

WEXFORD COUNTY PLANNING COMMISSION
Meeting Minutes: September 10, 2008, 7:00 PM
Human Services Building , 401 N. Lake Street
Cadillac MI 49601

Call to Order: Chairman Solomon called the meeting to order at 7:00 PM

Those Present: (Monroe, Middaugh, Osborne, Rabun, Wiggins, McKeown, Solomon)

Those Absent: Stoutenberg.

Others Present: Michael Green, Zoning Administrator

Approval of the Agenda: Solomon requested the following changes to the agenda:

1. Add the following agenda items under “Other Business”:
 - (a) Advisory Representation
 - (b) Renewable Energy Meeting in Traverse City
 - (c) New Planning Act and PC Membership
2. Add the following items under “New Business”
 - (a) Access Management presentation by NWMCOG

Osborne moved to approve the agenda with the requested changes, with support by Middaugh. Motion carried with all in favor.

Approval of August 13, 2008 Minutes: The following changes were requested to the minutes:

1. Correct sentence #3 of paragraph #iv under “Old Business” by striking the phrase “to be designed”.
2. Correct sentence #3 of paragraph #2 under “Public Comment” to read “Fox also mentioned that Osborne stated after the April 2008 meeting that he disagreed with the motion to deny.”
3. Correct sentence #1 of paragraph #4 under “Public Comment” by adding the following to the end of sentence: “, which has expanded to include the campground.”

Appointment of Acting Chairperson: Due to the new Michigan Planning Enabling Act (PA 33 of 2008), Michael Solomon is no longer eligible to serve as Chairperson or member of the Planning Commission. According to the new law, elected officials cannot serve as the chairperson of the Planning Commission. As a result, Solomon is stepping down as Chairperson. Paul Osborne, as Vice-Chair, is taking over as acting Chairperson for the remainder of this year. Solomon will remain on the Planning Commission until a new appointment is made by the County Board of Commissioners.

Correspondence [not related to public hearing(s)]: None

Old Business: None

New Business:

Access Management Presentation by NWMCOG: This item was tabled until the presenters were available. [Note: Representatives from the Council of Governments will be at the October meeting]

SUP #08-5: A request for a special use permit to expand the existing physical plant at the Wexford Sand Company, an existing sand mining operation located just south of Yuma. Parcel is more particularly described as: THAT PORTION OF N 1/2 OF SW 1/4 LYING E OF AA RR. ALSO, ENTIRE NW 1/4 OF SE 1/4 --86 A. M/L-- SL. SEC. 3 T22N R12W -MESICK-. Parcel ID #: is 2212-03-3101 . Property address: 8770 W. 28 Road . Applicant(s): WW CONSTRUCTORS.

- i. **Open Public Hearing:** Osborne opened the public hearing
- ii. **Present Site Plan/Special Use Request:** Green presented the request and provided a brief history of the sand mining operation, which has been at the site for many years. According to Green, several zoning requests have been made over the last thirty (30) years for expansions at the site.
- iii. **Acknowledge written/e-mail/verbal correspondence:** .
 - A. Letter from Great Lakes Central Railroad to Fairmount Minerals granting permission to use railroad ROW for setting equipment foundations. Green explained that some of the equipment would be placed in the ROW and needed approval by the railroad. Green noted further that the sand mining operation was the primary (possibly the only) user of the Cadillac to Yuma railroad spur line. The railroad had no objections to use of their ROW.
- iv. **Receive public comments from those in favor:** None
- v. **Receive public comments from those in opposition:** None
- vi. **Close Public Hearing for commissioner/staff discussion:** .Osborne closed the hearing and opened the floor for commissioner comments.
- vii. **Consider Motion to approve, deny, or approve SUP #08-5 with conditions:** Middaugh moved to approve SUP #08-5 upon finding of compliance with Article 10, Section 10.3 standards and subject to the following conditions:
 - A. That all "Operational Conditions" as shown under Article Three, Section 3.15 be met.
 - B. That the Michigan Department of Transportation Railroad Division provides written approval for the location of proposed structures in railroad ROW.
 - C. That any proposed lighting at the site be designed to deflect light away from neighboring properties and be a cut-off type fixture.
 - D. That all conditions of approval imposed by the Wexford County Planning Commission for past project phases continue to be met.
 - E. That any required permits from other agencies (i.e.: Dept. of Environmental Quality, Road Commission, MDOT Railroad Division, etc.) be obtained prior to issuance of construction code permits for the proposed project.
 - F. Approval is subject to all representations made by the applicant in the special use permit application and all conditions of approval attached to the Special Use Permit for Special Use

Permit Application # PSUP08-005.

Motion supported by Wiggins and carried with all in favor.

Other Business:

Advisory Representation: Solomon stated that he is currently a county representative for the Northwest MI Council of Governments Planner's Advisory and Solid Waste Committee's. He would like to continue to represent the Planning Commission in an advisory role when he steps down from the Planning Commission. Solomon noted that the Green doesn't have time to attend these meetings as a part-time Zoning Administrator. Middaugh moved to allow Solomon to serve as an advisory representative of the Planning Commission at the NWMCOG meetings. Motion supported by Wiggins. Motion carried 6-0, with Solomon abstaining.

Alternative Energy Conference in Traverse City: Solomon informed the commission that the NWMCOG was hosting an alternative energy meeting on October 30th from 10:00 a.m. until 4:00 p.m. and is entitled, "How do We Plan for Our Renewable Energy Future?".

Planning Commission Membership and the New Planning Act: Solomon stated that he will no longer be able to remain on the Planning Commission due to the new Michigan Planning Act, which restricts appointment of elected officials to those "ex-officio" members who are specified in the Act. The Drain Commissioner's office is not specified as an "ex-officio" office. With his departure and the recent departure of Mike Haner, he is recommending that the membership be reduced from 9 to 7 persons. Green explained that the Planning Act also requires the County to adopt a Planning Commission Ordinance that is in compliance with the new rules. Green recommended that the Planning Commission prepare a draft ordinance for review by the County Board. This ordinance would address the number of appointments and the qualifications of members. Green plans to have a draft Planning Commission Ordinance and By-Laws for the next meeting in October.

Public Comment: None.

Adjournment: Osborne adjourned the meeting at 7:50 pm.

Respectfully Submitted by:

Michael Green, Zoning Administrator

Paul Osborne, Chairperson