

Comins Township Planning Commission

Special Use Hearing – October 29th, 2020 Minutes

Call to order; 6:01pm

Roll Call: Arisa Handrich present [current hearing chair], Dan Swartzendruber [absent], John McConnell present, Jerry Kunnath present

Zoning Administrator, Rob Murphy present

Public in attendance: Henry J. Byler, Robert Gingerich, David Bontrager, David Noir, Owen Beachy, David Weaver, Cecilia Kunnath [to observe], two citizens un-named [to observe]

Chair [Arisa Handrich] requested of the Zoning Administrator [Rob Murphy] as to the content of the Special Use Permit request. Mr. Murphy outlined the request from Milton Brenneman [1314 Perry Creek Rd, Fairview, Michigan 48621] to split off one acre of his property [total acreage of 19 acres – parcel #003-021-008-01 zoned Forest Rec] to be set aside as a cemetery. Mr. Murphy advised that proper notice had been published for two weeks in the local newspaper, letters to [12] neighbors had been sent [no replies as of hearing] and copies of both plat map layout and the permit application were supplied to the commission. Mr. Murphy advised that the permit was asking for a Special Use Permit allowing one acre of Mr. Brenneman's property to be allocated to our local Amish community for use as a new cemetery. Mr. Murphy said that there was no negative feedback from contacted neighbors, that all looked good for the permit to be passed/allocated. Mr. Murphy validated the SUP request, saying that one [1] acre needs to be split from the whole, that a temporary permit is needed/supplied and that all other requirements have been met

The hearing was then opened up to public comment for those wishing to speak of the permit, 'for' first, then 'against' – there was no public comment offered.

Arisa Handrich then opened up the hearing to the regular Finding of Facts session:

1] Is the petitioner the one involved and owner of the property?

The petitioner [Milton Brenneman] is involved as the main property holder. Mr. Brenneman wasn't at the hearing, but was represented by Mr. Robert Gingerich, and other representatives of the Amish Community. The address and location of the SUP was authenticated

2] Is the request in the correct zone?

The request is in an area zoned Forest Rec

3]Is Oscoda County involved?

Oscoda County is involved in that the District Health Department has performed all soil and drainage tests [a 14ft deep hole was dug] and said passed tests – there are no close water wells involved

4]Is the State of Michigan involved?

The State of Michigan is not involved

5]Environmental impact?

Environmental impact: none evident [see # 3]

6]Is the use permit beneficial?

The use permit is deemed beneficial to the community as this cemetery will provide a needed benefit to the community as a whole

7]Are there limits on size and placement?

1 acre is more than enough for the cemetery [input from Amish representative present] and it will be located in a separately fenced in location away from Perry Creek Road, with a pleasing buffer strip of trees surrounding and a deeded private easement road

8]Sight view [see #7] – there wont be any neighbor views

9] screening/fencing/ buffer strip [see # 7]

10] Have traffic patterns been considered/ traffic is not a concern N.A.

11] Has noise been considered? N.A.

12]Should there be lighting for the premises? N.A.

13] Do start and stop times need to be considered? N.A.

14] Directional or advertising signs needed?

No – only an address out on the road

15] Future use/sale?

There will be a separate deed/tax number set up under the cemetery's name, including/stipulating the access road easement in the deed.

16] Stipulations: the only township stipulation is that there is the recorded one acre split

There was no panel discussion after the Finding of Facts were finished. Arisa Handrich asked for a motion to approve John McConnell entertained a motion to approve the Special Use Permit as presented, Jerry Kunnath seconded the motion to approve the SUP for 1314 Perry Creek Road.

A roll call vote was then requested by hearing chair Arisa Handrich John McConnell [yes], Jerry Kunnath [yes], Arisa Handrich [yes]

The motion passed – the Special Use Permit for 1314 Perry Creek Road was passed.

All participants in attendance were thanked for their input and effort.

The SUP hearing was closed at 6:30 pm October 29th, 2020

These minutes were prepared by Jerry Kunnath

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