

CHARTER TOWNSHIP OF ALPENA PLANNING COMMISSION

MINUTES – Regular Meeting

Monday, August 13, 2018

MEETING COMMENCED: 7:00 PM

PLEDGE OF ALLEGIANCE

THOSE PRESENT

Secretary Lisa Brendle, Larry Dehring, Chairperson Tom Hilberg, Chuck LeFebvre, Norm Poli, Ann Marie Rich, and Vice-chairperson Fred Sterns

ABSENT

None

OTHERS PRESENT

Duaine Galbraith – Owner/Applicant

John Gilmet – Applicant

Austin Gilmet – 1172 Halley Road

Richard Szymanski – 1157 Pine Road

Kirk Malcomson – Township Building Official

Mel Jones – 3890 Hinckley Blvd

Barb Gilmet – 1172 Halley Road

Diane Szymanski – 1157 Pine Road

Jessie Hamid – Applicant

ADOPTION OF AGENDA

F. Sterns made a **motion** to adopt the agenda, **supported** by L. Dehring. *Motion passed.*

PUBLIC MEETING PARTICIPATION RULES

APPROVAL OF MINUTES

N. Poli made a **motion** to approve the July 9, 2018 and July 30, 2018 minutes, **supported** by C. LeFebvre. *Motion passed.*

PUBLIC COMMENT

None

CORRESPONDENCE

A. Report 09-18 – R. Deuell, Planning Consultant

B. Alpena County Planning Commission – Letter Regarding Case #P-06-18 (Thomson)

F. Sterns made a **motion** to receive and place on file all correspondence, **supported** by A. Rich. *Motion passed.*

NEW CASE

1. **Case #P-08-18**, John Gilmet requested a SITE PLAN REVIEW for an addition to existing business. Property is located at 1172 Halley Road, Parcel No. 012-029-000-346-00 in a Mixed Residential (R-3) zone district.

A public hearing was conducted during which the applicant, John Gilmet, addressed the Planning Commission and all other persons in attendance were then given the opportunity to comment on the SITE PLAN REVIEW for an addition to the existing business. J. Gilmet explained the need to store his equipment inside during the winter months. This addition will house equipment only and no offices or bathrooms are being included.

Following the public hearing, discussion took place regarding this parcel being in a Mixed Residential (R-3) zone district. If so, then the current commercial use is not allowed and would therefore be a non-conforming use. According to the zoning ordinance, non-conforming uses cannot be expanded. The Planning Commission reviewed prior Planning Commission meeting minutes dated August 20, 1996 for Case No. 468 indicating that this parcel was in a General Business (B-2) zone district. Also reviewed were Township Board of Trustee Special Meeting minutes dated April 20, 1998 regarding re-zoning Case #508 to rezone and correct several parcels from Mixed Residential (R-3) to General Business (B-2) including the parcel being discussed in Case #P-08-18.

F. Sterns then made a **motion** to approve the Site Plan Review for Case #P-08-18 based on the above-noted discussion specifically citing Township Board of Trustee Special Meeting minutes dated April 20, 1998 regarding re-zoning Case #508; that this parcel is a General Business (B-2) zone district; and the applicable site plan review requirements, **supported** by C. LeFebvre.

Roll call vote: L. Brendle-aye; L. Dehring-aye; T. Hilberg-nay; C. LeFebvre-aye; N. Poli-aye; A. Rich-aye; and F. Sterns-aye. **Motion passed.**

2. **Case #P-09-18,** Jessie Hamid requested a SPECIAL APPROVAL USE for an adult foster care home. Property is located at 1093 Wayne Road (owned by DRG Real Estate Properties, LLC), Parcel No. 018-355-000-035-00 in a One Family Residential (R-1) zone district.

A public hearing was conducted during which the applicant, Jessie Hamid, addressed the Planning Commission and all other persons in attendance were then given the opportunity to comment on the SPECIAL APPROVAL USE for an adult foster care home. J. Hamid explained that she was not aware that the SPECIAL APPROVAL USE was needed. She is the owner administrator for Jessies Place AFC, LLC; is licensed with the State of Michigan for a capacity of 6; and follows and complies with all Michigan laws. M. Jones was concerned if J. Hamid had plans to purchase the 2 adjacent vacant homes and make a ‘complex’ for adult foster care.

Following the public hearing, discussion took place regarding the Township Zoning Ordinance for the definition of an Adult Foster Care Home, Family which states *”a private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week for two (2) or more consecutive weeks. The licensee shall be a member of the household and an occupant of the residence.”* Discussion then focused Article VIII, One Family Residential (R-1) Zoning District. Under Section 800 Principal Uses Permitted states *“In the R-1 One-Family Residential District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this Ordinance: G. Adult foster care family home.*

F. Sterns then made a **motion** that Case #P-09-18 is **not** of SPECIAL APPROVAL USE criteria; that Article VIII, Section 800, Paragraph G, lists Adult Foster Care Family Home as a permitted use; does not require Planning Commission Site Plan approval; and the Planning Commission recommends to the Township Board of Trustees that the \$400 fee paid be refunded to the applicant, Jamie Hamid; **supported** by L. Dehring.

Roll call vote: L. Brendle-aye; L. Dehring-aye; T. Hilberg-aye; C. LeFebvre-aye; N. Poli-aye; A. Rich-aye; and F. Sterns-aye. Motion passed.

DISCUSSION

NEXT MEETINGS – 7:00 p.m., September 10, 2018 and 6:00 p.m., September 17, 2018 (workshop)

ADJOURNMENT – Meeting adjourned by Chairperson Hilberg at 8:05 p.m.

Respectfully submitted,

Lisa Brendle
Secretary

/ldt