

February 25, 2021

The Portage Township Planning Commission (PC) February 25, 2021 meeting was called to order at 7:01 PM via Zoom chair Melanie Watkins. Present were Watkins, Ted Soldan, Jeff Koski, John Ligon, Connie Sherry, Dave Rulison, and Peggy Anderson. Guests John Ollila, Cindi Perkins, and John Paul Pietila were also present. No signup sheet was available since it was a Zoom meeting, so the chair made a strong effort to make sure everyone was accounted for before the meeting started.

Anderson made a motion to accept the minutes from the October 15, 2020 regular meeting. The motion was seconded by Koski. There being no discussion, the motion was put to a vote, and passed unanimously.

Chair Watkins next took up the site plan review for the First Apostolic Lutheran Church building. Watkins complimented Pietila for providing good plans for this review. There was specific discussion about the water detention system, and Pietila answered all the questions adequately. Sherry asked where the runoff water would go when it left the property. Pietila said it would pass through a culvert under Fredrick St. Some concerns were raised about the pond being a hazard to young children, and Pietila said that the pond was designed to accumulate water only during a large precipitation and/or runoff event, and that the water would then slowly meter out until it was empty. The pond would be empty most of the time, thereby posing no hazard.

Following the discussion, a motion was made by Koski to approve the site plan. The motion was seconded by Sherry and passed with no dissent.

Next co-zoning administrator John Ollila brought a situation to the attention of the commission. He had provided a letter outlining the issue to chair Watkins, who then dispersed it to the rest of the PC (see attached). He had noticed that several buildings in our township had been sold and remodeled by the new owners for different types of business. Ollila wondered at what point the new owners should make their intentions clear to the planning commission, and request a building permit. Ollila cited the following section 6.2, item 2E of the Zoning Ordinance:

“...site plans must be submitted for “Any commercial, office, industrial, business, recreational or institutional structures/uses including any changes in exterior materials and new additions to the buildings.”

The commission members discussed this and determined that earth changes due to additions or a substantial change to the exterior of the building should trigger the need for the owner to apply for a permit. If that level of remodeling is not met, then no permit should be needed. Ollila wondered if the Zoning Ordinance should be changed to make this clearer. The planning commission felt it was clear and no change was needed. The commission thanked John for bringing this to its attention.

Next Watkins gave the floor to Anderson. Anderson said she was happy to have Watkins back as chair of the commission. She then asked the commission members about their preference for the three additional meeting dates to fulfil our required 4 meetings in 2021. The group decided that tentative dates of May 6, July 15, and October 21 would work well for most.

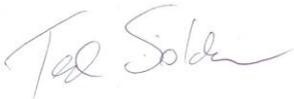
Anderson then asked if it was ok for her to fill out and send in the attendance sheets for us since we will likely be meeting via Zoom for the foreseeable future. Also, should she continue to send out reminder notices for the meetings? The group unanimously agreed she should manage the attendance sheets and do the reminders, and thanked her for taking this on.

Ollila then brought up another issue about what to charge someone for a special planning commission meeting. Members of the commission had thought that \$500 was being charged for the special meetings, but Ollila brought to the commission's attention that the \$500 was the cost for the site plan review. Normally, the requestor of the special meeting should be charged double the normal fee, or \$1,000 if the review is done during a special meeting. Ollila had called the MTA and the person he spoke with there agreed that our price for special meetings was too small. The commission took no formal action on this suggestion.

Watkins then asked if any of the guests attending the meeting had any comments prior to adjournment. None had any comments.

Peggy Anderson made a motion to adjourn the meeting at 8:12 pm. The motion was seconded by Dave Rulison and passed.

Respectfully submitted,



Ted Soldan, Secretary

Letter to PC from co-zoning administrators John Ollila and Bill Bingham re a question about repurposing buildings for new businesses:

February 21, 2021

Planning Commission Members,

Bill Bingham and I have encountered a new issue in the last six months that is not clearly addressed in the Zoning Ordinance – existing business structures being purchased and then used for a different business.

The former Manderfield Inc. warehouse on M-26 has become the new Houghton Re-Store. I had told the prospective buyers that no permit was needed. The site merely transitioned from selling electrical & plumbing supplies to selling used furnishings.

The Computer Mechanix building is now Superior Tax & Accounting. Bill and I discovered the change by spotting a Chassell Carpentry van in the parking lot. Since the building had been vacant for more than two years, technically the site should have reverted to the zoning of the surrounding properties (RUR), which does NOT permit stand alone businesses. However, there is an exception in the Z.O. for a parcel to remain nonconforming if the utilities had not been disconnected. As it turns out, the owner of the site was a genius and not only never disconnected services, but continued to pay the base fees. Hence, Bill and I permitted the site as the continuation of a nonconforming use, requiring a Zoning Application but no fee.

The third instance will likely be the township's first marijuana business in the former Van Straten building on south U.S. 41.

As far as Bill and I can determine, the only mention of repurposing businesses in the Z.O. is on p. 55, Sec. 6.2, item 2E. Here it states that site plans must be submitted for “Any commercial, office, industrial, business, recreational or institutional structures/uses including any changes in exterior materials and new additions to the buildings.” The three instances above have no changes in exterior material, no additions, and no earth moving. So our question is whether the word “uses” needs to be clarified or expanded?

Is repurposing of business something the P.C. regularly wants to take up?

What is your guidance/advice for us?

J.O. & B.B.