

Bear Creek Township Planning Commission Meeting March 31, 2021- Zoom Meeting

I. Called to order: 6:30 p.m.

- II. Roll Call:** Mays (Bear Creek Township, MI), Brown (Bear Creek Township, MI), Olliffe (Bear Creek Township, MI), Kendziorski (Bear Creek Township, MI), Cyphert (Bear Creek Township, MI), Kargol (Bear Creek Township, MI), Haven (Bear Creek Township, MI)
- a. Others in Attendance: Tammy Doernenburg, Denny Keiser, Rita Pitcon, John Picton, Mike Maher, Toni Drier, John Turner, Lizzy Coats, Kathy Dufek, Bill Winslow, Matt Tamm, Brian Bates, Cindy Okerlund, Theodore Tamm, Kerby Tamm, David Coveyou, Nick Else, Chad Foster, Joe Hoffman, Amy Gray, Mark Furgeson

III. Pledge of Allegiance

IV. Approval of Minutes

- a. **Motion** by Cyphert to approve the minutes of the March 2, 2021 meeting. 2nd by Haven.

Passed

V. **Case PSUP20-020 David Coveyou, SPECIAL USE PERMIT & SITE PLAN REVIEW- Campground and Accessory Uses on a Farm, 4160 US 131 Hwy, Section 30**

Tammy Doernenburg gave a background to this case:

Doernenburg noted that the location of this property is off 131 and properties on both sides of Greg Rd are impacted and proposed as part of the Special Use Permit. She explained that these are two distinct special uses that were advertised as such. There are two standards that the Planning Commission will need to consider for this case regarding supplemental regulations: campgrounds and accessory uses on a commercial farm. This property is an active commercial farm (Coveyou Farms) accessed off 131. There is an active Special Use Permit for accessory uses for events in the barn (this was granted in 2019). In 2020, the applicant came in for the request for the campground on the north side of Greg Rd. Doernenburg shared the original proposal for these parcels from March 2019 and compared it to what is being proposed now. These plans show the same access from 131, through Greg Rd, into the event area. In this new proposal now, it is a campground and event area. The updated site plan shows some modifications, which include: 1) signage located on the parcel south of Greg Rd, on the access drive, to address the discrepancy from the approved 2019 plan (which required a gate and additional signage), which limited access to Greg Rd for event-goers in the barn. This new sign will indicate that individuals cannot access 131 from Greg Rd. 2) Additional notation that no person would occupy the campsite for more than 6 months, which is what the ordinance allows. 3) Potential staff parking was changed to identify it on this new plan. The proposal is a two-part proposal: for the campground and for accessory uses on a commercial farm (events), per the zoning ordinance standards. There are campsites and cabins proposed, as well as a welcome center/storage area/restrooms proposed. The included notes indicate that campground hours have been added (10pm-7am quiet hours). Other notes added include: 1) event tents to be removed within three days of the conclusion of the event, 2) campground manager shall be available when the campground is occupied per the Michigan campground regulations, 3) all farmstay campground and event marketing and directions will be using the 4160 US 131 main farm address. Doernenburg shared that quite a bit of signage has been proposed to be added along the road to limit access onto 131 from Greg Rd. There would be a no left turn sign added outside the road right of way near the scenic turn out at 131 and Greg Rd. Both MDOT and the Emmet County Road Commission have agreed to that proposal. The fire chief has provided an updated review with ten standards that will have to be met by the applicant in order to meet fire department approval.

- a. Kendziorski asked about the gate requirement on the approved 2019 plan. Does this proposed signage replace the gate requirement or would the Planning Commission have to reopen the 2019 case to change that site plan? Doernenburg clarified that the zoning ordinance does allow for minor modifications to occur to an approval. If the Planning Commission deems this to be a minor modification, it could be administratively approved (to replace the gate with this proposed sign).

The applicant addressed the Planning Commission regarding the parcel in question:

David Coveyou explained that his intention was to take the feedback from previous meetings and to refine his plan to what the Planning Commission was looking for. He added the walking trail through the farm fields from the campground to the market. This would keep individuals fully clear of road traffic (they would not have to pass any driveways) and would come in through the back of the farm market. He added in the signage to allow people to get into and out of the campground, positioned in such a way to be helpful to direct individuals to the farm market. The intersection of Greg Rd and 131 will have a "no left turn" now, which is something both MDOT and the Emmet County Road Commission have agreed to. In regards to the approved 2019 site plan, he added a sign along his access drive which will say "no exit to US 131" to discourage individuals at the farm market from driving to Greg Rd to access 131. If people cannot turn left into Petoskey, there is no motivation for them to go up through Greg Rd to 131. Coveyou also added no trespassing signs along the north boundary. He is optimistic that he has captured the concerns of the Planning Commission and that this plan will work going forward.

- a. Haven asked if there will be farm staff living at the campground. Coveyou confirmed that this will be the case, but that they will be living there 6 months or less per the zoning ordinance. The majority of his employees live on the farm.
- b. Brown asked about the conditions of the walking trail. He asked how far apart the no trespassing signs will be.
- i. Coveyou explained that this will be a grass mowed path, which connects to an existing roadway. There will be five no trespassing signs, mostly where the area is not wooded. It is over 1000ft from the campground, so he does not feel people will venture out there. He noted that neighbors should let him know if there is a trespassing issue.
- c. In regards to the comparison of the originally proposed March 2019 plan with the currently proposed plan, Kendziorski noted that the currently proposed walking trail is in the same location as the proposed drive to a third event site (on the March 2019 plan). She asked Coveyou if it was his intention to create a third event site there in the future. Kendziorski also noted that if

Coveyou does not own the tent, he is at the mercy of the tent rental company as to when they will set up the tent and take it down. How does he intend to ensure that rental companies will come on time (as he has stated on his site plan that tents will be removed within three days following an event)? Kendziorski knows of a neighbor that has a view of the tent area and does not want it to be a nuisance to them. She suggested that the tent be up for a total of four days at maximum, rather than having so many set days for set up and tear down. This would keep the tent to a minimum impact and it would ensure that there would be some time that the tent was not up between events.

- i. Coveyou stated that he has no intentions to create a third event site. He noted that the tents are not completely in his control, as it is not set up/torn down by his staff. However, he will be putting pressure on the rental companies to come and take the tents down, so that his campers will still maintain the view of the lake and will not be looking at a tent. He also noted that the goal of removing a tent is so that it is not visible to the neighbors, but in this case it is not visible to any neighbors. His goal is to get the tent off the property as soon as possible after an event. Coveyou would rather not be limited to having the tent up for four days.
- d. Brown asked about the definition of event. Kendziorski prepared a draft definition, specific to this case, and asked the commissioners for their input.
- e. Haven noted that his brother worked with rental companies in the past. The average amount of time the tent was set up was three days, sometimes four. He explained that at their venue, they mandated when the tent company came for set up and tear down. Kendziorski suggested contracting with a specific vendor so that they always came to set up and tear down on certain days.
 - i. Coveyou noted that he will have to learn which vendors he will want to work with. He feels three days after an event is reasonable to take the tents down. He would welcome a definition of an event in the zoning ordinance going forward for future cases, but thinks it is not needed for this case, as this is more of a bigger picture issue.
 - ii. Kendziorski feels that four days total for the tent to be up is reasonable. This allows time for setup, an event, and teardown. Coveyou does not want to have the restriction and feels three days after an event for tear down is reasonable.
- f. Cyphert asked about the number of events, as the commissioners expressed a concern about this at the last meeting. Kendziorski feels five events is too many. She suggested that we require that the tent come down between events, as we did in a prior case, for consistency. Mays noted that we agreed to four events a month at the last meeting.
- g. Doernenburg shared the precedence set at a previous case, which limited the owner to two large events per month (of 150 people or less) and that the tent was required to come down between events. The precedent shows that the Planning Commission has limited events in the past based on number of events, size of events, and tents.

Audience Comments:

- a. Kathy Dufek shared her experience with wedding tents, in which the tent was setup on Thursday and taken down on Sunday (regardless of the weather). She noted that at their home, they can hear the boats from Walloon Lake as well as the events from Mackinaw Trail Winery. She feels that two events is enough because they will be able to hear these events clearly, as well as to see the tent from their home. She agrees that the tent needs to be set up and taken down in a reasonable amount of time. She asked how long and when the workers will be staying at the campground and asked the name of the campground.
- b. Mark Furgeson asked for clarification regarding the signage that states “no exit to 131”. This is confusing for individuals using ATVs.
- c. Denny Keiser noted that we have worked six months on this case, and he asked Coveyou to define an event. He feels we need a definition for events in order to move on.
- d. Tami Furgeson asked if there was a concern with using Greg Rd to cross to get to the trails.
 - i. Keiser clarified that he worked with the road commission to ensure that ATVs could cross Greg Rd. The “no exit to 131” sign would be on Coveyou’s private property and access drive. The only limit to 131 is that there will now be a “no left turn” at 131.

Applicant Rebuttal:

Coveyou explained that the “no exit to 131” sign is at his farm market parking lot, on the access road that leads to Greg Rd. This is so people at the farm market will not venture down to Greg Rd. From his understanding, all ATVs will be able to cross Greg Rd. There will be no change at the intersection of 131 and Greg Rd except that there will now be “no left turn” to 131. The staff will be coming in at various times, but this will be seasonal housing in the summertime. These employees could potentially start as early as April and some could stay potentially as late as November, but he will ensure that no one stays longer than 6 months, per the zoning ordinance. The name of the business will be tied to the farm, there is no separate business entity. In regards to defining events, he is not sure as to how to define it any differently than what is already on the site plan. He would accept if tents had to come down in between uses. He feels that the cabins are a great motivator to get the tent down so that they can have a view of the lake. He does not want to the tent to stay any longer than it needs to.

- a. Kendziorski suggested a definition of event in which related activities to the main occasion are all considered one “event”. In this case, a rehearsal dinner or brunch after a wedding are both included in the one wedding “event”. Keiser feels it is important to define this, because otherwise, a wedding weekend could be considered one event or three.
 - i. Coveyou asked if small events like birthday parties were a concern. How would you define these small events? Keiser suggested tying the “event” to amplified music.
 - ii. Kendziorski suggested following a previous case precedence in which the Planning Commission defined a number of large events (by number of people, with amplified music) and number of small events (by number of people and no amplified music).

Board Discussion and Questions:

- a. Mays feels we need to do something to define events. If there are other plans immediately before or following an event, that should be considered one “event”. They are reserving the place for that one occasion. The big events are the ones with amplified music, and the smaller events could be restricted by 50 people or less with no amplified music. She feels we should keep it to four events.
- b. Haven summarized a definition of “event” for the purposes of this case: An “event” for this case will take place a maximum of four times per month, be classified as having a tent and/or amplified music, with a maximum of 50 cars or 150 people (whichever is the more restrictive number of individuals). The tent can be up no longer than four days total and must come down between events. Any incidental uses to the primary occasion, taking place on the day immediately before or after the primary occasion, will be included as one “event”.
- c. Mays asked about defining a number of small events. Kendziorski agreed that this would be consistent with the precedence set in the precious case. The Planning Commission could define a number of small events by number of people, with no amplified music.
 - i. Coveyou does not want to put a limit on small events. If he offers a service such as bird watching or Brussel sprout picking, he does not want that to be counted as one of the small events. Kendziorski would not consider these to be “events”. Coveyou noted that charging someone for a commercial activity is considered an event per the ordinance.
- d. Jack Turner suggested that for the four day tent limitation to add that the four days could be extended if there were an act of God or inclement weather or some unforeseen circumstance by which the tent could not come down within four days. Kendziorski noted that we could make this pending administrative approval. The tent could be approved for up to four days at a time per event, with the condition that if there was an act of God/unforeseen circumstance, the applicant could seek administrative approval for the tent to remain up an additional day. Kendziorski noted that this would be the exception not the rule.
- e. In light of the March 2019 proposed site plan, which shows further event development, Kendziorski asked if the Planning Commission could put a condition on this case that no further events be proposed on these parcels in the future. Doernenburg noted that the Planning Commission cannot limit it in that way. Future proposals will have to be addressed at that time.
- f. Olliffe feels that small events should be able to be tented.
- g. Kendziorski asked if there is an assurance that there will not be 50 cars parked in the proposed parking and more cars parked elsewhere with shuttling. Doernenburg noted that the 50 cars or 150-person standard will limit this. It is whichever is the stricter restriction.
- h. Kargol asked if there will be signage before you get to the intersection of Greg Rd and 131 telling individuals that they will not be able to turn left at the highway. He also asked about the cost of signage. Keiser noted that the road commission will put up the no left turn sign at the intersection of Greg Rd/ 131 at their cost. The rest of the signs will be at Coveyou’s expense.
- i. Coveyou feels that this is the most remote location in Bear Creek Township for this type of use. He would like to stay with five events per month if possible. Kendziorski noted that in a prior case, it was Coveyou who suggested that the Planning Commission starts small, and that the applicant could always come back to modify at a later time. She suggested that the Planning Commission follow that for this case: start small and approve 3 events a month for this case, and Coveyou can always come back at a later time for more events if things are going well.

Motion by Haven to approve case# PSUP20-020, David Coveyou for a Special Use Permit and Site Plan Review for a Campground Facility and accessory agricultural uses at 4160 US-131, Sections 30 and 19, Bear Creek Township, tax parcels 01-19-30-100-006, 01-19-19-300-011, 01-19-19-300-012 and as shown on the site plan sheets C-1.0, C-1.1, C-1.2, C-2.0, C-4.1, dated received February 10, 2021 and sheet C-4.0 dated received March 23, 2021, based on the facts presented in this case and because the applicable standards of Articles 8, 20, 21, and 26 have been met, and on condition that the applicant submit documentation of approval regarding the MDNRs standards for campground facilities, all Emmet County Road Commission standards be met, all Fire Department standards be met and on condition the accessory uses be limited to no more than four large events per calendar month (“events” defined as those which have a tent and/or amplified music, limited to four times per month, restricted to 150 people or 50 cars (whichever is the more restrictive number of individuals), and that any related activities occurring on the day immediately before or immediately after the primary occasion be considered to be included in that one “event”. Tents may be up for a maximum of four days total and the tent must come down between events. In the event of an act of God/inclement weather, the applicant may seek administrative approval to allow the tent to be up for a maximum of five days total, an addition of only one day to the approved four day total) during the months of May through October and further that the details and notations of the application set the conditions for the activities with any discrepancies requiring the more stringent standards be met. The approval is further on condition that the parcel may not be reduced to less than the minimum required 10 acres for the campground and 20 acres for the accessory use on a commercial farm, 2nd by Mays.

- a. Roll Call: Olliffe, Brown, Kargol, Mays, Haven, Kendziorski, Cyphert
 - i. Yes: Olliffe, Brown, Kargol, Mays, Haven, Kendziorski, Cyphert

Passed

VI. Case PSUP21-005 Nick Else on behalf of Lelahni Laura Wessinger Trust, SPECIAL USE PERMIT, Accessory Building as a Main Use and Exception, Part of Parcel 01-16-24-400-004 (accessed via Graham Rd), Section 24

Tammy Doernenburg gave a background to this case:

Doernenburg shared that this is a parcel located on the south side of Graham Rd and accessed off a platted lot. It is 60 acres in area and is part of a larger parcel that was split recently. There was a survey provided. The platted lot (lot #1) is where access is proposed and is being built. The drive turns to the east and follows to the south of the platted lot. The proposed building is 48x50. Doernenburg noted that this is well off of Graham Rd and you will not be able to see the site from the road. She noted that there is a pathway that is being constructed to access the parcel. This parcel was clear cut by the previous owner and there is quite a bit of woody debris left on the

property and sparse trees in the area. There is still a mixture of hardwoods and pines that remain. The property is zoned RR Recreation and Residential, which allows for a 1200sq ft accessory building, only if it is accessory to a dwelling. If an individual would like an accessory building without a main use, they need a special use permit. In this case, the request is for an accessory building as a main use and larger than allowed (an exception in the ordinance, that the Planning Commission can grant if certain conditions are met). The setback from the north property line is 60ft, from the south property line is over 2000ft, from the west property line 150ft (measured from the proposed lot), and 250ft from the east property line. The location is screened from Graham Rd with an existing accessory building and a mixture of pines and hardwoods. Road Commission approval is required for that access. Fire Department Review has been received and access standards need to be met. Doernenburg shared letters of concern: John Picton, an adjacent property owner, indicated that he owns six parcels in the vicinity. His concerns are that the building is twice the size of the permitted use, that the structure will be more than 20ft high, that it would be visible to the residents on Graham Rd, that the appearance of the building would be commercial, that the building would be visible 9 months out of the year when the leaves are off the trees, that it would have a devaluing influence on their properties, and that the access drive would be a concern regarding water runoff. Doernenburg shared the second letter from Michael and Patricia Maher, which expressed similar concerns: that the building would be double the size, that it doesn't meet the standards of the ordinance, that it wouldn't be keeping the character of other buildings in the vicinity, that the natural screening will not be adequate to screen from their view. Doernenburg shared two letters of support: One from Cindy Okerland and Matthew Tamm, which noted that the property owner intends to clean up this property and they support the request. They feel the pole barn will be adequately screened. Another from Melissa and Scott Okerland, who also support this request. The request is for a special land use for an accessory building as a main use and for an exception for the size to allow for a 2400sq ft accessory building, proposed to be used for residential purposes.

The applicant addressed the Planning Commission regarding the parcel in question:

Nick Else shared that his family owns a cottage on Graham Rd and they have been looking for a location for accessory storage (to store boats, a second car (this is a seasonal property), etc). They occupy the cottage for less than 100 days a year and need more storage space. As a family with two boys, there are lots of toys, as well as a possibility of snowmobiles or ATVs in the future. Else shared that he bought a tractor to maintain the property, so that would be stored in this accessory building as well. Else explained the two proposed splits, which consist of 6 acres total off the front of the property. His intention with this parcel is to use it for recreation for his family, and he would like to restore it back to some of its original state. Else shared that in the past, there have been multiple uses for this property, including a golf course, farming, and clear cutting. He would like to have some hiking trails within this parcel and have space for his family's recreational use. The building would be for the storage of these recreation items. Else noted that he bought about half of a larger lot which was recently sold. He chose the location of the building because it was next to an existing historic farm road, and it is logical to put it close to Graham Rd. In keeping the building as close to the edge of the property, he will not intrude on the undeveloped part of the property. Else noted that the closest building is the existing pole barn to the north of the proposed building. The site location is approximately 500ft off Graham Rd directly behind the existing pole barn. In putting his pole barn behind the existing one, it would shield it. The location of the proposed pole barn meets the setbacks and there are natural tree barriers there. The only "close" properties are that to the north. In addressing the concerns of neighbors, Else noted that he chose the location because it will be seen by very few people. He has already spoken to the neighbors that live directly to the north and they are not in opposition. As far as size goes, he chose the size because 1200sq ft is not enough for his needs. The family has three boats on Crooked Lake, plus the second car, tractor, and potentially will be getting an ATV. He will not be using this storage space for any type of commercial use.

- a. Brown asked about potential topography changes. He asked about the color of the barn and about driveway/runoff issues.
 - i. Else shared that the existing farm road came from Graham Rd and split the property. There is a portion that runs north/south that has been maintained by neighbor Mike Babcock. While the previous owner took trees off the property and clear cut, Else is going to try to minimize the amount of trees that need to be removed. He has only cleared saplings to date. In regards to color of the barn, Else shared that his mother would like a red barn, but he is leaning to a neutral color such as gray, green or brown. It will have a trim and two-tone paint. In regards to the driveway, there are plenty of opportunities to capture any runoff that may occur. The soil is extremely sandy and so he is not anticipating a runoff problem.
- b. Cyphert asked if he has already removed trees. He noted the slope of the roadway as a 2-5% grade increase at the entrance. There will be some water running down. He asked if the road commission should get involved to minimize flooding to the neighbors across Graham Rd.
 - i. Else noted that the location of the pole barn is already clear due to the clear cutting. The stumps are a result of the previous owner. He has only removed some saplings and one 5-6in tree for the driveway. In regards to grading and runoff, there is a slight grade off Graham Rd, but the biggest pitch is the section going directly up to the pole barn.
- c. Mays asked if there would be 11ft sidewalls. Else confirmed and stated that the manufacturer's told him it would be a 19ft peak.

Audience Comments:

- a. John Picton, a neighbor, is concerned about water runoff. He asked about the fire department weight requirements for the road. He wants to ensure that any construction takes into consideration the runoff factor.
- b. Keiser asked if a soil erosion permit will be required. He suggested silt fencing during construction for if there is a storm. Doernenburg noted that there is no permit required, but that the owner is responsible for excess water runoff during construction whether there is a soil erosion permit or not. The property owner is responsible to ensure that they do not allow for more runoff to occur than before construction. She noted that the Planning Commission could consider a pond to collect storm water.

- c. Mike Maher, a neighbor, shared his construction experience and noted that a 19ft clearance would mean a 22-23ft height for a building like this. Additionally, the existing pole barn that Else is referring to is small and the proposed building is very commercial-looking. He is concerned that they will be able to see this 9 months of the year.
- d. Theodore Tamm noted that he is in the process of purchasing property from Else. The pole barn is screened by a tree line. He is planning to building a home on that site, and as the closest future-homeowner, he gives full support to this request.

Applicant Rebuttal:

Else noted that he gave the building size based on what the manufacturer told him. This would be metal tresses, so it will not have a 24-25ft peak. The look of the building will not be out of place with the area, in fact it will be almost imperceivable from Graham Rd. It will be located directly behind the existing pole barn. He will refer to the experts when they are grading the road to make sure there is not an erosion or water runoff issue.

Board Discussion and Questions:

- a. Kendziorski walked the property and feels it is properly screened. It will not be seen from Graham Rd. We can add the silt fence during construction into a motion.
- b. Cyphert asked about water runoff as the responsibility of the property owner. Doernenburg noted that a driveway permit will be required and the road commission can respond to water runoff concerns.
 - a. Else clarified that he has a driveway permit already, and the road commission did not mention water runoff issues.
 - b. Kargol noted that the road commission cannot deny someone access to their property, even if there is water runoff. He suggested that when the road is built it could be tipped slightly to the south.
- c. Haven suggested that the Planning Commission limit the height of the building to 19ft, even if that means the building would have a slightly smaller footprint. Doernenburg noted that the elevation shows 19ft to the center. Brown clarified that the maximum height on the application says 20ft. Else clarified that if the clearance was 19ft, the maximum height at peak could be 20ft.
- d. Mays asked about sharing the driveway with other lots. Else noted that the road will be a bit wider at the base to match the private road ordinance. That will have the appropriate easements. Then those driveways will come off of that access road. The fire chief confirmed with Else that he is okay with this driveway.
 - a. Keiser shared that the fire chief only requires the standard on the multi-family part. After the split, the road is just a private driveway. But the first part will have to meet the standard.
 - b. Kargol noted that if there are other driveways, that changes the runoff situation. Kendziorski noted that we cannot act on the other driveways, as they have not been presented. The Planning Commission can only act on what is in this case.
 - c. Else noted that there is room on either side of the driveway to create natural catch basins for the water runoff. They can mitigate that issue. He will work with the excavator.

Motion by Mays to approve case# PSUP21-005, Nick Else for a Special Use Permit for a Customary Accessory Building without a main use and an Exception to the size standards of an accessory building on property located south of and accessed via Graham Road with the current address of 5568 Graham Rd, Section 24 of Bear Creek Township and on part of tax parcel 24-01-16-24-400-004, as shown on the survey plan dated Mar 11, 2021 because the standards of Section 20.01 have been met based on the facts presented in this case and no good purpose would be served by strict compliance with the size standards of the Ordinance based on the deep setback, screening and topography, and on condition that the building be used for personal use only, and that the building be no more than 20ft at peak height, and that silt fence be properly installed along the areas of the drive/north property line to protect property owners to the north side of the property and across Graham Rd. This silt fence would be installed during construction and would remain until grass grows in to ensure that soil erosion does not occur. Additionally, that the pole barn be a neutral color. 2nd by Kendziorski.

- a. Roll Call: Brown, Kargol, Mays, Haven, Kendziorski, Cyphert, Olliffe
 - i. Yes: Brown, Kargol, Mays, Haven, Kendziorski, Cyphert, Olliffe

Passed

VII. Case PSUP21-006 Chad Foster, SPECIAL USE PERMIT, Accessory Building Exception, 2130 River Rd, Section 17

Tammy Doernenburg gave a background to this case:

Doernenburg explained that this parcel is on the south-west side of River Rd; it is zoned FF-1 and is about 9 acres in area. There is an existing pole barn near the back of the property. The setback is 800ft from the right of way, 175ft from one side and 500ft from the other side, plus 57ft from the rear. To the north is the Special Use Permit property for Drost for the wood processing facility. To the west is the storage buildings that Drost is building (accessed from Howard Rd). There is also a residence owned by Chad Foster. The site plan shows an existing 40x60' building, which is the maximum size permitted in that zoning district. The proposal is to add 504 sq ft on the back side of the building (8x28'). The location is screened from River Rd. On McDougal you can see the building, but you will not be able to see the addition because it is on the backside. The applicant does live on the property and the affidavit of use indicates it is not commercial (it is proposed to be a meat room). The fire department had no concerns. You cannot see the building at all from the road. The addition would be on the west side of the building. The request is for a Special Use Permit for an exception to the size to add an addition to the existing pole building.

The applicant addressed the Planning Commission regarding the parcel in question:

Chad Foster noted that you will not be able to see this addition from River Rd. If you stop on McDougal Rd just past Hyde's Equipment you may be able to see it, but it will not be visible from the major roadway. This will be used for a meat room to process beef, pigs and deer (for himself and possibly for friends). He also smokes meats. Foster recently sold a property he owns with a meat room, and he would like to have one again. This will not be used for profit.

- a. Brown asked if the addition will be matching materials/color to the existing building. Foster confirmed it will be. This will be a slate gray with a white roof and soffit. This will be a metal building, insulated on the inside for heat retention.
- b. Olliffe asked if the drainage plan could be shown on the site plan. Foster explained the drainage plan. He has a second line that went to his rental house, but it has been capped, so he would like to use it for the meat room as a cold water supply (with an additional on demand electric hot water system).

Audience Comments: None

Board Discussion and Questions:

Cyphert asked if drainage will be an issue. Keiser noted that this is a residential pole barn, so no drainage plan is necessary. The drainage issue will be addressed when he comes for a building permit. Foster noted that where he would be draining is still about 50ft from the property line, it goes down and then plateaus.

Motion by Cyphert to approve case# PSUP21-006, Chad Foster for a Special Use Permit for an Exception to the size standards of an accessory building on property located at 2130 River Rd, Section 17 of Bear Creek Township on tax parcel 24-01-19-17-100-022, as shown on the plot plan dated Mar 11, 2021 because the standard of Section 21.01 have been met based on the facts presented in this case and no good purpose would be served by strict compliance with the size standards of the Ordinance and on condition that the building be used for personal use. 2nd by Olliffe.

- a. Roll Call: Kargol, Mays, Haven, Kendziorski, Cyphert, Olliffe, Brown
- i. Yes: Kargol, Mays, Haven, Kendziorski, Cyphert, Olliffe, Brown

Passed

VIII. Public Comments

- a. Mays asked about the camper trailer currently at Gabriel Farms, because that was an enforcement issue last year.
- b. The Thurman house on Bellmer Rd was addressed. Mays reported that someone may be living there (although this house is condemned). Keiser will look into this.
- c. Foster asked if he needs to do anything for drainage. Keiser told him to show it in his plans when he comes for a building permit.

IX. Other Business: None

X. Next Meeting: April 28, 2021 at 6:30pm

XI. Adjournment: 9:11p.m.

Respectfully Submitted,

Emma Kendziorski

Emma Kendziorski, Bear Creek Township Clerk

Jim Kargol, Recording Secretary