

**MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION HELD
TUESDAY, OCTOBER 11, 2022 AT 3:00 P.M. IN THE COUNCIL CHAMBERS, CITY HALL,
MACKINAC ISLAND, MICHIGAN**

Chairman Straus called a regular meeting of the Mackinac Island Planning Commission to order at 3:02 p.m.

PRESENT: Michael Straus, Lee Finkel, Anneke Myers, Jim Pettit, Ben Mosley, Mary Dufina, Trish Martin
ABSENT: None
STAFF: Zoning Administrator, Dennis Dombroski, Attorney, Erin Evashevski (via Zoom)

Motion by Mosley, second to the Motion by Martin to approve the minutes, as written, of the public hearing on September 13, 2022. All in favor. Motion carries.

Motion by Finkel, second to the Motion by Mosley to approve the minutes, as amended, of the regular meeting on September 13, 2022. The amendments were to correct the name from Benser to Steiner under approval of the minutes, and to add the word "respectfully" in the last paragraph on page 4. All in favor. Motion carries.

Motion by Martin, second to the Motion by Myers, to approve the Agenda, as written, and place on file. All in favor. Motion carries.

Correspondence

Letter from Eric Starck re: Benser Project

Due to the length of the letter, Straus summarized its contents. Pettit confirmed that there is no shared wall between the two buildings. When Pettit asked about the window concern, Dombroski stated that you can build lot line to lot line in the Commercial district. Myers asked about the agreement referred to in the last paragraph. Dombroski stated he was not aware of any such agreement. Evashevski stated that Stark is requesting a shared wall agreement but there is no shared wall. Jim Murray spoke up and said he is representing Bob Benser. Murray confirmed that there is no shared wall and there has never been a shared wall agreement. Motion by Myers, second by Mosley to place the letter on file. All in favor. Motion carries.

Staff Report

HDC Meeting Summary

Finkel summarized the October 11, 2022 meeting. Myers questioned why Jennifer Metz made her presentation to the HDC and not the Study Committee. Pereny is to speak with Gary Rentrop regarding this.

REU Update – Allen Burt

Burt stated that new funding has been obtained for the new plant. \$30 million in state funds and \$15 million from an American Rescue Grant have been awarded.

Committee Reports

None

Old Business

R422-051-048

Stonecliffe Properties – Special Land Use 2917 Gallagher Lane

There was a public hearing regarding this request prior to this meeting. The applicant has submitted a letter addressing the standards in section 19.06 that must be addressed for approval. Each standard was addressed and determined was met. Motion by Mosley, second by Dufina to approve the special land use with the contingency that no pets would be allowed (with the exception of the current dog in residence), there will be a supervisor on site and a new public hearing is required for any changes. Evashevski confirmed that all standards in Article 20 were also met. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

ROS21-001-058 Grand Hotel – Bike Track Amendment

Tamara Burns stated that the track is slightly smaller than the approved design and the impervious calculations have been adjusted. Motion by Dufina, second by Mosley to approve the amendment. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

Myers stepped down from the table.

C22-034-062(H) Doud – Patrick Doud’s Exterior Renovations

Doud summarized the project. Doud stated the top square footage is increasing by 75 square feet so an additional REU is required. There will be 5 boarding rooms. Straus asked if there have been trash removal issues in the past. Dombroski stated the trash has been located in the back alley which is very small. Doud stated he intends to bring the trash to the curb on Astor Street. Dufina asked about the new window design. Doud stated the new design is to help with the “tall forehead” of the building. There will be egress windows with two side windows. Dombroski is OK with the egress windows. The door is recessed and the overhang and awning are being removed. Pettit asked about the history of the building. Doud stated it was built in 1885 by Patrick Doud. There have been so many changes since then, it is no longer considered a contributing building. Motion by Finkel, second by Mosley to approve the application. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Pettit. Nays: None. All in favor. Motion carries.

Myers returned to the table.

R322-012/15-057 Harbour View Lot Combination

Evashevski stated that the concern last month was that the small lot was not part of the special land use. In her research she found that both lots were included in the special land use. Evashevski noted that only 6 employees are allowed per the old special land use. Motion by Myers, second by Mosley to recommend to City Council the approval of the lot combination noting that the special land use applies to both lots and makes the lot less non-conforming. All in favor. Motion carries.

HB21-001-099 Inn at Stonecliffe Amendments

Straus stated there were two issues that were of concern. The scenic easement has been resolved and the dimensions requested have been received. Myers asked if there is an updated description of the addendums. Doyle stated that yes there is. A lean-to was added and the aluminum fence description was clarified. Straus confirmed that the wooden fence will be set off the property line and road, there are no light changes, the flag pole will have a flag for night illumination, and the trash will remain in the location approved a year ago. Doyle stated that a letter from the Grand Hotel was received regarding the use of the scenic easement. Dufina asked if the easement will be amended. Lakas stated no it would not be. Evashevski confirmed that the letter alone was sufficient. Doyle stated the FAA approval is in process. When asked, Doyle stated the gazebo roof will be shingle and the pillars will be stone similar to the bottom of the mansion. Motion by Myers, second by Mosley to place the letter from the Grand Hotel regarding the scenic easement, on file. All in favor. Motion carries. Motion by Myers, second by Mosley to approve the pinewood fence with a minimum of 5’ from the current gravel road edge with the exception of needing to adjust as necessary to get around existing trees, gazebo, 70’ flagpole with light and FAA approval, 2 sets of pillars and the outdoor spa area that includes a 12’x25’ pool, 19’x8’ swim spa, brick paver pool deck, 4’ tall black picket aluminum pool fence to match the style of the white railings on Summer House balconies, and a 6’x20’ lean-to, as all described in the addendum. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

HB22-001-033 Inn at Stonecliffe Shed Door Amendment

Straus stated that roll top doors were inadvertently approved. The applicant was asked to revise the doors to be used. The applicant submitted a revised plan that has swing doors and sliding doors. Sliding doors are also not permitted by Ordinance, but section 20, architectural review, allows the Planning Commission to override that and approve a sliding door. Dombroski stated the sliding door rule was meant more for residential use and he recommends that the language be changed. Straus confirmed that the doors swing out. Motion by Myers, second by Martin to approve the application. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

CD22-003-012(H) Amend Steiner Motion from August

Straus stated that last month an amendment to a motion made by Dufina needed to be done, but Dufina was not present. With Dufina present at this meeting the amendment was made by wording suggested by Evashevski. Dufina stated she was OK with the suggested amendment. Straus read the amendment aloud. Motion by Dufina, second by Myers to amend the previous motion to deny based on the grounds that the structure was built in violation of city ordinances, the structure presented serious safety issues, there were no fencing plans presented, the proximity to a steep drop off was unclear and no railing were presented, no setbacks or impervious calculations were provided, and that the ownership and interest rights of the land on which the patio was constructed was unclear. With no representative present at the meeting to answer any questions or concerns those questions remained unanswered. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

New Business

C17-055/56-027(H) Benser – Mr. B’s New Application

Benser stated that the amendment is for a stairwell to a roof top enclosure for mechanical equipment. Myers asked when he plans to build. Benser stated phase 1 which includes the transformers and the south and west walls of the foundation, this fall, and then next November finish. Myers stated there are concerns by the community on his performance since the lot has been left vacant for so long. Benser stated he has had trouble getting contractors and materials. Benser confirmed that no materials will be left on site. Due to the performance concern Benser agreed to supply a written construction plan for all phases. It was decided if the applicant requested an extension, a bond could be requested from the applicant. Motion by Pettit, second by Mosley to approve the amendment with the contingency of the construction plan being submitted. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

R322-006-070 Libby – New Storage Shed

Libby stated they would like to build a 14’x16’ storage shed to tidy the lot appearance. The shed meets the lot coverage requirements and all building code considerations. The doors will swing open and there will be lighting inside. There will be no exterior lights. The shed will be wood with asphalt shingle roof. Motion by Myers, second by Mosley to approve the storage building on McGulpin. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

R421-011-100 MICT – Amendment 2435 Cadotte Avenue

McGreevy stated they will no longer be doing a second story due to the footings not being able to hold a 2nd story. The occupancy has been lowered to 10 occupants and the ramp has been moved to the back of the building. All previous agreements still apply. Motion by Mosley, second by Myers to approve the amendment. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers. Nays: None. Pettit abstained. All in favor. Motion carries.

PUD22-005-003 Mission Point – North Entrance Awning

Dombroski stated that the north elevation has had problems with leaks so they want to reconfigure. The fabric canopy is to match the canopy on the west entrance. Neumann did a favorable review. Motion by Dufina, second by Mosley to approve the application for the north entrance awning. Roll call vote: Ayes: Straus, Dufina, Finkel, Martin, Mosley, Myers, Pettit. Nays: None. All in favor. Motion carries.

CD22-003-072(H) Steiner – Fence Replacement

Straus stated this was tabled at the last meeting for the survey. Steiner stated that the bluff patio has been removed. In an effort to restore to its historical state he could either install a fence in front of the hedge, install a fence only or a hedge only. Straus questioned whether the Annex residents had any say in it. Evashevski suggesting waiting for the survey to see where the area in question falls in the cities right of way. Evashevski stated other questions are the requirement of a use permit from the City, ownership, and what HDC is going to require. Motion by Myers, second by Mosley to table until November because the City of Mackinac Island has ordered a survey of the area to define the right of way and we would have a better understanding of what is needed. All in favor. Motion carries.

PUBLIC COMMENT

Evashevski stated there is no update on the Grand façade. Pettit wants to make sure we are doing the right thing in requiring the Guarantee.

Gene Hopkins asked if they could get a permit for the façade in the next two weeks. Dombroski stated he cannot issue a building permit until the Zoning permit contingency is met.

Myers confirmed that the Grand does not need to come back to the Planning Commission for the approval of the Guarantee.

The Commission would like to add "sliding doors" to the Planning Commission lists of items to discuss.

With no further business there was a Motion by Martin, second by Mosley to adjourn the meeting. All in favor. Motion carries. The meeting was adjourned at 5:04 PM.



Michael Straus, Chairman



Katie Pereny, Secretary