

# Otsego County Planning Commission

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Approved Minutes for October 15, 2018

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

Pledge of Allegiance

**Roll Call:**

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

Absent: Mrs. Norton

Staff Present: Mr. Mouch, Mr. Churches

Public Present: Randy Stults

Others Present: John Jenkins, City of Gaylord Mayor, Rachel Frisch, Otsego County Administrator

**Approval of minutes from:** September 17, 2018

Motion made by Mr. Brown to approve minutes as presented; Seconded by Mr. Arndt.

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:** None

**New Business:**

1. Capital Improvement Plan 2019-2024 – *Review*

Chairperson Hartmann requested comments from Mr. Churches and Ms. Frisch on the Capital Improvement Plan.

Mr. Churches stated he thought all the projects were needed. The Capital Improvement Plan (CIP) Committee had reviewed the plan and prioritized each item.

Ms. Frisch stated the Capital Improvement Plan had been put together professionally, with pictures being added for some nice detail. The Committee did an overall good job.

Chairperson Hartmann reviewed the CIP by item stating most of the projects were road construction projects prioritized by year. The Iron Belle Trail and the Otsego Lake Outlet Structure were both considered ‘urgent’.

Mr. Borton stated the reason the Trail was marked ‘urgent’ was because of grant funding; the Trail needed to be completed within a certain amount of time and he was told it would be finished within that timeframe. It was slated to open December 1<sup>st</sup> for snowmobile season.

Chairperson Hartmann stated the other items defined in the Plan were marked ‘important’ with the exception of the jail being categorized as ‘desirable’. He requested discussion on any items.

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Mr. Borton stated the jail was now being marked ‘desirable’ as opposed to ‘important’ because funding was not available and the estimate given was outdated as well.

Mr. Churches stated Mr. Hilgendorf had questioned the local percentage of township contribution at the CIP Committee meeting. He had contacted Jason at the Road Commission and was told the township contribution was not defined until late October of each year. So the percentage of local share was determined year by year.

Mr. Brown questioned the road project percentages of federal funding as well.

Mr. Churches stated he could not speak to that; the local percentages were defined yearly.

It was explained the percentage of contribution depended on where the funding was coming from. The type of funding defined the contribution required.

Chairperson Hartmann asked for any other comments; hearing none, he requested a motion.

Mr. Caverson stated he would abstain from voting to prevent any conflict of interest as he worked on some of the projects.

Motion by Mr. Hilgendorf to recommend the Otsego County Capital Improvement Plan 2019-2024 to the Otsego County Board of Commissioners; Seconded by Mr. Klee.

Motion approved; one abstention.

A public hearing will be held before approval by the Otsego County Board of Commissioners.

## 2. Objective List 2018 – Review

Chairperson Hartmann stated he would like to set up a committee to review the objective list. He requested input for items on the current list, any additional items and also their priority. A committee was assembled and a meeting was scheduled for Friday, October 26<sup>th</sup> at 9:00am .

Committee members:

*Mr. Hartmann*

*Mr. Klee*

*Mr. Brown*

*Mr. Arndt*

Chairperson Hartmann stated the information would be presented at November’s meeting.

## 3. Elections

Chairperson Hartmann stated the positions for officer s needed to be filled. Current positions were held by himself, Mrs. Jarecki and Mr. Arndt.

Mr. Hilgendorf suggested making a single motion to keep all officers in their current position; there were no objections.

Motion made by Mr. Hilgendorf for current officers to retain their positions for the coming year; Seconded by Mr. Arndt.

Motion approved.

### **2019 Officers:**

Chairperson: *Mr. Hartmann*

Vice Chairperson: *Mrs. Jarecki*

Secretary: *Mr. Arndt*

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4. Expiring Terms:
  - a. Paul Hartmann
  - b. Judy Jarecki
  - c. Steve Bauman

Chairperson Hartmann questioned if members with expiring terms were open to another three (3) year term. All three (3) members agreed to reappointment.

Applications for the members listed above were included in their packets for completion and submittal to Administration for reappointment by the Otsego County Board of Commissioners.

## Reports and Commission Member's Comments:

Mr. Brown, Zoning Board of Appeals (ZBA) representative, stated there had been two (2) cases before the ZBA, one (1) had been postponed. The other case was for a setback variance and the results were discussed. Charlton Township had questions as to why the variance was denied. A letter was sent requesting more information on the ZBA criteria in making a decision.

It was stated there was criteria in the Zoning Ordinance based on the Michigan Enabling Act that must be met in order for a variance to be granted. The Zoning Board of Appeals had based their decision on the criteria and had denied the variance because it was self-inflicted.

Mr. Mouch stated the applicant was working toward compliance and would be submitting the information requested.

1. Otsego County Parks & Recreation report/Judy Jarecki

Mrs. Jarecki stated construction on the septic system and the relocation of the ranger station had begun at the County Park – the two Halloween weekends at the Park went very well; Bear Basketball had begun at the Community Center; the Groen Nature Preserve ranger station would be completed soon and the position for two part time employees had been consolidated to one for shared duties at the Groen Preserve and the Community Center – the position had been filled; and permission was given to Animal Control for use of the shed at the dog park.

2. Land Use Services report/Jim Mouch

Mr. Mouch stated he had received an email concerning the pending ZBA case notifying Land Use it was being withdrawn. He stated Mr. Churches had assembled maps pertaining to the mobile home subdivisions.

Mr. Churches presented maps from information gathered by Land Use depicting the current use of the property in the mobile home subdivisions discussed in recent months. He stated the parcels were marked as single wide, double wide, accessory building or vacant and it was surprising how many parcels remained vacant. Mr. Churches stated that with the proposed rezoning of these subdivisions, these parcels could be utilized and contribute to the tax base of Otsego County.

Chairperson Hartmann stated a public hearing would be scheduled for November concerning the rezoning of the mobile home subdivisions. Letters from townships had been received in favor of the rezone to R3 except for Otsego Lake Township. He asked Ms. Corfis to explain their objections.

Ms. Corfis, Otsego Lake Township representative, stated their main concern was the allowance of eleven foot (11') mobiles being placed in those subdivisions according to the Schedule of Dimensions; they had also discussed other ways to allow replacement of a mobile should it be outdated or there was a loss.

Chairperson Hartmann stated the minimum width of single wide mobiles currently made was fourteen feet (14'). If a mobile was replaced with an eleven foot (11') single wide, it would have to meet building code as well.

Mr. Mouch stated it would not pass current building codes therefore, it would not be allowed unless they upgraded.

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Secretary Arndt, Bagley Township representative, stated they had discussed the issue extensively because many of these properties were in Bagley. He did not think a separate section was needed for an 'Act of God' definition. They had R3 Zoning recommendations to submit to avoid the actual term 'Act of God' and thought adding them to the R3 Zoning District would take care of the issue.

Mr. Mouch stated there would be additional information for review before the next meeting.

Mr. Caverson stated the focus was on mobile homes but this was a bigger issue throughout the County with nonconforming structures and lots, especially around the lakes. Changing the zoning did not address the problem in other areas of the County. If the 'Act of God' language was defined clearly, then all nonconforming structures could be rebuilt because of a loss, not just mobile homes. It would encompass the entire County and treat all owners fairly.

Chairperson Hartmann stated it would be on the agenda next month but whether it would be resolved remained to be seen.

Mr. Brown stated it made more sense to update the Schedule of Dimensions as suggested previously before the public hearing was held because he wasn't sure the rezone would be approved without changing that section first.

Ms. Corfis stated the 'Act of God' language would also be a possibility. There was no perfect solution but Otsego Lake Township was working toward the best solution they could.

Secretary Arndt stated the R2 amendment had been written twice, legal counsel had been sought and a zoning change to R3 was recommended; that was what they were doing.

Mr. Mouch suggested sending out the attorney's recommendation again and it was agreed.

Chairperson Hartmann stated he thought the public hearing should still be held to take care of the mobile home subdivisions and then they could work on the other items discussed.

Mr. Caverson stated he thought this started off as a structure issue and not a mobile homes issue.

Mr. Mouch stated the proposed changes were based on the width of the structure not representative of just a single wide mobile home.

It was questioned what the public hearing would consist of and how the public hearing would be held; if a hearing would be held separately for each subdivision or as a whole.

Chairperson Hartmann stated the public hearing would be held for the rezoning of the six (6) subdivisions recommended by legal counsel; he suggested inviting him.

Ms. Frisch stated she did not believe he would be able to attend November's meeting.

Mr. Mouch suggested contacting legal counsel again concerning questions from the meeting's conversation to see what he proposes.

Secretary Arndt stated he wanted to reassure Otsego Lake Township that Bagley was working toward a solution; they had rewritten their recommendation multiple times and wanted to move forward but did not want to disregard Otsego Lake's concerns. Arbutus Beach Highlands was a large subdivision and they did have an interest.

Ms. Corfis concurred and stated they wanted to take everything into account.

Mr. Mouch stated there were still many projects going on such as the apartments on M-32, apartments on Dickerson and Main St too and also a medical facility; the building still continues.

Mr. Hilgendorf stated the MTEC / University Center millage was coming up in November.

Mr. Borton stated Enbridge had been at the MAC environmental meeting last week discussing their plans for multiple projects throughout the state but focused on the tunnel through the straits; the tunnel would be ten feet

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(10') wide, ten feet (10') in diameter and one hundred feet (100') under the bedrock. The cost would run between \$500,000,000 and \$750,000,000 and be completed over the next 7-10 years.

With no further comments, Chairperson Hartmann adjourned the meeting.

**Adjournment:** 7:04pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary