

Otsego County Planning Commission

Approved Minutes for March 20, 2017

Call to Order: 6:00pm by Vice-Chairperson Jarecki

Pledge of Allegiance

Roll Call:

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

Absent: Mr. Hartmann, Mr. Arndt-arrived 6:02pm

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

Public Present: Ed Johnson, Johnson Oil representative, David Delaney, Johnson Oil Attorney, Jack Udebrock and Leo Sensbaugh, OLT Planning Commission members, Ken Bradstreet, Wolverine Power representative, Randy Stults

Approval of minutes from: January 16, 2017

Mr. Borton requested a correction on page four (4), last paragraph fourth sentence... *'The monies saved will be used at the trailheads.'* changed to *'The monies saved **could possibly be** used at the trailheads.'*

Motion made to approve minutes as corrected by Mr. Brown; Seconded by Mr. Bauman

Motion approved unanimously.

Mr. Arndt arrived 6:02pm.

Consent Agenda: None

Other: None

Public participation for items not on the agenda: None

Public Hearing:

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

Vice-Chairperson Jarecki stated the case and opened the public hearing.

Public Hearing open: 6:03pm

Ed Johnson, Johnson Oil representative, stated the building on Marlette was currently heated with a flame operated vaporizer system. The proposed tank would allow them to remove that system and create a safer form of heating their building. A pump would also be added to permit any of their trucks in the area to top off their tanks while servicing customers in lieu of driving to Gaylord. He stated it would not be used as a main filling station; they had larger tanks in Gaylord and Lake City for that purpose.

Mr. Arndt asked Mr. Johnson to point out the different components he was discussing on the site plan.

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Mr. Hilgendorf questioned the evaporator marked 'to remain' on the site plan.

Mr. Johnson stated that would be removed along with the two (2) existing LP tanks.

Ms. Corfis, Otsego Lake Township representative, stated the case had been heard at the Otsego Lake Township Planning Commission meeting and the Township felt there was not enough information provided on the site plan for their Planning Commission to make a decision either way. They had concerns with safety issues and they felt the site plan submitted did not address these. The site plan included in the county packet has been revised since the township meeting.

Jack Udebrock, Otsego Lake Township Planning Commission chairperson stated they were invested in the tank and it could be seen from the Otsego Lake Township Hall. He felt there were unanswered questions and did not feel the site plan was adequate. He compared the site plan with that submitted from the DTE project and felt those were the standards to adhere to.

Mr. Arndt questioned exactly what he would like to see on the plan.

Mr. Udebrock stated he felt the tank itself should be fenced with a locked gate, the parking should be removed from the loading area and he would like to see the piping and safety valves.

Mr. Johnson stated the safety issues would all need to be addressed prior to the state allowing the tank to be operational. The fence would be locked at all times with coded access, the piping and valves were state regulated and because trucks would not be filling up on a regular basis, they did not feel the parking needed to be removed.

Mrs. Jarecki questioned if there was state approval for the site.

Mr. Johnson stated he did have the state's approval from the previous site plan and distributed copies. He stated the site was not the same as presented tonight because they did not realize they needed a special use permit for it. They now needed approval from the county as part of their submittal of the new site plan to the state.

Mr. Arndt questioned the distance of the tank from the parking area and the possibility of someone accidentally running into the guard rail in front of the tank.

Mr. Johnson stated it would take a very large vehicle hitting the tank hard to cause any real damage.

Mr. Stults stated the safety issue may not be the tank itself but the piping going to the tank.

Mr. Johnson stated safety valves would be installed but if the piping or valves were to be damaged or broken, the internal safety valve would close automatically preventing anything from escaping.

Mr. Borton questioned the detail of the drawing submitted to the state and their requirements.

Mr. Johnson stated the drawing distributed tonight was what was approved previously and the state was fine with the submittal. It is the inspector's job to assure everything is installed to specs on site and an annual inspection is also required.

Mr. Brown questioned if the guard rail would be strong enough to stop a vehicle.

Mr. Johnson stated the guard rail would be constructed off 4" pipe, 3' in the ground, 3 or 4' high with piping every 4'; they would install the rail, the state only required the pipes.

Ms. Corfis questioned why the parking area was right in front of the proposed tank and stated it looked to accommodate larger vehicles. She also questioned if there was any curbing.

Mr. Johnson stated the existing parking was in front of the existing tanks and there wasn't any curbing.

Mr. Brown questioned if this was regulated by MDOT.

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Mr. Johnson stated it was not MDOT; Herb Jenkins was the state fire inspector for the department but could not recall the department name off hand.

Mr. Arndt questioned if there was a shut off valve inside the building and if the piping could possibly be damaged by vandals.

Mr. Johnson stated there were multiple shut off valves; the emergency shut off valve needed to be at least twenty-five feet (25') away from the tank and there would be a shut off valve inside the building. All the required piping for liquid propane would be schedule 80 piping which is twice as thick as regular, making it very difficult for someone to damage.

Mr. Borton stated most of the questions seemed to be concerning safety and any safety issues would be regulated by the state.

Ms. Corfis stated the Zoning Ordinance does require the tank be fifty feet (50') from any traffic pattern on site.

Mr. Arndt stated he thought that referred more to a roadway.

Mr. Stults stated he believed the township was concerned with the semi-trucks driving through the lot when the language was drafted and also reminded the Commission that township participation was a requirement of the zoning ordinance and the case should be approved at the unit level prior to county approval.

Mr. Hilgendorf questioned Mr. Johnson if it was understood what Otsego Lake Township had needed from him at the conclusion of the township meeting as it was important he know what additional information was required to move forward with the project.

Mr. Johnson stated the Township wanted elevation drawings and also the piping and valves drawn out. He thought that was an added expense and more than what the state required, they required the brands used. The plan was revised showing the elevation of the fencing and the guard rail and also the piping to the vaporizer.

Mr. Caverson questioned how the piping and valves would be constructed, if everything was just brought on site.

Mr. Johnson stated IPS (Industrial Propane Service Inc) would do the job and it would be done on site.

Mr. Bauman stated he worked in oil and gas and the piping did not have a specific drawn out design; the materials were brought on site and then configured and welded to fit the needs of the site.

Mr. Arndt stated sometimes lines get crossed as far as safety regulations are concerned; if something is state regulated and the state felt additional safety features were required, they would need to be added.

Mr. Udebrock stated he would like an archived drawing depicting the site as documentation.

Vice-Chairperson Jarecki closed the public hearing.

Public Hearing closed: 6:42pm

Advertised Case:

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*

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There was discussion on the checklist provided and items marked.

Mr. Caverson stated he did not feel the Township had the opportunity to make an educated decision because they were not presented sufficient information and once it was approved, it was approved.

Mr. Arndt stated the permit was subject to special conditions so the County could approve the case based on those conditions. The state would approve the safety issues involved. The case did not need to be dragged out another month or so.

Ms. Corfis stated they did not want that either; they would like to hear the case again but would leave it up to the County.

After continued discussion on the approval process, it was decided Mr. Johnson would bring the additional information to the Township's April meeting and return to the County at their next scheduled meeting.

Mr. Johnson questioned exactly what the Township wanted added to the site plan and stated he wasn't sure how quickly the drawings could be completed. He would attend the next Township meeting if they were done.

Mr. Mouch suggested the footing drawing accompany the site plan as well.

A meeting would be set up with County staff to expedite the process. Mr. Udebrock volunteered to attend to ensure the items being required.

Vice Chairperson Jarecki asked for a motion to proceed.

Motion made by Ms. Corfis, Otsego Lake Township representative, requesting a revised site plan with a more complete drawing of the project area showing the elevation of the tank, fencing, guard rail and emergency shut off valve along with a new revised site plan check list; Seconded by Mr. Klee

Motion approved unanimously.

Unfinished Commission Business: None

New Business:

1. 2016 Annual Report to the Otsego County Board of Commissioners

The annual report was distributed depicting the monthly activities of the Planning Commission for 2016 to be presented to the Otsego County Board of Commissioners.

Motion made by Mr. Brown to recommend the 2016 Annual Report to the Otsego County Board of Commissioners; Seconded by Mr. Hilgendorf

Motion approved unanimously.

Reports and Commission Member's Comments:

Mr. Arndt distributed Sign Committee meeting minutes highlighting the items discussed. Language would be drafted and presented at the next Planning Commission meeting.

1. Otsego County Parks & Recreation report

Mrs. Jarecki, Otsego County Parks and Recreation Commission representative stated 4H would be holding a Spring Break Extravaganza at the Community Center; the cabins at the Otsego County Park were such a big hit, the smaller cabins have already paid for themselves; a total of \$46,705 was being recommended to the Board of Commissioners for the two (2) new larger cabins and relocation of the existing cabins to include excavating, site preparation and concrete for all four (4) and a charge of \$85 per night for the larger cabins was recommended as well; one of the open positions on the Commission has

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been filled, Justin Wing and the second, Kelli Parker was recommended to the Board of Commissioners for appointment; and Mr. Ryan may hire a full time employee at the Groen Nature Center but is waiting on approval from the Groen Board.

Mr. Bauman stated Livingston Township was working on their Master Plan.

Mr. Brown stated Charlton Township will be holding a public hearing in May for input on their Master Plan.

Ms. Corfis stated Otsego Lake Township has approved their Master Plan and it will be distributed.

Mr. Arndt stated Bagley Township would file a memorandum stating their Master Plan would not be changed at this time; it still needed to be reviewed by their supervisor.

Mr. Borton stated a meeting was held to kick off the process for the Iron Bell Trail; construction would begin in the spring of 2018; Judge Mertz has moved into the County building and is pleased with the move.

Mr. Mouch stated Land Use was gearing up for their busy season.

Ms. Boyak-Wohlfeil attended a workshop pertaining to Act 281 of 2016 Medical Marihuana Facilities Licensing Act and explained the process for townships relying on county zoning to either approve or prohibit any of the five (5) licensing facilities within their individual units. Information was distributed to pass on to the township boards as a basis for their decision.

2. Restrictions on Zoning Authority - *MSU Ext/Zoning* Information

Vice-Chairperson Jarecki adjourned the meeting.

Adjournment: 7:30pm by Vice-Chairperson Jarecki

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary