Ordinance applicable to it.

**HAS** ~~HAS NOT BEEN MET~~

## SECTION 19.8 CONDITIONS

The Planning Commission may attach reasonable conditions to the approval of a special use permit. These conditions may include those necessary to insure that public services and facilities affected by a proposed special land use will be capable of accommodating increased service and facility loads caused by the special land use, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all the following requirements.

19.8.1 Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed special land use, and the community as a whole.

19.8.2 Be related to the valid exercise of the police power, and purposes which are affected by the proposed special land use.