

CITY OF MACKINAC ISLAND

MINUTES

PLANNING COMMISSION

Tuesday, November 12, 2024 at 3:00 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

Chairman Straus called the meeting to order at 3:02 PM.

II. Roll Call

PRESENT

Trish Martin

Jim Pettit

Michael Straus

Anneke Myers

Ben Mosley

Lee Finkel

ABSENT

Mary Dufina

Staff: Erin Evahsevski, Dennis Dombroski, David Lipovsky

III. Pledge of Allegiance

IV. Adoption of Agenda

Motion to approve as amended. Add "Mackinaw City" letter to correspondence.

Motion made by Mosley, Seconded by Martin.

Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

V. Approval of Minutes

a. October 8, 2024

Motion to approve as amended. Amendment was to add David Lipovsky to the Staff in attendance.

Motion made by Mosley, Seconded by Martin.

Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

VI. Correspondence

a. Letter from Benser re: Mr. B's

Straus read the letter aloud. Benser requested to table both of his applications until December and agreeing to extend the approval time. Evashevski would like to clarify the wording with Benser. The time clock is 100 days, not 60. The date to be extended to should be in writing as well. Straus stated it needs to be extended 30-60 days. Evashevski suggested emailing Benser for clarification. Myers suggested extending to 160 days from when it was submitted. Motion to send letter to Benser that the Planning Commission would like him to agree to 160 days from date of submittal.

Motion made by Myers, Seconded by Mosley.

Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

b. Letter from Mackinaw City re: Master Plan

Straus read the letter aloud. Commissioners to provide comments by next meeting. Motion to place on file. Martin Mosley all in favor.

VII. Staff Report

a. HDC Meeting Summary

Finkel summarized the HDC meeting.

b. DPW Update

Burt shared some progress pictures of construction at the water plant. 70% complete on concrete pouring and 40% of the total project. The project is on schedule and on budget.

VIII. Committee Reports

a. Master Plan Update

Myers stated there was a meeting October 22nd with business owners. Draft is now with the City Council and when draft is sent out there may be more comments. The likely changes are:

The following is a potential additional change to be considered:

The Planning Commission will have to evaluate. Straus asked Commission to look at future land use map and think about the three options.

Hearing date to be set during meeting date discussion later in this meeting.

IX. Old Business

- a. C24-055/56-056(H) Benser Mr. B's Murdicks Lot Combo Application

Tabled at the request of the applicant.

- b. C24-055/56-056(H) Benser Mr. B's Murdicks Zoning App

Tabled at the request of the applicant.

- c. HB24-041-016 Jaquiss Demo and New Home

New details have been provided. Murray and Jaquiss were both on Zoom for questions. Ryan Spencer is in the audience. Straus asked about the plaque they stated they would put up. Straus stated he has received comments from the public asking if the plaque is a good idea. Ryan Spencer stated they still think it is a good idea as there still might be a historical story to tell. Spencer stated it is up to the Planning Commission and the HDC. Straus stated that we didn't want a misrepresentation of history. Straus doesn't think a plaque is necessary but he couldn't speak for the HDC. Spencer stated they would work on the wording with the HDC and Neumann. Finkel stated he would be more comfortable without a plaque. The level of preservation is not significant. Spencer stated they talked about a case with the wood and brick with the plaque. Finkel thinks it the owners decision. Pettit asked about the modular home sections and our ordinance. Pettit stated the plans call out 56', 52' and 48' sections. Another house that had larger modules required a variance. 44' is our maximum length in our ordinance. Pettit stated he will vote no on this unless they change to 44' modules or the City changes the ordinance, which he does not think would happen. Pettit doesn't understand how we could grant a variance on something that could be done without a variance by changing modules to 44'. Murray stated this is a City Council issue, not Planning Commission. Planning Commission could approve contingent on City Council approval of a variance. Pettit stated part of the Planning Commission job now is to review materials, etc so the modules are under the Planning Commission. Pettit stated that asking for variance to save money is not legal. Spencer stated that the reason they got approval for the Murray house is because more modules required more days and more vehicles. Spencer stated the goal of the contractor is to get on and off the island as quickly as possible. Mosley asked if the crane will block the road. Spencer stated the plan submitted shows that the outriggers will be off the road. Myers reviewed the timeline.

Asbestos removal happens first and will take 6 days. Timeline shows Tuesday November 12. This will be adjusted. Then exterior pieces will be removed. Myers stated Friday December 6 is set for tear down and that is not possible due to the Christmas Bazaar. Myers noted that the Temp fence isn't shown to be installed until April. Spencer stated they didn't want to set the fence until Belonga has been in and out. Myers stated the site must be fenced off with a temporary fence when construction starts. Straus asked Evashevski about the letter from Mark Ware and if it is good enough for the approval. Evashevski stated she was wondering about that as well. It is similar to what Jim Murray did. Evashevski would like some clarification from Ware. Evashevski suggested an approval contingent on a more specific confirmation from Ware stating that the applicant has permission to cross and store material on his property in the manner the applicant has requested and for the time period requested, which is until November 2025. Myers thinks the application is very complete. Myers asked if there is a way to have a motion for the demo and a motion for the new house. Dombroski stated it could be split in to two approvals. Straus and Evashevski stated they should keep it as one approval. Straus wanted to address Pettit's concern. Straus agrees with Pettit but agrees that it is a City Council decision. We could send a letter to City Council as a contingency. Pettit strongly stated that the applicant should come back with a plan that fits in our ordinance. You cannot grant a variance for someone to save money. Evashevski stated that if our ordinances don't make sense, we should review them, but also agrees with Straus that we should stick with the zoning review. The variance is up to City Council. Evashevski agrees that if there are going to be exceptions to the Ordinance, those exceptions should be part of the Ordinance. Evashevski stated this is a regulatory ordinance and she would like more time to look into it. Murray requested that the Planning Commission approve contingent on the Ware letter and approve the demolition and the new house. Motion to approve contingent on the letter from Ware with date and place the applicant may use their property, and all motor vehicle permits.

Motion made by Mosley, Seconded by Myers.
 Voting Yea: Martin, Straus, Myers, Mosley, Finkel
 Voting Nay: Pettit

Motion by Mosley, seconded by Myers to send a letter to City Council letting City Council know about the concern by the Commission of approving the Jaquiss vehicle permits because the modules do not fit within the motor vehicle ordinance because the sections are too long. All in favor. Motion carries.

Spencer suggested a Route Check Form be submitted to City Council for vehicle permits such as this. His company has used them for a long time.

X. New Business

a. MD24-069-074 May Lot Split

Joe Stakoe submitted a letter to Evashevski and the Commission. Straus read the letter aloud. Stakoe suggested that any approval be contingent on the correction of the non-conformity. The two encroachments are the bilco door and the shed. Dombroski stated both should be able to be corrected. Both are on the larger house. Larry Rellinger stated the encroachments will be removed prior to May 1st. Straus stated they would like that in writing.

Motion to recommend the lot split contingent on it meeting the requirement of Article 10, Section 10.4,A, and that the applicant would need to present a new survey to City Council with the lot changes, and that the encroachments will be removed by May 1, 2025, and that City Council guarantees in some way that the encroachments are removed.

Myers asked what happens if the encroachments are not removed. Evashevski stated that is for the City Council to figure out. Pettit asked about Article 10, Section 10.04,A and the lot being less than the required 50'. The Plan shows 48.5'. Straus suggested tabling until the encroachments and the lot width issues are figured out. Dombroski stated that there appears to be plenty of room to move that over to meet the 50' requirement.

Motion made by Myers, Seconded by Martin.
Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

b. R124-007-076 Peavey New Home Forest Bluff

The applicant was not present. Larry Rellinger stated he was not part of the HOA, however there is an HOA approval letter submitted by the applicant and signed by Larry Rellinger. Allen Burt asked if the home will be tying in to the common septic system that is there or are they putting in their own. Rellinger stated they will be part of the system that was installed in 2002 that handles all 7 properties. Burt needs to know if the HOA is taking care of that maintenance and common elements. Rellinger stated now that all the lots are sold there will be a new HOA that will be responsible for its maintenance. Straus stated since the applicant is not present he suggests to table until December to answer questions about sewer system, HOA approval, and contour maps for steep slope. Motion to table because the application is incomplete.

Motion made by Finkel, Seconded by Mosley.
Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

c. Exterior Lighting - Dombroski

Dombroski stated this came up in the HDC. The question is if soffit lighting is appropriate to structures in a historic district. The HDC decided it is not appropriate. Spencer stated these will not be included in the red house. HDC and Planning Commission should have a discussion. Straus stated it is important to note that the Murray home was not in a HD at the time it was approved, but that going forward he agrees about the soffit lighting. Finkel stated the HDC was waiting for Neumanns input to discuss.

d. Adoption of 2025 Meeting Dates

Motion to adopt the 2025 meeting schedule. Pereny will ask Christine Rollins to fill in.

Motion made by Finkel, Seconded by Myers.

Voting Yea: Martin, Pettit, Straus, Myers, Finkel

Motion by Myers, seconded by Finkel to set the Master Plan Draft Hearing for February 11, 2025 at noon. All in favor. Motion carries.

XI. Public Comment

Fortino announced she has taken a new job with Mackinac State Park so this is her last meeting.

Pettit commented that in the master plan meeting on October 22nd, the issue they were upset with was part of the existing Master Plan. Pettit stated DPW is trying to set rate tiers. Pettit stated defining employee housing is a good starting point. Pettit wondered if the Master Plan could be used to help also. Myers suggested cross referencing with Joe Stakoe on how he has places assessed.

XII. Adjournment

Motion to adjourn at 4:51 PM.

Motion made by Mosley, Seconded by Martin.

Voting Yea: Martin, Pettit, Straus, Myers, Mosley, Finkel

Michael Straus, Chair

Katie Pereny, Secretary