

**SANDS TOWNSHIP PLANNING COMMISSION  
DRAFT MEETING MINUTES**

January 17, 2023

1. Call to Order at 6:30 pm by Planning Commission Chair S. Brauer.
2. Roll Call: S. Brauer, J. Yelle, P. Lajewski-Pearson, S. Sundell and C. Bushong
  - a. Others in attendance: Randy Yelle, Pamela Roberts, Elena Kaurala, William Garrow, Allison Smith, R. Smith and Tony Beck. On Zoom: Dan Sampson and Brian Bury.
3. Approval of agenda: Motion by P. Lajewski-Pearson, supported by C. Bushong, to approve the agenda as presented. Ayes: 5 Nays: 0 Motion Carried.
4. Approval of Minutes from October 18, 2022. Motion by P. Lajewski-Pearson, supported by S. Brauer, to approve the minutes as presented. Ayes: 5 Nays: 0 Motion Carried.
5. Public Comment: 2 people reserved time to speak during the Public Hearings.
6. Business:
  - a. Open Public Hearing: S. Brauer opened the Public Hearing at 6:35 PM.
  - b. Special Use Permit Request (SUP22-06) from Elena Kaurala, owner of Hero of the Day, to construct storage structures on parcel number 52-14-011-013-10, Section 11, T46N-R25W, Township of Sands. Property is zoned commercial.
    - i. Staff Input: R. Yelle stated that he has only received positive comments on what is being done on the property to include new fencing. Clarified with owners that storage units will be for large items. Discussion ensued on what the storage would be used for (larger items such as boats and campers) and that all storage would be indoors with one customer per unit. Basic cleanup and maintenance would be allowable and 10 storage units to start.
    - ii. Requester Input: None
    - ii. Public Input: None
  - c. Close Public Hearing: S. Brauer closed the Public Hearing at 6:40 PM.
    - i. Commission Discussion and Action: Commissioners commented on how the property has improved and that it's a good repurposing of the space.

**P. Lajewski-Pearson moved, S. Sundell supported, that after conducting the required public hearing, receiving input from Staff, Requester, and General Public and reviewing the Sands Township Zoning Ordinance, and Master Plan, and receiving no negative input,**

**the Sands Township Planning Commission approves SUP22-06 with the following conditions of approval:**

**a. Must comply with all Township ordinances, including all County and State regulations.**

**Ayes: 5 Nays: 0 Motion Carried.**

- d. Open Public Hearing: S. Brauer opened the Public Hearing at 6:42 PM.
- e. Rezoning Request (ZMA22-01) from Allison Smith, to rezone parcel number 52-14-113-014-32, Section 13, T47N-R25W, Township of Sands from Rural Residential (RR) to Commercial (C).
- i. Staff Input: R. Yelle provided updated information to the Commissioners. He stated that there is a 200 foot water easement on Cherry Creek where it runs through the property; explaining that if the parcel is rezoned commercial, anything that the ordinance allows on commercial property at any given time could be built on the property. He stated that if it's an allowable use, conditions can be added, however many allowable businesses could affect the quality of the water that runs to the Fish Hatchery. R. Yelle stated that the concern is not over the cold storage units that the landowner wants to construct, as they are not hazardous to the environment, but what could be put on the property in the future. P. Lajewski-Pearson asked if there was any option for the owners to pursue if denied. R. Yelle stated that if the owners have exhausted all avenues for the request, it becomes a Practical Difficulty under the State Statute and they could apply for a variance with the ZBA to build the cold storage unit. If approved, that would be the only thing the building could be used for. Commissioners discussed surrounding property owners and legality of rezoning RR to Commercial.
- ii. Requester Input: Allison Smith stated she understands the concerns and explained she and her son install Solar Systems (Superior Electric) and they need storage area. She asked if it would be better to only use half of the 20 acre property and construct it closer to the road. R. Smith also understands water concerns and explained his family background in regards to the property, the current need for storage for his business and exploring the possibility of rezoning.
- ii. Public Input: Dan Sampson, DNR Regional Manager of Marquette's State Fish Hatchery, expressed his concerns on water contamination as the water from Cherry Creek flows through the hatchery. He explained the types of fish raised at the hatchery, how the hatchery works, the importance of clean water and water flow required to maintain the health of the fish. Tony Beck, MI DNR stated they want to ensure that the clean water continues into the hatchery for many years to come.

Business Continued:

f. Close Public Hearing: S. Brauer closed the Public Hearing at 7.00 PM.

i. Commission Discussion and Action: S. Brauer expressed concerns of what could be put on the property in years to come should property be changed to commercial. J. Yelle stated Master Plan does discuss the idea of expanding commercial property in the Township but it's leaned more towards the northeastern part of the Township. Commissioners discussed the character of the surrounding properties, rezoning this parcel to commercial and how it does not fit, spot zoning within the Township and protecting waterways.

**S. Sundell moved, C. Bushong supported, that after conducting the required public hearing, receiving input from Staff, Requester and General Public, and reviewing the Township's Master Plan, Zoning Ordinance and verifying that required Public Hearing postings were met, the Sands Township Planning Commission hereby recommends that the Sands Township Board reject Zoning Map Amendment ZMA22-01 to Parcel Number 52-14-113-014-32 as presented with the following concerns:**

**1. There are valid concerns from the Michigan Department of Natural Resources Fisheries regarding the creek flowing through said property into the Fish Hatchery, who has a 200 foot water way easement to help with avoiding pollution on the creek and the Fish Hatchery operation.**

**2. If rezoned to commercial, said zoning would allow for any listed use to come onto the property, including but not limited to: gas stations, auto sales, recycling collection point, undercoating shops, auto repair garages, large capacity wells, garden centers, car wash business, and many more potential businesses that could have negative input on the protected waterway.**

**Ayes: 5 Nays: 0 Motion Carried.**

7. Review of proposed amendment to the Sands Township Nuisance Ordinance #54.

a. Section 03, Definitions; Add B. (Blight). R. Yelle would like Planning Commission to review prior to the April 18<sup>th</sup>, 2023 meeting for further discussion.

8. Review of proposed Zoning Ordinance Amendment 01-23-01.

a. Section 905, article IX, LED lighting. R. Yelle would like Planning Commission to review prior to the April 18<sup>th</sup>, 2023 meeting for further discussion.

9. Administrative Report:

- a. Violation Report – R. Yelle gave update.
- b. Authority Update – R. Yelle gave update.

10. Public Comment: None

11. S. Brauer adjourned meeting at 7:27 pm.

S. Brauer  
Chairman

P. Lajewski-Pearson  
Secretary

P. Roberts  
Recording Secretary

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