

**Caseville Township Planning Commission
December 5, 2023**

Meeting called to order at 1:30 p.m. by Chairperson Bob Whitefoot.

Present: Bob Whitefoot, Chairman
Gail Atkins, Vice Chairperson
Jerry Platko, Secretary
Kathy Wroblewski
Charles Morden
Ron George
Doug Grates
Michelle Stirrett, Recording Secretary

Public Hearing was opened at 1:32 p.m.

Purpose of Hearing: To consider a Special Land Use Application from Kyle and Eric Ignash, 4895 N Caseville Road, Caseville, Michigan, to allow a dumpster rental business (Section 154.081 Uses Permitted: Equipment Rental and Leasing (B) (!0). The property under consideration is parcel number 3204-003-013-50, also known as 4895 N. Caseville Road.

Kyle Ignash explained that the business rents out dumpsters for a two-week period to collect building supplies, etc. The smaller dumpster is then dumped into a larger dumpster and when full, they call Emterra for pick up. He presented a copy of the contracts, and they allow for the recycling of materials which lowers carbon emissions when dumpsters are used. They provide safe storage for builders and homeowners when building or remodeling.

Whitefoot: Questioned dumpster size. Ignash stated they were 30-yard dumpsters.

Ignash: Presented EGLE permits and stated that they met on site with the Road Commission and Drain Commission and don't have any issues regarding the site or the process. The Drain Commission has contacted the Township Supervisor stating their determination. He presented pictures of the site depicting the dumpster site showing the ramp and berm locations.

Platko: Only take construction materials? Yes.

George: Not limited to only construction materials. Yes.

Ignash: Presented letter from people within 300 feet if the property and Township residents in favor of the project.

Wroblewski: Can dumpsters be used by people cleaning out junk? Yes, can be used for household cleanup or builders.

Frank Keating (representing Eric Ignash): Stated they were seeking a special use for the rental business. The dumpster rental business was found to be a compatible and acceptable land use, but needs special approval. A special use permit can be issued with conditions. The request meets the 5 standards for approval:(1) It is compatible with adjacent uses in the commercial district - neighboring uses include semi-truck business, boat rental and mini storage. It is compatible and has public support. (2) It meets Master Plan compatibility in that it requires no changes in zoning, and is a commercial business in a commercial district, (3) There

is no threat or impact on public safety or welfare. The contract prohibits hazardous materials and inspections are performed before and after pickup. Best practices are in place to ensure nothing is incorrect. They notify Emterra if there is a problem. There are no issues with traffic, vibrations, smoke, fumes odor or dust. Noise could be an issue when removing the dumpsters, but there is already a semi business on the property so the noise level would be the same. They will not be unloading 24/7 only during business hours. Runoff concerns have been addressed with the berm, (4) No impact on public services, and (5) No adverse impact on the environment in the they are proactively removing items that would otherwise enter the landfill. Happy to have 2 young men working and would like to help them succeed. Would ask that the request be granted with conditions, but also consider the conditions as they have limited resources due to the newness of the business.

John Tait: Nice to have a place to take materials for disposal rather than driving to Bad Axe. They accepted furniture from him to dispose of.

Platko: Are drop offs going to be allowed in the future? No,

Grates: Will there be night access? Jerald Ignash: He will be installing cameras to prevent night access and the drives will be blocked.

George: What about odor? Trash was collected during Cheeseburger which contained foodstuffs.

Kyle Ignash: No problems as collections won't sit for longer than 2 days. Charlotte Ignash stated they have contacted the neighbors and they did not notice any smell.

Grates: Will bagged refuse be allowed? Yes, but only during Cheeseburger.

George: Will homes in the area understand how this may impact them?

Morden: Up to realtors to inform them.

Grates: Likes the contract restrictions regarding hazardous waste. Kyle Ignash stated the dumpsters have stickers reminding them of restrictions.

Whitefoot: Questioned hours of operation, open to public, security, maintenance plan and volume. Ignash stated they will not dump at night, property is not open to the public, there is daily maintenance, and volume depends on the week. Whitefoot further questioned if construction debris was the most common use, insurance requirements for property and trucks, MDOT requirements, MIOSHA concerns and record keeping; Ignash stated they have insurance and their loads are under any MDOT requirements, they are not aware of any MIOSHA concerns and records are kept in Charlotte's office.

No further comments, the hearing was closed at 2:00 p.m.

The regular meeting was opened with the same members present at 2:01 p.m.

Motion by Morden second by Atkins to approve the November 7, 2023 minutes. **Motion carried.**

Board Liaison Report: Platko reported that the Board appointed Jim Klein to the Board of Review and Roxanne McLean to the Capital Improvement Committee, approved the 2024 holiday and Board meeting dates, the 2024 insurance rates and the Point of Sand Point Special Assessment District.

DELIBERATION AND DETERMINATION – IGNASH SPECIAL USE APPLICATION

Platko: If the property is kept as clean as it is today has no problems. Cameras are a good idea. Doesn't mind if they collect trash from Cheeseburger.

Morden: Best presentation he has experienced to date.

Wroblewski: No problem with proposal.

Atkins: Impressed with presentation.

Grates: If they go by the contract it takes care of his concerns. Impressed with presentation.

George: This is more than a rental business: it is a rental business, transfer station and recycling business. The application says rental but there are 3 uses.

Ignash: It is an all in one business.

Whitefoot: His concern is recycling. The rental business is an approved use, but recycling is not mentioned in the commercial district, but is allowed in the Industrial uses. Need to figure out the on-site sorting through the dumpsters.

Charlotte Ignash: What's the difference if you are recycling at home or a business that accepts returnables?

George: A home is not a business.

Keating: Doesn't know if Planning Commission agrees with recycling issues.

Charlotte Ignash: Questioned the ordinance number he was citing in the Industrial District.

Keating: Not citing a specific ordinance - this is not 3M or Dow. They just want to take the scrap so it does not go into the landfill.

Grates: What are the options?

Whitefoot: Approve the rental business- that is all they applied for.

Charlotte Ignash: Recycling is allowed in the Industrial District? They are not a junkyard or scrapyards.

George: Proposed as a rental business but is actually rental, waste transfer and recycling.

Keating: The application is very transparent. They are not a large company like 3M or Dow.

Charlotte Ignash: Is separate approval required for all uses?

Whitefoot: Yes, like selling lottery tickets, liquor and gas. An option would be to impose a time limit of one year.

George: Reminded the members of the list of regulations for special use. A fence will be installed along the ditch, should be portable so can be moved when County improves the ditch. Recommends 1 year approval, to be reviewed after 1 year, then extend the approval for 5 years.

Keating: Any use is probationary. If the conditions are violated, the Commission can revoke the use. The Commission grants permission and polices the use. One year is too short of a period for a new business. The Board may change in one or five years and have different ideas. Help them be successful.

Charlotte Ignash: After 1 year would it be a review or renewal? One year is too short.

Kyle Ignash: A growing business can't get anything done in 1 year. If they shut it down, he will lose money on his investment.

Jerald Ignash: He owns the property and will make sure it is taken care of.

George: The special use stays with the property forever unless it is periodically reviewed. We have another example of a special use that is causing concerns.

Keating: If the conditions of a special use are violated, the use can be revoked by the Commission. A review process does not have to be built into the approval.

Motion by Platko second by Morden to grant the special use request for Kyle and Eric Ignash to allow a dumpster rental business at 4895 N. Caseville Rd., subject to the conditions of approval as stated in the Caseville Township Ordinance Section 154.024, with a 50 yard maximum limit, as long as the property remains under the same ownership. Aye: Platko, Grates, Atkins, Morden, Wroblewski, George. Nay: Whitefoot. **Motion carried.**

Campground Update

Al Ward stated he has submitted a drawing as required and has had Terry Kelly and Bob Whitefoot do a property inspection.

Whitefoot: Has the fence been improved since his visit?

Ward: The fence is not complete but can be done within 3 days. Some areas will be left open to clean the area.

Whitefoot: The fencing needs to be safe and solid so campers know the boundaries. Any plans to address the leaves and tinder around the fire pits? The Township is ok with the buffer zone, but the fence needs to meet fencing requirements.

Ward: Campground is closed and the leaves and tinder will be addressed in spring cleanup.

Platko: Is there 10 acres?

Whitefoot: The commission knew there was only 9.82 acres when approved in 1999. Variances were granted for the road and buffer zone. He can't be given approval until all the conditions are met.

Ward: He will let Terry Kelly know when the required work is complete. He requested a letter from the Township stating they grant approval. After an inspection, the letter will be signed by Terry Kelly and Bob Whitefoot

Short Term Rentals: Tabled for the January meeting.

Master Plan

Members will review documents from Wade Trim for discussion in January. Members were under the impression that the proposal was for the project and not on an hourly basis. The plan needs to be finalized and an ordinance audit performed.

Public Comments:

Jerald Ignash: Respects the members' opinions. Let him know if there are any problems on the rental site.

Board Comments:

Platko: Wished everyone happy holidays.

Meeting adjourned at 3:16 p.m.

Michelle Stirrett
Recording Secretary

