APPROVED

Monday, February 21, 2022, 7:00 pm
Kasson Township Hall
10988 S. Newman Road, Maple City, MI 49664

I. Call Meeting to Order/Pledge of Allegiance

Chairman Roush called the meeting to order at 7:10 pm with the Pledge of Allegiance.

II. Roll Call of Commissioners and Staff: Recognition of Visitors

A. Present: Jim Anderson, Vice Chairman; Jerry Roush, Chairman; Chuck Schaeffer, Secretary
Excused: Tad Carter, Township Board Rep; Dave Noonan, Commissioner
B. Staff: Tim Cypher, Zoning Administrator; Allison Hubley-Patterson, Recording Secretary
C. Visitors present: 16 members of the general public were in attendance

III. Consideration of Agenda

Cypher added the proposed Nature Amendment to the agenda. **Schaeffer moved to approve the agenda with the addition; Anderson seconded. All present in favor, motion carried.**

IV. Declaration of Conflicts of Interest – None reported at this time.

V. General Comments from the Public – None

VI. Approval of Minutes

Chairman Roush stated that approval of the January 17, 2022 minutes will be tabled to the March 21, 2022 meeting due to Commissioner Schaeffer not at the last meeting.

VII. Public Hearing – Two Peas, LLC (Krause Self-Storage Project) – Tom Krause

Schaeffer moved to open the Public Hearing; Anderson seconded. All present in favor, motion carried.

A. Schaeffer confirmed publication of the notice in the Leelanau Enterprise on January 31, 2022. The notice and various attachments were posted to the township website and notices were sent to those within 300 feet of the proposed project. Cypher read the notice aloud for parcel 45-007-019-008-00 (Krause Self-Storage).

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B. Presentation by Applicant – Tom Krause

Mr. Krause stated that he has been in the self-storage business in Southeastern Michigan since 1985. He currently resides in Leelanau County and is pursuing this project due to the need for additional self-storage units in the area.

C. Zoning Administrator Report, Findings of Fact and Recommendation

Cypher stated that the application for this project is complete and includes correspondence from Chief Andy Doornbos of Cedar Area Fire and Rescue as well as from the Michigan Department of Transportation (MDOT). Cypher distributed the Findings of Fact.

Page 1: General Findings of Fact

The General Findings of Fact includes a summary with the legal description of the property, zoning requirements and public notice dates; notices were mailed to all parties within the required timeframe.

Cypher stated that at this time, the site is legally 10 acres in size.

Page 2: Section 7.5.A. – Required Application Data

Item 7.5.A.4. – Project schedule and development plans

The project will begin as a single phase consisting of four buildings. Once these units are rented, Phase 2 will begin. Mr. Krause explained that buildings are delayed in the current economic climate. The PC proposed that Phase 2 of the project must be started within two years of the completion of Phase I; the applicant agreed to this stipulation.

Item 7.5.A.7. - Information pertaining to this section was previously submitted by the applicant's engineer, Richard Prince, P.E. (Prince-Lund Engineering).

Page 3: Section 7.5.B. – Site Plan Data

The applicant understands that he must return to the PC for consideration if there are changes to the site plan.

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Page 3: Section 7.7 – Basis for Determination

Item 7.7.B. – The PC discussed the proposed screening/buffers. The site plan proposes 2-inch caliper pine trees measured 3 feet above grade; the applicant stated these should be four to five feet in height. There will be two rows of staggered trees with 17 trees per row. Language regarding the standard three-foot measurement from the grade will be added to section 7.7.B. of the Findings of Fact. This would provide approximately twenty feet between trees. In comparison, the ordinance pertaining to gravel pit areas states trees must not be more than six feet apart with no more than six feet between rows. Mr. Frank Siepker of Glen Lake Storage Solutions was present and stated that he has a total of 49 trees in two rows on his property and the trees are spaced approximately ten feet apart.

It was stated that the two-story barn will also provide screening. The applicant is required to maintain the trees on the west line of the property. No screening is required on the east side of the property. In the front, there will be ten to twelve deciduous trees (2-inch caliper Maple trees) but these will not provide a visual barrier. There was concern regarding the electrical easement but this is located on the opposite side of the road.

Schaeffer inquired if these screening requirements are equivalent to what was required of Mr. Siepker when he established his business. Schaeffer stated it is important to be fair to everyone; however, Cypher mentioned that it is difficult to compare properties as they are not similar. Mr. Siepker was given credit for some of the existing trees on his property at the time his special land use application was submitted. Schaefer stated that no change would be needed from the current site plan and that evergreens would not be required for screening purposes.

Item 7.7.C. – Cypher stated that the Fire Chief indicated a well exists on plans for the property.

Item 7.7.D. – The PC has determined that there are no excessive costs to the public relative to this application.

Page 4:

Item 7.7.E. – Applicant stated that tenants will not have access to the storage units after dark. The PC and the applicant agreed that items may be staged for up to three days outdoors, but no longer.

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Item 7.7.G. - The applicant has obtained a soil erosion permit which has been submitted as part of the application packet.

Item 7.7.H. – The issue of proper drainage has been addressed by the soil erosion permit.

Item 7.7.I. – The language on the Findings of Fact document will be changed to reflect that this project consists of two phases and is not a “single phase” project.

Page 5:

Item 7.7.J. – Cypher will confirm that no communication has been received from other agencies regarding phasing of the project. The language on the Findings of Fact document will be changed to reflect that this project consists of two phases and is not a “single phase” project.

Page 6: Section 8.7

Item 8.7.1. – Cypher stated that a major deviation from the site plan dated November 30, 2021 will require the applicant to come back before the PC for approval. A minor change may be approved by the Zoning Administrator.

Page 7:

Item 8.7.8. – The applicant stated that he would like to install a flag pole at some point.

Items 8.7.9. and 8.7.10. – These items have been explained in correspondence received from the Fire Chief.

Page 8:

Items 8.7.11. – 8.7.17. – The PC has not yet received a cut sheet from the applicant. The applicant indicated that lighting will use motion cells. No lighting will be placed on the residential side (north side) of the property for perpetuity. Cypher reminded the applicant that all lighting must adhere to night sky guidelines.

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Item 8.7.18. – The PC is satisfied with the proposed screening as identified on the site plan. Fencing will be placed along the front property line.

Item 8.7.20. – The PC is satisfied with the proposed perimeter and internal landscaping that has been proposed. The applicant is required to maintain all landscaping.

Item 8.7.22. – The proposed hazardous materials placarding and storage is consistent with other nearby property and is acceptable to both the PC and the Fire Chief.

The applicant reiterated that the units will not include a power source and no person will be permitted to reside in a storage unit. The applicant does not wish to provide a complete copy of the lease agreement due to the cost to prepare this document but will provide the PC with excerpts. Schaeffer also requested a copy of the rules so that the township is aware of the rules; the PC is not looking to approve what the applicant requires of his tenants but wants to be aware of the rules should they receive questions from the public.

Item 8.7.23. – There is a proposed well on the plans and the Health Department has already inspected the site.

Page 10: Section 4.9.3.C. – Peripheral Areas of Commercial District

Items 4.9.3.C.1 through 4.9.3.C.4 – The PC may regulate the peripheral areas of this parcel. No additional discussion ensued regarding these items.

Anderson inquired about the dimensions of the units for Phase I of the project. The applicant stated that this will be determined after he assesses the demand. He indicated that the roof edge will be 12 feet high and the ceiling will be 12 feet high at the peak. Units will be insulated for condensation and there will be steel rafters in the ceiling. He shared that the average storage unit customer will visit their site once every four months and the average length of tenancy is one year. The property will house storage units only and there are no plans for other types of structures in the future.

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Page 11: Section 5.17: Landscaping, screening, greenbelts, buffers, and fencing

All items on this page are acceptable to the PC as current language reflects.

Schaeffer and Cypher discussed that this project will meet or exceed all zoning requirements as presented. Grass on the property will be mowed and the stie plan shows a large retention area to the west for snow.

D. Comments from the Public

Deane and Libby Western purchased the Sleeping Bear Bed and Breakfast approximately two years ago. Mr. Western stated that several of his concerns were previously addressed at the meeting this evening. He believes that trees should be used as screening on three sides as property values could be affected if residents of the area have a view of the self-storage facility. Mr. Western acknowledged that the Findings of Fact requires the applicant to plant and maintain landscaping. Mr. Western also expressed that fencing should be placed on all sides as he has observed other storage facilities in town that have fencing on all sides. Mr. Western inquired if the project had already been approved as construction material was dropped off and placed next to his property line several months ago. Mr. and Mrs. Western have recently planted 250 trees on their property and were previously told by the applicant that the very tall fir trees would not be cut down but they have since been removed.

Anderson inquired if there will be an irrigation system on the property. The applicant stated that there will not be an irrigation system but trees will be watered and replaced as needed.

Mr. Frank Siepker owns Glen Lake Storage Solutions and is in favor of this project as the area is zoned for commercial purposes. Mr. Siepker expressed that additional screening along the road is a good idea.

Ms. Dana Boomer owns property south on M-72 and resides on Gilbert Road. She is in favor of this project as the area is zoned for commercial use. She stated that a self-storage facility is a very quiet type of business with a low impact use of the land. She does desire effective screening along the residential property lines. She spoke to a neighbor who expressed that they would like to see the units be a neutral color such as green or gray, which would blend in with the landscape. The neighbor also wanted to note her concern regarding people living in the units.

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Mr. Butch Wilbur has lived behind the Red Barn for 22 years. His concerns relate to things such as lighting and buffering. He is especially concerned about the need for trees that are taller than three feet and ensuring that they are maintained. He stated that the blue spruce can become diseased easily if not properly maintained. His concerns regarding outdoor storage and tenants conducting business out of the storage units have been addressed.

Ms. Carrie Dib resides on Gilbert Road behind the boat storage facility. She inquired if the 50% pervious area is based off of ten acres or six acres. She also inquired as to how customers will enter the facility and stated she would like to see more trees planted in the front.

Ms. Libby Western, along with her husband Deane, owns the Sleeping Bear Bed and Breakfast and inquired about lighting throughout the night. The applicant stated that there will be lights on the front side of the property around the office primarily for security; other lighting will be turned off at night. If trying to enter the premises, tenants will discover that their gate code will not work after dark.

Mr. John Yonkers resides to the north of the property. He stated that his family moved to this location to be in the country. He feels the proposed project will result in a “strip mall” appearance and will look like a business that would be in town.

E. Commission Discussion

Schaeffer inquired about the 2-inch caliper of the trees and if this would result in a tree that is approximately five to six feet in height. He added that the ordinance states that trees must be maintained so it is in the applicant’s best interest to maintain them or the trees must be replaced. He asked the applicant what will block headlights from shining into the homes of nearby residents. The applicant stated that there will be two rows of evergreens with 44 trees per row. The applicant has agreed to 88 trees which is an increase over the original 17 trees that were proposed. The trees will be staggered.

Schaeffer addressed the correspondence from Mr. and Mrs. Western regarding the pastoral setting of the area. The PC understands that the primary issue and request from residents is that the rural atmosphere be maintained. However, the area is zoned for commercial use which is typically located along a state highway, such as M-72. Schaeffer noted that most people present at this evening’s meeting purchased their

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property after it had been zoned for commercial use. His goal is to educate the public on the role of the PC and stated that they must dutifully represent both sides when making decisions regarding special land use permits.

F. Commission Vote (roll call)

Schaeffer moved to approve the special use permit for Two Peas, LLC for a self-storage facility on M-72, parcel #45-007-019-008-00 which will be the result of a property split. This will be the eastern portion of the split and all activities will take place on the new piece of the property. The items discussed will be added to the Findings of Fact. Anderson seconded.

Roll call vote:

Secretary Schaeffer – Yes
Vice Chairman Anderson – Yes
Chairman Roush – Yes
All present in favor, motion carried.

Vice Chairman Anderson moved to close the Public Hearing; Secretary Schaeffer seconded. All present in favor, motion carried.

A short recess was held from 8:57 pm to 9:08 pm.

VIII. Correspondence Received

A. Jim Lively – Final Order of Approval – tabled to later in the meeting.

IX. Area Reports

A. Chairman Roush – no report
B. Secretary Schaeffer – no report
C. Commissioner Carter – excused; no report
D. Commissioner Noonan – excused; no report
E. Zoning Administrator – Cypher stated that the Krause application fee ($750) was received for the self-storage facility.

There were no other special land use permits requested in January of 2022. However, Cypher received 16 telephone calls and 14 internet requests regarding potential future land use permits. He conducted five construction/site inspections.

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X. Unfinished Business

A. Kasson Master Plan

Schaeffer is prepared to send out the Kasson Master Plan and suggested that the Public Hearing date be set for April 18, 2022 at 7:00 pm. Once the information is distributed, all parties have 42 days to respond; the Public Hearing date must be given at the time the materials are sent out. The PC will need time to receive input from the Township Board and the County and to determine what language will appear in the Final Master Plan.

Schaeffer moved to set the Public Hearing for V.4 of the Kasson Master Plan based on comments received from the County and surrounding governmental units for Monday, April 18, 2022 at 7:00 p.m.; Anderson seconded. All present in favor, motion carried.

Schaeffer will draft the public hearing notice; Cypher will review and submit the notice for publication.

Cypher added that the notice should be published twice between the required notice date and the Public Hearing. The first publication date will be March 31 with additional notices published on April 7 and April 14.

B. Final Order of Approval – Lively Holdings, LLC

Mr. Lively received a letter on Thursday, February 17, 2022 regarding his application for a special land use permit of August 2021. He inquired as to the best way to work with Cypher on the conditions noted so that the application is completed correctly. Cypher, Lively and the attorney will work on the details so Lively can return to the PC to give additional input. Cypher requested that the PC take no action on this matter until the appropriate steps are taken to ensure that information is clear, direct and accurate.

Schaeffer moved to not discuss this matter further and that the agenda item be tabled to the March meeting; Anderson seconded. All present in favor, motion carried.

XI. New Business – Transparency Commissioner Bios

Schaeffer cited MCL 125.3815 (3) which stated that the members of a planning commission shall be representative of the community that they serve. Schaeffer shared his own personal bio for the PC members to review

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and stated that the bios could be placed on the township website for the public to review. If bullet point information is provided, Schaeffer offered to prepare the bios for all PC members. Chairman Roush stated that this topic will be tabled for discussion when a full board is present.

Additional Agenda Item: Nature – Bryan Cloninger Farm

Cypher stated that Mr. Cloninger had come to the PC in January of 2022. There is a Planned Unit Development (PUD) that was approved in 2014 and amended in 2017. Although Cypher has the authority to approve a minor change to a PUD, he brought the topic to the PC for consideration as he was not part of the original approval in 2014 or the amendment in 2017.

Cypher spoke to attorney Tom Grier and shared correspondence from Grier regarding the background and specific plans for the requested amendment.

Mr. Cloninger made a brief presentation and stated that the reasons for the requested change are outlined in the letter from the attorney. He experienced issues with the contractor which caused him to lose a partial season of business, and then the country was hit with the pandemic. He still plans to build single family dwellings but wants to take the intermediate step of placing cabins (tiny homes) on the property to accommodate guests who are there for events in the area or who wish to simply spend time on the premises. The attorney correspondence shows a color photo of the proposed cabin structure.

This is a minor change to what was originally approved and no lot lines will be affected. The single-family dwelling will be exchanged for two cabins on one parcel of land. Each cabin will be approximately 400 square feet; the PUD standards state that this is not a single family dwelling but represents the housekeeping cabin concept. According to ordinance definition, a dwelling is 480 square feet but a housekeeping cabin can be 400 square feet at the discretion of the Planning Commission. The cabins are built off-site in the County and then delivered to the property. Each cabin will have its own individual electrical panel. The letter from attorney Grier addresses Section 8.12 of the ordinance (Amendments to Approved Development Plans).

Cypher reminded the PC that this has been approved by our paid legal experts and is only being brought to the PC as a courtesy so they would be aware of the proposed changes. A motion is not required in this matter. Cypher obtained the consensus from the PC that they understand he may make decisions relative to this project based on his authority. Chairman Roush stated that the PC defers to the Zoning Administrator to make any necessary determinations based on his discretion and the letter received from attorney Grier.

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Mr. Cloninger stated that the cabins will generate revenue which will allow him to build houses at a later time.

XII. Comments from the Public – none

XIII. Comments from the Commissioners – None

XIV. Next Meeting – Monday, March 21, 2022, 7:00 pm

XV. Adjournment – Anderson moved to adjourn the meeting; Schaeffer seconded. All present in favor, motion carried.

The meeting was adjourned at 10:07 pm.

Respectfully submitted,

Allison Hubley-Patterson
Recording Secretary

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ATTACHMENT "A" – TENTATIVE AGENDA

v.1

KASSON TOWNSHIP PLANNING COMMISSION
Tentative Agenda
February 21, 2022

1. **Call Meeting to Order/Pledge of Allegiance**
2. **Roll Call of Commissioners and Staff; Recognition of Visitors**
   A. Commissioners present (roll call): Anderson, Carter, Otto, Roush, Schaeffer
   B. Staff - Cypher, Hubley-Patterson
   C. Visitors present _____
3. **Consideration of Agenda: Additions or Deletions** [*]
4. **Declaration of Conflicts of Interest**
5. **General Comments from the Public**
6. **Approval of Minutes** – January 17, 2022 [*]
7. **Public Hearing -Two Peas, LLC**
   A. Open the Hearing
   B. Application from Tom Krause of Two Peas, LLC.
      a. Meeting Notice Verification [*]
      b. Presentation by Applicant
      c. Zoning Administrator Report, Findings of Fact, and Recommendation [*]
      d. Comments from the Public
      e. Commission Discussion
      f. Commission Vote (roll call)
   C. Close the Hearing
8. **Correspondence Received**
   A. Jim Lively - Final Order of Approval [*]
9. **Area Reports**
   A. Chairperson - Commissioner Roush
   B. Secretary - Commissioner Schaeffer
   C. Township Board – Commissioner Carter
   D. Zoning Board of Appeals – Commissioner Noonan
   E. Zoning Administrator's Report. - Zoning Administrator Cypher [*]
10. **Unfinished Business**
    A. Kasson Master Plan - Set Public Hearing Date - April 18, 2022, 7 PM - Schaeffer
11. **New Business**
    A. Transparency Commissioner Bios - Schaeffer
       The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and

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ATTACHMENT "B" – ZONING ADMINISTRATOR'S REPORTS

Kasson Township
Zoning Administrator's
JANUARY 2022 REPORT

2/1/2022

To: Kasson Township Board & Planning Commission

From: TIMOTHY A. CUPAER

Land Use Permits Issued:	**0**	**YEAR TO DATE 0**	
Signs / Home Occupation	0		
Single Family Residences (SFR)	0		
Additions to SFR	0		
Garages	0		
Decks & Porches / MISC.	0		
Accessory Buildings	0		
Commercial Construction	0		
Stairs / Landings / Fences	0		
Agriculture construction	0		
Demolitions / Relocating	0		
Boat houses	0		
Solar Panels	0		
Renewal of / Change of use	0		
Z.B.A. proceedings	0		1 INQUIRY
Special Land Use Permits	1 **KRAUSE**		1 INQUIRY
Land Divisions	0		1 INQUIRY
Property Line Adjustments	0		1 INQUIRY
Private Roads / Driveways	0		0 INQUIRY
Zoning / Site Plan Reviews	0		0 INQUIRY
Construction / Site Inspections	5		
Violations/Investigations	0 **VIOLATIONS**		
	0 INVESTIGATIONS		

I also supplied information via 16 phone calls, 14 via internet to Township residents & others.

Please feel free to contact me with any questions.

Phone 231-360-2557
tim@allpermits.com