

**SANDS TOWNSHIP PLANNING COMMISSION
MINUTES**

April 17, 2018

1. Call to Order at 6:30 by Planning Commission Secretary S. Brauer
2. Roll Call: S. Brauer, J. Yelle, A. Burbey, E. Anderson, P. Lajewski-Pearson & S. Sundell
 - a. Absent: R. Titter
 - b. Others in Attendance: Randy Yelle, Carolyn Kerkela, Chauncey J. Moran, George Lindquist, Dave Hall, Stacy Haughey, Tom Seablom, Lori Burford, David Kallio, Joelle Olsen, Betsy Rochon, Scott Machalk, Nancy Machalk, Scott Bolster, Brian McMillan, Tom Redlon, and other members of the public.
3. Approval of Agenda: Motion by P. Lajewski-Pearson, Supported by A. Burbey, to approve agenda with the addition of input from a UP Steel Representative under 6a, and input from a DNR Representative under 6d. Ayes: 6 Nays: 0 Motion Carried.
4. Approval of Minutes:
 - a. February 20, 2018: Motion by P. Lajewski-Pearson, Supported by S. Sundell, to approve the minutes of February 20, 2018 as presented. Ayes: 6 Nays: 0 Motion carried.
 - b. March 20, 2018: Motion by E. Anderson, Supported by S. Sundell, to approve the minutes of the March 20, 2018 Special Meeting / Work Session. Ayes: 6 Nays: 0 Motion carried.
5. Public Comment: None
6. Business:
 - a. Public Hearing: SUP2018-02 (UP Steel)
 - i. Open Public Hearing: S. Brauer opened the public hearing at 6:32
 - A. Requester Input – Brian McMillan explained they are operating the same as it was under the previous SUP, but they moved locations for better visibility and for access to a Class A Road.
 - B. Staff Input – R. Yelle said this seems a better location for the business and a good fit for the area.
 - C. Public Input – None
 - ii. Close Public Hearing: S. Brauer closed the public hearing at 6:34.
 - iii. Commission Discussion and Action –**S. Sundell moved, P. Lajewski-Pearson supported, that, after conducting the required public hearing, reviewing the Sands Township Zoning Ordinance and Master Plan, and receiving input from Township Staff, Township residents, the general public and the requester, the Sands Township Planning Commission approves SUP2018-02 with the following conditions:**

- **Outside storage must be fenced and buffered per Section 412 of the Township Zoning Ordinance;**
- **Lighting must be directed to the internal area of the property;**
- **Must comply with the Township's Noise & Vehicle Parking Ordinances.**

Ayes: 6 Nays: 0 Motion carried.

b. Public Hearing: Amendment 01-18-01

i. Open Public Hearing: S. Brauer opened the public hearing at 6:37

A. Staff Input – R. Yelle gave input.

B. Public Input –

Joelle Olsen, realtor, said they have two parcels under contract for Commercial Marihuana Facilities, and she owns a parcel also being considered. She questioned the procedure and time frame for a decision to be made in regards to where the facilities are allowed. She feels this could be a big source of revenue for the Township. She also asked if her property was currently zoned for a Growing operation. The procedure was clarified and it was estimated the decision would be before the Township Board in June.

Scott Bolster, 125 Oakridge, questioned where the operations would be located and the type; it was clarified is not for a specific facility approval. He questioned inspections on the property, after the disaster at Sawyer in the past.

ii. Close Public Hearing: S. Brauer closed the public hearing at 6:42.

- iii. Commission Discussion and Action – J. Yelle questioned the addition of a Growing facility in a Commercial district, providing the wording from the law and our Zoning Ordinance which conflict. It was discussed and agreed that due to the wording in the current Zoning Ordinance, it was best to remove Grower from the Commercial district. **E. Anderson moved, A. Burbey supported, that, after conducting the required public hearing, reviewing the Sands Township Zoning Ordinance and Ordinance 57, and receiving input from Township staff, Township residents, and the general public, the Sands Township Planning Commission accepts Amendment 01-18-01 with the removal of Grower in the Commercial district, and approves sending it to the Marquette County Planning Commission for review and to recommend approval by the Sands Township Board.**
Ayes: 6 Nays: 0 Motion carried.

c. Public Hearing: Amendment 01-18-02

i. Open Public Hearing: S. Brauer opened the public hearing at 6:48.

A. Staff Input – None

B. Public Input – None

- ii. Close Public Hearing – S. Brauer closed the public hearing at 6:49.
 - iii. Commission Discussion and Action: **P. Lajewski-Pearson moved, S. Brauer supported, that after conducting the required public hearing, reviewing the Sands Township Zoning Ordinance and Master Plan, and receiving input from Township staff, Township residents, and the general public, the Sands Township Planning Commission accepts Amendment 01-18-02 as presented and approves sending it to the Marquette County Planning Commission for review and to recommend approval by the Sands Township Board. Ayes: 6 Nays: 0 Motion carried.**
- d. Public Hearing: RZ2018-03 (MDNR)
- i. Open Public Hearing: S. Brauer opened the public hearing at 6:50.
 - A. Requester Input –

Lori Burford, DNR, thanked the board and public for their time. She explained the request is to rezone the parcel to allow them to pursue an SUP for a shooting range. She explained why the location was chosen, that this would be the first public range in the UP, and that \$800,000 to \$1 million will be invested in the project.

Stacey Haughey, DNR, showed pictures of the damage in areas where people are shooting and leaving trash. This is on private property, so not a lot can be done. A range is safer, and offers sound abatement. They have letters of support and feel of all the sites considered, this is the best.
 - B. Public Input – *See Appendix A*
 - C. Staff Input – R. Yelle presented information, including letters of support provided by the DNR, letters against the project from A. Lindberg & Sons and Scott Machalk, letters from the Township Board, and a letter from UPAWS.
 - ii. Close Public Hearing: S. Brauer closed the public hearing at 7:32.
 - iii. Commission Discussion and Action: Lengthy discussion followed among the Commissioners, with many questions being directed to the DNR. There was discussion on other sites that had been considered for the range, and why this particular property was chosen. There were questions regarding other ranges downstate, staffing of the range, proposed hours, and the sound testing. There was also discussion on whether this would fit with the Master Plan and how rezoning could affect surrounding properties. The letters of support and letters against the range were also discussed.
- A. Burbey moved, P. Lajewski-Pearson supported, to table a decision on RZ2018-02 until the noise study can be reviewed and**

they can review the letters both in support of and against the project to determine how many are from Township residents.
Ayes: 6 Nays: 0 Motion carried.

There will be a Special Meeting on May 1, at 6:30 PM, for a decision on the rezoning request.

7. Administrative Report:

- a. Violations Update – R. Yelle gave an update on current violations.
- b. Authority Update – R. Yelle gave an update.

8. Public Comment:

Dave Kallio urged the Commissioners to look at the land in Section 34, T46N- R25W as a potential site. The people in support of the project are not the problem. It will redirect responsible gun owners, but there will still be a problem with rogue shooters. Location is important.

Betsy Rochon agreed with Dave's comments. She is not against the range, but thinks it will invite problems instead of make them better.

George Lindquist said the range will be set up to prevent some of the current behavior. This area was chosen by the public from the original Public Hearing. It is currently not a controlled area, but it would be cleaned up and made a decent place to shoot that includes berms, guidance and safety.

Scott Bolster said he feels all concerns are valid. Every person shooting out there now is doing so illegally. If an area is built, we do not know how many people will or will not use the range. Assuming the problem will be worse is conjecture. A range will help mitigate the problem.

Nancy Machalk said to take a look at the surrounding properties. Is the shooting on private property illegal? The property owners must be the ones to complain. The range will be controlled, but the surrounding areas won't be managed or cleaned up and they will stay the way they are.

Chauncey Moran said Townships have power. Ordinances can be enforced so things are not dumped on properties. People should work together to clean up areas and take pride in the area. It is up to the general public to work together.

9. S. Brauer adjourned meeting at 8:24.

Ron Titter
Chairman

S. Brauer
Secretary

C. Kerkela
Recording Secretary

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Appendix A

6d. Public Hearing: RZ2018-03
B. Public Input:

Scott Bolster, 125 Oakridge, said he has been in the area where shooting is occurring. It is unsafe and people are shooting in all directions. A range would allow for a more regulated area and shooting can be controlled. He feels it will bring an added income to local businesses. He is completely in favor of the project and feels it would reflect well on the Township to provide a safer environment for shooting.

Nancy Machalk, 1040 County Road 480, is against the rezoning. She fears people shooting now will move to other property if the range goes in. It will not be safer. Much of the shooting is not during daylight times. The rogue shooting is on private property, and owners do not care. She wishes she had been contacted for the noise testing.

Scott Machalk, 1040 County Road 480, is against the rezoning. They are the home closest to the site. He is not against a public range but feels the rogue shooting will escalate if it is built. A well-designed range will help with noise, but if it is busy then a constant noise of 60 decibels could be a problem too. He is concerned the rogue shooting will get worse in surrounding areas.

Dave Hall, Ewing Township, knows there are pros and cons. He feels the range is something the area needs and if Sands Township turns it down, he hopes someone else gives their blessing. It would be an injustice to hunters and shooters to lose it.

Betsy Rochon, 1001 County Road 480, is opposed to the rezoning. She does not want to live by the range. The property is currently an illegal shooting and dump site, but there are no gates, no No Trespassing signs, and nothing being done to deter the shooting. She hopes firearms are removed as an exemption to the noise ordinance. There are currently 6 firing ranges and 3 archery ranges in the county, which you do not have to be a member of; why take revenue from them? She questioned the rules regarding number of rounds and timing between shots.

George Lindquist, Midway Drive, is a member of many clubs. People want to go to a nice range – have a gun rest, a cover, and known distances. This is a great opportunity for control, safety, and doing things right. He questioned why people would go somewhere else if there is a nice range available. It is paid for with sportsmen dollars and people will use it. It will not have late night shooting.

David Kallio, 952 S M553, said the County supports the concept of a shooting range, not necessarily the location. He is aware of zoning, which looks at land use and surrounding property. This could impact growth along 480. The Township Board sent

two letters hoping they would consider other sites, and UPAWS sent a letter with concerns. The concept of a public range makes sense but he does not think the location is good for the Township. No one is excited about being a neighbor to a shooting range.

Joelle Olsen, Miller Road, questioned the procedure for approving the rezoning because Dave Kallio is a Township Board member and she thought he opposed a site by the airport last week.

Scott Bolster asked the DNR if ranges downstate are similar to what we have here? Are there noise complaints? If UPAWS is taken into consideration, then shouldn't every pet within hearing range be considered? People are going to shoot at the site.

Chauncey Moran, County Resident, said he has experience building and working on many ranges. There have been conflicts, but they have interacted with the community. There are rules and regulations that must be followed. Repeated problems on surrounding properties have been resolved by fencing and signs to keep people out. There are tools that can be utilized. People may not want to commit to a club. College students need a place to shoot. He knows some people have moved to be near a range. Subdivisions downstate have been built near an existing range. The DNR follows the best practices of design.

Dave Kallio questioned the time frame of funding; Lori Burford said federal funding and trust fund monies are secured through 2020.

Roy Walsh is an avid hunter and shooter. He has never seen damage to a dog's ears from shooting. He would not want to be right next to a range, but 300 yards would be fine. The noise is greatly misunderstood.

Dave Kallio asked how much of the funding has been secured; Lori Burford said 100% of it has. Betsy Rochon asked how much the sound study cost, which was \$55,000.

Chauncey Moran said he hopes there is a collaboration so the plan doesn't end. There are unanswered questions and he hopes answers can be sought.