

## **CITY OF MANISTEE PLANNING COMMISSION**

70 Maple Street  
Manistee, MI 49660

### **MEETING MINUTES**

September 4, 2014

A meeting of the Manistee City Planning Commission was held on Thursday, September 4, 2014 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

Roll Call:

Members Present: Maureen Barry, Bill Dean, Ray Fortier, Mark Wittlief, Roger Yoder

Members Absent: Marlene McBride (excused), Vacancy

Others: Eric Eggan (Honigman, Miller Schwarts & Cohn LLP – Seng Attorney), Ed Seng (200 River Street), Kimberly Willett (36 East Street), Bob Mattice (Manistee), Dennis Raz (56 Lake Street), Don Darling (64 Lake Street), Bonnie Danks (216 River Street), Robert Daniels (59 Smith Street), Dave Johnson (249 River Street), Michael Wood (20 Hancock Street), Don Steinberg (45 Smith Street), Ron Showalter (34 Lake Street), Mitch Deisch (City Manager), Denise Blakeslee (Planning & Zoning Administrator) and others

### **APPROVAL OF AGENDA**

Motion by Ray Fortier, seconded by Maureen Barry that the agenda be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Barry, Dean, Fortier, Wittlief, Yoder

No: None

### **APPROVAL OF MINUTES**

Motion by Ray Fortier, seconded by Bill Dean that the minutes of the August 7, 2014 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Dean, Fortier, Barry, Wittlief, Yoder  
No: None

## **PUBLIC HEARING**

None

## **PUBLIC COMMENT ON AGENDA RELATED ITEMS**

None

## **NEW BUSINESS**

### **PC-2014-07 - Catrina and Aaron (Judd) Brown, 435 Fifth Street – Accessory Structure Architectural Compatibility**

Larry Kessler, Kessler Construction is making a request in behalf of Catrina and Aaron Brown to construct a new detached garage (accessory structure that would be approximately 28 feet in height).

Denise Blakeslee explained that under Section 515.D of the Zoning Ordinance a higher structure to achieve architectural compatibility with the principal building can be granted by the Planning Commission. The Ordinance limits accessory buildings to 18 feet in height.

Larry Kessler, Kessler Construction spoke to the Commission about the request. The home was constructed in 1904 and they found a design for the carriage house on the internet that was compatible with the home. They currently have worked on renovating the front porch and small addition that was added previously on the rear of the home. The carriage house ties into the design of the historic home. The owner is trying to purchase all materials used for their renovation from businesses in the City, this is a community friendly job.

Commissioner Dean spoke about his inspection of the property and how it is a very large house situated on a huge lot and will be happy to see the addition of the carriage house.

Commissioner Wittlief noted that it is a beautiful project.

MOTION by Bill Dean, seconded by Mark Wittlief that the Planning Commission approve the request from Larry Kessler on behalf of Catrina and Aaron Brown to allow the construction of an accessory structure to approximately 28 feet in height to achieve architectural compatibility with the principal buildings as allowed under section 515.D of the Zoning Ordinance.

With a Roll Call vote this motion passed 5 to 0.

Yes: Wittlief, Dean, Fortier, Barry, Yoder  
No: None

## **OLD BUSINESS**

### **Zoning Review P-D Peninsula District – Public Input**

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed. The Commission began their review at the August 7, 2014 Planning Commission Meeting. Invitations were sent on August 14, 2014 to all property owners and occupants that live in the Peninsula District.

Chair Yoder asked for comments from the public in attendance.

**Eric Eggan, Attorney (Ed Seng)** – spoke to the commission about the petition that previously was submitted in support of Amending the Ordinance to allow shipping. He asked the commission to approve the amendment to utilize the property as a shipping facility. The petition of residents located in the district shows support of the amendment. A vote in support would allow Mr. Seng to move forward with jobs and the use of the property as a shipping facility.

**Ed Seng, 200 River Street** - spoke of the opportunities to create 3-4 jobs for his facility, with a total of 58 jobs with the barge and pulpwood Company. He is talking about 5 – 6 trucks a day. He is talking with two others company including energy pellets that would be unloaded at Tondu. It is time to go to work, there are four parcels with waterfront, the Iron Works and Consumers property cannot ship because of the channel and the other property is owned by his brother that has a marina, the amendment would be for his property.

**Eric Eggan, Attorney** – Spoke of Reith Riley objections, this is one of a two-step process and asked for approval of the amendment. There are other issues including the Development Agreement and Memorandum of Understanding which is not before the Planning Commission that is a Council issue. The Amendment is needed for Mr. Seng to move forward. The community is blessed with water, the commission is asked to allow Mr. Seng to utilize this are that has been used since the logging era.

**Kimberly Willett, 36 East Street** – Ms. Willett has nothing against Mr. Seng, her property was previously her grandmothers. Before Seng's developed the property there was a view of the waterway, this is an opportunity to get it back. The neighborhood is quiet without the truck traffic. Will the logging hurt PCA? What about the dirt, filth and noise? She is concerned about

the people in this area, she moved when she had her kids because of concerns she had with the trucks. River Street was constructed to handle the truck traffic. What about Lake and East Streets? The roads are 14" narrower than they previously were, what about winter time? She is worried about her clients. She spoke of the development at Fifth Avenue and does not feel that enough time has been given for the development of the peninsula. There are enough factories on Manistee Lake.

**Bob Mattice, Manistee** – spoke of the development of the area and the cost to take down the buildings and warehouses. He estimated 5 million dollars with an additional 2 million in demolition costs. This is an industrial area with incidental homes. He lived in the area for five years and spoke of the train, train whistle and switch yard. The proper use of the property is industrial. It is not practical for high end development with demolition costs. Look at the industrial park that could be groomed for additional development. Where would you rather live at the Industrial Park or the Peninsula? He spoke of when he was on the Planning Commission and about meeting procedures and scheduling. They ran their own meeting and never had any City officials present. They worked for the people not the City.

**Dennis Raz, 56 Lake Street** – Mr. Raz has lived at his house for 20 years. The train comes at least five times a day (6am, 8am, noon, 2pm & 5pm) and spoke of the noise from the whistle. He has overlooked a junkyard (train yard) and there was an old engine sitting there for five years. The train runs over River and Lake Streets and he doesn't think anyone will ever develop there.

**Don Darling, 64 Lake Street** – in 1970 Excello was operating, Seng's had a gravel factory and there was plenty of noise. He feels the Peninsula District is ideally suited for what Mr. Seng wants to do. He also commented about the train.

**Bonnie Danks, 216 River Street** – has lived in the district for 40 years and has seen lots of changes. She thinks it would be wonderful for Mr. Seng to do what he wants to do.

**Robert Daniels, 59 Smith Street** – His family has owned homes in the district since 1884. He has invested in updating his grandfather's home which was built in 1908. His property was previously zoned residential and was changed to commercial/residential. Does not want to see any changes and would like to see his property changed back to residential.

**Dave Johnson, 249 River Street** – his family has owned property for many years in the district. He has seen changes from Industrial to now. Zoning is supposed to protect the rights of the owners, it appears as if it is taking away their rights. He is in support of Mr. Seng's request and the jobs it would create while enabling a better use of the property. The Fifth Avenue project is beautiful but is vacant which made it easier to develop.

**Michael Wood, 20 Hancock Street** – owns property that he uses for his personal use. He is all in support for creating jobs in Manistee and supports Mr. Seng. He spoke of how the ground

shakes when the trains are utilizing the switchyard and the impact that could have on the development of new buildings.

**Don Steinberg, 45 Smith Street** – He has an old home that he is in the process of renovating. He applauds Mr. Seng, but asks the Commission before making any decisions to take a look at the area and his home. It was previously residential and he would like it to be zoned residential again.

**Ron Showalter, 34 Lake Street** – Is against double tandem trailers, the annoying noise. People don't realize the terrible situation they are getting into. He is against Mr. Seng's request.

## **PUBLIC COMMENTS AND COMMUNICATIONS**

None

## **CORRESPONDENCE**

Commissioners received copies of Correspondence prior to the meeting which included:

Manistee Public Employees Credit Union (attached)  
Kimberly Willett, 36 East Street (attached)  
Ellen Marshall (attached)  
Michael Willett, 36 East Street (attached)  
Gary Patulski, 159 Quincy Street (attached)

## **STAFF/SUB-COMMITTEE REPORTS**

**Denise Blakeslee, Planning & Zoning Administrator** – Dave Crockett has moved outside the City, Commissioners received a copy of his formal letter of resignation. Dave has served on the Planning Commission since 2006 and his dedication to the City will be missed. A letter was received from the Michigan Association of Planning that recognizes Chair Yoder for his 30 year membership with the organization.

Members were reminded that there are two training opportunities "Streamlining the Zoning Ordinance Workshop" September 29, 2014 and "Accumulated Junk" October 15, 2014.

## **MEMBERS DISCUSSION**

**Commissioner Dean** – the Commission needs to look at the pros and cons, it is apparent that an extensive look at the PD needs to continue at the next Planning Commission Worksession.

**Commissioner Fortier** – the only thing the Commission should be concerned about is the Zoning Ordinance. He has served the Commission proudly and does not like the position the Commission has been put in. Reith Riley is a third party and there is a legal agreement.

**Commissioner Wittlieff** – agrees with Commissioner Dean the Commission needs to look at the zoning on the Peninsula. He is for creating jobs and spoke of the schools losing enrollment. Let's start with jobs and get the ball rolling.

The Planning Commission will hold a Worksession on September 18, 2014

The next regular meeting of the Planning Commission will be held on Thursday, October 2, 2014

### **ADJOURNMENT**

Motion by Ray Fortier, seconded by Mark Wittlieff that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:50 pm

MANISTEE PLANNING COMMISSION

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Denise J. Blakeslee, Recording Secretary

MANISTEE PUBLIC EMPLOYEES  
CREDIT UNION



237 RIVER STREET  
MANISTEE, MI 49660  
1-231-723-2517  
1-231-723-2518 (Fax)

August 19, 2014

Ms. Denise Blakeslee  
Planning and Zoning  
City of Manistee  
70 Maple Street  
Manistee, Michigan 49660

Dear Ms. Blakeslee,

The following motion was approved by the Board of Directors of the Manistee Public Employees Credit Union on July 24, 2014 and is recorded in the minutes of that meeting.

The Board of Directors of the Manistee Public Employees Credit Union is not in favor of a log transportation operation on the east end of River Street, Manistee, Michigan, due to the negative impact it may have on the credit union's property value and the possible damage it may cause to the recently upgraded infrastructure.

Sincerely,

A handwritten signature in cursive script that reads "Karen K. Daly".

Karen K. Daly  
Manager

Untitled



To who it may concern

I am sharing my concerns about the "Ed Seng's Project", I have owned my house on the corner of East and Lake street for 25 years, It was my Grandmothers home and she purchased it in 1979. At that time there where fields of beautiful apple and cherry trees and a nice view of manistee lake.

In the late 80's the trucking bussiness began in the area, the veiw and beauty of the area taken away from the local homeowers of this penninsula by massive metal building. Along with this came, dust and dirt on the homes, cars ,in the homes, loud noises all hours of the day and night, and unsafe streets for children with all traffic from the big trucks.

I have concerns for the safety of my clients, the road is now 14 inches narrower than before. Is that going to leave enough room for cars to be parked on both sides of the street and a semi and car to pass each other?

What is the nosie orndiance for the area, and who/how will it be enforced?

Is the asplat thick enough for the weight of the semi's to be traveling over them daily?

What is the advantage for the residents in the area? How is this going to impact our property value? I believe all of these things will have a very negitive effect on the area.

Give the penninsula project a chance, after all Harbor Village was once somebody's vision as well.

repsectifully,  
Kimberly Willett, Owner

Page 1

Ed - Big Idea  
to sell Landscaping products  
to LOCALS - Now it is  
OVER grown + weeds  
By the way - Where is the  
"Weed Volitions"



another one of Seng's Big Ideas  
-Not finished -  
-Run down -  
-Eye sore to the Area -



Can this Beautiful Bricking  
with hold the Semi-truck



Other Seng family members  
Big Idea Left as an Eye  
Sore to Manistee township  
After making the township  
change companions to  
accommodate her family business  
It is left unkept & needed



**Denise Blakeslee**

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**From:** Ellen Marshall <eflarity@yahoo.com>  
**Sent:** Thursday, August 28, 2014 12:54 PM  
**To:** Denise Blakeslee  
**Subject:** scheduled meeting of 9-4-14

I wanted to thank you for your help with explaining the proposed zoning of Peninsula District. I am back in Aspen and will not be able to attend the meeting. My brother will attend, however. I know that the commission has my previous letter stating my concerns regarding this zoning change but just wondered if that will suffice. I don't want to be a pest about this and as my concerns have not changed. I still feel this is a drastic zoning change and not in the best interest of that district or Manistee. Have a relaxed Labor Day weekend and again thank you for your professionalism..

Ellen Marshall  
[eflarity@yahoo.com](mailto:eflarity@yahoo.com)

9/2/14

To Whom it may concern

DEAR SIRs

I am a long time resident, property owner and small business owner and I am very concerned about the business Mr Ed Seng wants to start in the East St area.

I can see no benefit to the property owners and residents to have semi-trucks rolling through the area. Also I see no benefit to the streets which I understand from talking to JEFF MIKULA are not built to withstand semi-traffic on a continual basis. City streets seem to be a very important issue at this time and I for one would not like to see the newer streets that we have in this area ruined by this heavy truck traffic.

There seems to be some mis-information about the city streets in this area, and maybe could be cleared up at this meeting. Are the streets built to spec to withstand semi traffic on a daily basis?

Please let me know the answer to this question.

For the record I like Ed Seng he's a good guy, but I believe we should

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give the Peninsula project a chance. It has only been a few years and the economy is just now getting on its feet. Remember Harbor Village was once someone's vision as well and took many, many years to become a reality.

So in conclusion I am NOT in favor of changing zoning and allowing the trucking business to start. I apologise for not being here in person, thank-you for your time and consideration.

MIKE WILFEN

AM 7 17

**From:** Gary Patulski  
**To:** Denise Blakeslee  
**Subject:** For Sept 4 Commission Meeting  
**Date:** Wednesday, September 03, 2014 4:47:13 PM

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September 2, 2014

Dear Planning and Zoning Commission:

I am deeply concerned with the East End Peninsula Zoning Situation. I am concerned that unless action is taken now, ten years from now, the Peninsula will remain undeveloped and be just another Manistee City failure. I am concerned that unless action is taken now another missed opportunity to bring a self-supporting business to Manistee will occur. I am concerned that unless action is taken now the City of Manistee will once again be known for turning away jobs.

Now is the time to let Mr. Seng open his deep water port. Now is the time to let an actual self-supporting business open in Manistee. Now is the time to bring jobs to Manistee. Now is the time to allow the port which other businesses could leverage.

I suggest that Zoning Board:

- Review all the letters of support which were previously submitted by residents and businesses early this year
- Review the recent survey in which residents put jobs as the number one priority in Manistee
- Drive Manistee and look at all the unfinished condos and those currently for sale.

In closing, I request that the Commission approve Mr. Seng's deep water port operation which will clearly represent some true progress in Manistee. Sincerely,

Gary L. Patulski

159 Quincy St

Manistee, MI