

**ST. JAMES TOWNSHIP**  
**Planning Commission**  
37735 Michigan Ave.  
Beaver Island, Michigan 49782  
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Telephone 231.448.2701

## ST. JAMES PLANNING COMMISSION

Date: Tuesday, May 4, 2021 - 6:00 PM

Where: St. James Township Hall

Call in Number: 866-866-2244

Conference Code: 8394169#

### **Regular Meeting Agenda**

- I. Call to Order, establish a quorum
- II. Review, modify if necessary, or approve agenda (attachment)
- III. Approval of Minutes of:
  - a. April 6, 2021 - Regular Meeting (attachment)
- IV. New Business
  - a. Beaver Island Historical Society – Signs (attachment)
  - b. Review of Planning Commission Responsibilities (attachment)
  - c. Special Use Permit Review
    - a. Please look at your Zoning Ordinance book and refer to Harbor District section 6.13(b)(w) Special Use Permits, and Section IX Special Use Permits.
- V. Old Business
- VI. Correspondence – Taylor-Blitz
- VII. Public Comment
- VIII. Adjournment - Next scheduled regular meeting: June 8, 2021, 6:00 PM.

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ST JAMES TWP PLANNING COMMISSION

APRIL 6, 2021 @ 6 PM

WHERE: ST. JAMES TOWNSHIP HALL

37735 Michigan Avenue

Beaver Island, MI 49782

## AGENDA

I. Call to Order at 6:01 PM, quorum established

Roll Call:

Commissioners Present: Bob Tidmore, Marcy Dean, Lori Taylor-Blitz, Nathan Altam, Paul Cole, Beth Croswite,

Public: Kevin McDonough, Vicky Smith, Ed Wojan, Rick Speck

Phone: Dan Byers

Meeting called to order at 6:00 PM, Quorum established

II. Review, modify if necessary, or approve agenda (attachment)

Rick Speck asked items V. b&c to be combined. The request was accepted by the Planning Commission

III. Approval of Minutes of:

I. March 02, 2021 - Regular Meeting (attachment)

Motion to accept 3/2/21 minutes. Tidmore 1<sup>st</sup>, Cole 2<sup>nd</sup>, 6 votes yes, motion passed.

IV. New Business

I. S-1866 Gillespie sign permit application

Motion to Approve: Tidmore 1<sup>st</sup>, Taylor-Blitz 2<sup>nd</sup>

All – 6 votes yes, motion passed.

II. French S-1865 Zoning permit application

III. French S-1865 Development Plan Review

b&c COMBINED

The Wanty / French application for demolition was discussed. Kevin McDonough stated he did not have a final plan to submit, and the request before the commission was only for demo. The final set of prints will

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be submitted later to the Planning Commission. The existing foundation will be removed but the future construction will only occupy the original footprint.  
Motion to Approve Demolition: Tidmore 1<sup>st</sup>, Altman 2<sup>nd</sup>  
All – 6 Yes votes, Motion Approved

## v. Old Business

### i. Sub-Committee Updates: Byers

#### i. Food Truck

a. Tidmore stated under the current St. James Township zoning ordinances food trucks are not permitted. If a change were to happen the Planning Commission will need to make a recommendation for Section 9 to be revised to move forward and submit to the township board to consider updating the ordinance to allow for special uses. Taylor-Blitz asked if the brick-and-mortar owners could be polled to find out what would be a fair and equitable solution for the island community. Byers agreed to reach out to the restaurant owners and asked for a volunteer to help. Croswhite agreed to help with the poll. Public Comment: Food trucks are controversial and complex and tend to penalize brick & mortar who are paying taxes and expenses, but recognized at times the island does not have dining options late a night. Byers will share findings at next meeting.

Altman raised the questions of How to get business investment and what are our options? Tidmore restated the commission purpose is to recommend options to township board and for the food truck committee to proceed.

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## ii. Marijuana

- a. Croswhite: the committee has met a couple of times. She recommended a public statement to educate the public about marijuana use before the summer season begins and post in public places for visitors to observe and respect.

Public comment: we need to be progressive or be left behind.

Byers: suggested a few choices:

- a. Indoor Growing
- b. Outdoor Growing
- c. Dispensary
- d. Micro operations/refining operations

Biggest economic impact is if we have growing operations, the problem is 3 phase power is limited in St. James and only runs down Kings Highway. Otherwise, the infrastructure needs development. Indoor operations have quarterly growing seasons the highest excise tax. If an outdoor operation the plants must not be visible to the public and noted a 400 ft setback ordinance in the Upper Peninsula and has only one growing season. Also noted St. James only has one agri property.

Byers recommend the township write an ordinance for two microbusiness only. Transportation for commerce is restricted and a licensed company would boat over and be responsible for logistics.

Public Comment: Good to acknowledge all attitudes and being a progressive community will be beneficial for all.

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- iii. Economic Development
  - a. Cole reported the committee met and are reviewing progress on the current master plan and will make a recommendation to the Planning Commission for discussion at a later meeting.
- iv. Correspondence – Taylor-Blitz
  - a. None received

## vi. Public Comment

Taylor-Blitz asked about bylaws for the commissioners. Cole offered to research. Speck suggested the records were lost with the passing of a former commissioner. Croswhite asked why the meetings changed to 6 and ask to have the meetings reverted back to 7. The group concluded 6 PM worked for the greater majority. Wojan thanked the commission for allowing public comment during the meeting while the topics were being discussed.

- vii. Adjournment – 7:10 PM. Next scheduled regular meeting: May 4, 2021, 6:00 PM

|                                           |                                                         |
|-------------------------------------------|---------------------------------------------------------|
| <b><u>APPLICATION FOR SIGN PERMIT</u></b> | Case No. : <u>5-1869</u>                                |
| <u>ST JAMES</u> Township                  | Date Received: <u>4/28/21</u>                           |
| Charlevoix County                         | Permit Issued: <u>1/1</u>                               |
| <u>30' SIGNS</u>                          | Action Deferred to:                                     |
| Fee: <u>\$25.00</u> (Check No. _____)     | <input checked="" type="checkbox"/> Planning Commission |
| (Do not write in this box.)               | <input type="checkbox"/> Zoning Board of Appeals        |
|                                           | Reason Denied: _____                                    |

(Please print clearly or type all information)

I. Identification – Complete the following:

- A. Applicant Name BEAVER ISLAND HISTORICAL SOCIETY  
 Address 26275 MAIN ST. PO BOX 263, BEAVER ISLAND  
 Phone 448-2254
- B. Property owner, (if not applicant) SEE PERMISSION STATEMENTS  
 Address \_\_\_\_\_  
 Phone \_\_\_\_\_
- C. Property location SEE ATTACHED MAP

II General Information:

- A. Sign location SEE ATTACHED MAP
- B. Sign classification CLASS 6
- C. Dimensions and area of sign 18" x 24"
- D. Dimensions and area of wall, (if applicable) \_\_\_\_\_

I hereby depose and say, under the penalties of perjury, that all of the statements and information contained herein are true. If any statements or information are found at a later date to be false, this permit shall become null and void.

\_\_\_\_\_  
 Signature of Property Owner

Robert A. Welke, Treasurer  
 Signature of Applicant or Duly  
 Authorized Agent

## HISTORICAL DRIVING TOUR - THE NAPONT HOUSE

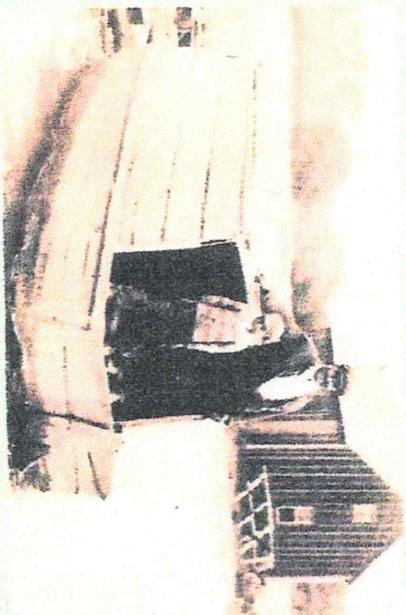
This house has been in this location since 1940, but, before then, it was on a different island! Until 2019, it was the home of Melvin and Alvina (Cornstalk) Napont. The story of this house is a big part of Native American history of the Beaver Island Archipelago.

The Napont family is from High Island, which is four miles west of Beaver Island. Beginning in the mid-1800s, many Native Americans lived on High Island and made their living by fishing and farming. The High Island community became large enough to support a school, a post office, and a Catholic Church.

This house was built on High Island by Melvin Napont's ancestors. His grandparents, Hattie and George Nanigaw, were the first ones to live in the house. Pictured here is George with their son, Henry, in front of the house on High Island circa 1930.

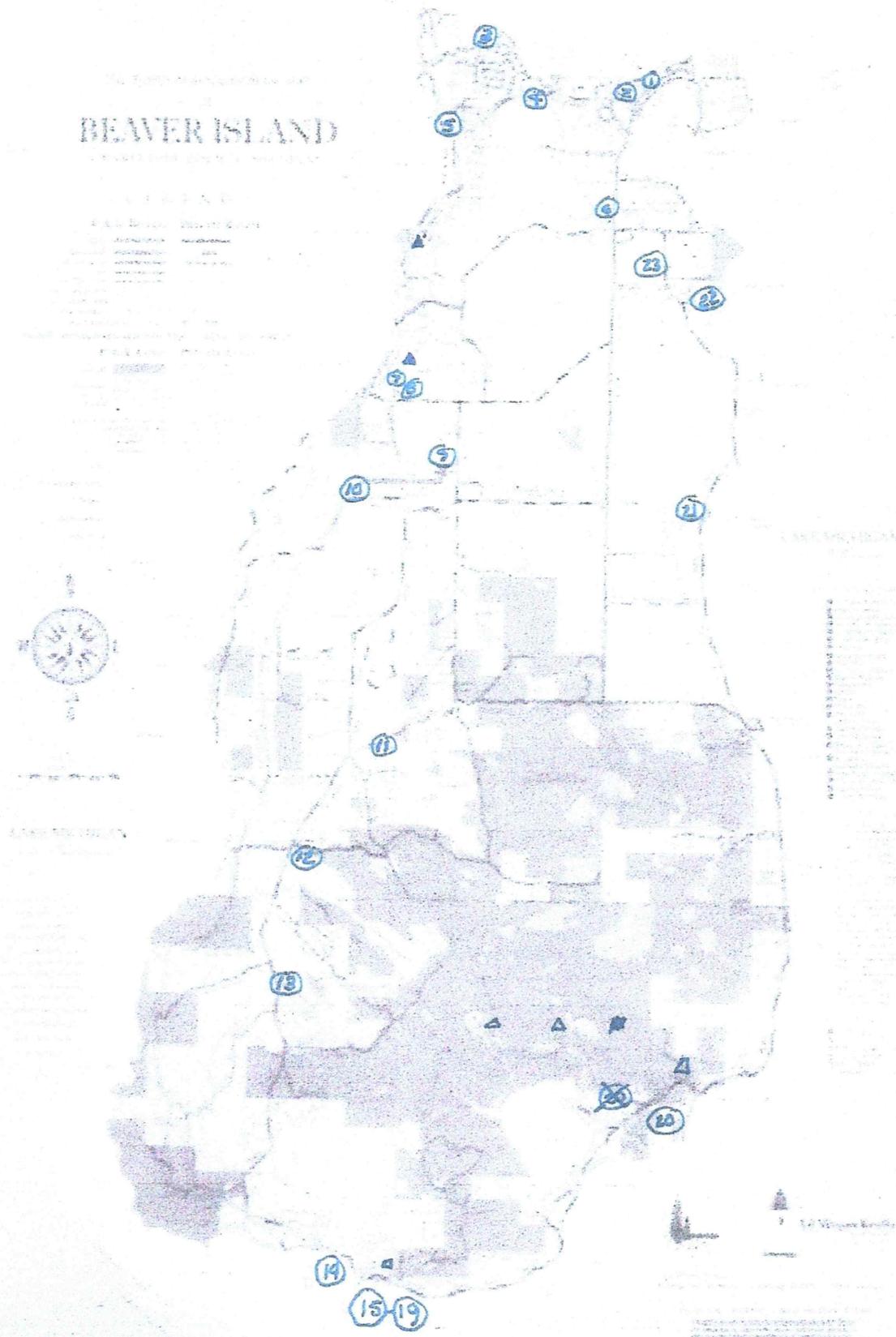
On November 11, 1940, the Armistice Day Storm blew through the northern Great Lakes. Wind gusts of 126 mph drove 40-foot waves across Lake Michigan. High Island fishing boats and docks were destroyed during the storm. The Native Americans moved off High Island and many settled on Beaver Island.

Melvin's father, Bernard Napont, took the house apart, separating the wall and roof sections, and brought it to Beaver Island in his boat where it was rebuilt at this location. As of 2021, Hattie and George's descendants still own the house.



# TRAIL SIGNS AND HISTORICAL DRIVING TOUR SIGNS

- ① NAPONT HOUSE
- ② HERITAGE PARK
- ③ BARAGA'S LANDING AND CROSS
- ④ PORT ST. JAMES ASSOC.
- ④ FONT LAKE
- ⑥ CHIEF PEARNE
- ⑦ PROTAR'S TOMB
- ⑧ RAILROAD ENGINEER CROSS
- ⑩ ANGELINE'S BLUFF
- ⑨ TOWNSHIP'S AIRPORT
- ⑪ BEAVER ISLAND GEOLOGY AND THE BIG ROCK
- ⑫ GREENE'S LAKE AND GREEN'S BAY
- ⑬ MILLERS MARSH/LUMBERING ON THE ISLAND



- ⑭ IRON ORE BAY/ARCHIPELAG SHIPWRECK
- ⑮ BEAVER HEAD LIGHT HOUSE
- ⑯ BEAVER HEAD LIGHTHOUSE TOWER
- ⑰ BEAVER HEAD LIGHTHOUSE KEEPERS' DWELLING
- ⑱ BEAVER HEAD FOR SIGNAL
- ⑲ BEAVER HEAD LIGHTHOUSE SCHOOL
- ⑳ LAKE GENESBARTO TO LAKE MICHIGAN
- ㉑ CENTRAL MICHIGAN UNIVERSITY
- ㉒ PETER DONEY HOUSE/LITTLE SAN BAY
- ㉓ WELKE AIRPORT

▲ TRAIL SIGNS @ CAMM BUFFALO/BLUE TRAIL (4)  
 ▲ TRAIL SIGNS @ KUEBLER TRAIL HEADS (2)

## Responsibilities of Township Planning and Zoning Bodies

### Township Board

- Establishes and confirms supervisor's appointments to planning commission (MCL 125.3815(1))
- Appoints zoning board of appeals (ZBA) (MCL 125.3601)
- Recommends for distribution and/or adopts master plan (after adoption of a resolution) (MCLs 125.3841(1) and 125.3843(3))
- Adopts and amends zoning ordinance (MCLs 125.3201)
- May review and approve special land use permits, if designated by zoning ordinance (MCL 125.3502)
- May review and approve planned unit developments, if designated by zoning ordinance (MCL 125.3503)
- May review and approve site plans, if designated by zoning ordinance (MCL 125.3501)
- Adopts and amends purchase of development rights ordinance (MCL 125.3507)
- Approves subdivision plats (MCL 560.101, *et seq*)
- Adopts and amends subdivision ordinance (MCL 560.101, *et seq*)
- Adopts and amends land division ordinance (MCL 560.101, *et seq*)

### Planning Commission

- Develops, adopts (if not adopted by the township board) and implements master plan (MCL 125.3843(2)(3))
- Submits proposed master plan or amendments to county planning commission, if any, or regional planning commission, if any, for review and approval (MCL 125.3841(2))
- Reviews and approves public works (MCLs 125.3861 and 125.3863)
- May assist township board in developing capital improvement plans (MCL 125.3865)
- Makes recommendations to township board on zoning ordinance adoption and amendments, and rezonings (MCL 125.3305)
- May review and approve special land use permits, if designated by zoning ordinance (MCL 125.3502)
- May review and approve planned unit developments, if designated by zoning ordinance (MCL 125.3503)
- May review and approve site plans, if designated by zoning ordinance (MCLs 125.3501)
- Makes recommendations on planning and zoning policies, including subdivision and land division ordinances (MCLs 125.3871(1))
- Makes recommendations to township board on subdivision plats (MCL 125.3871(4))
- Provides information on zoning regulations (MCL 125.3825)
- Consults with the county planning commission, incorporated municipalities within the township and the regional planning commission, if any (MCLs 125.3831(2))
- Promotes public information and understanding of the master plan, and publicizes the plan (MCL 125.3851(1))

1 **SECTION 6.13 - "H" HARBOR DISTRICT**  
2

3 a) **Purpose** - This Zoning District is provided to promote the welfare of the Harbor District  
4 designated on the Zoning Map; to promote the topographic features of the harbor and its  
5 adjacent lands; to promote the economic advantages of the area's unique existing features;  
6 to provide for and preserve commercial and residential structures and uses; and to  
7 maintain a compatible development pattern of uses historically or presently existing in this  
8 zoning district.

9  
10 b) **Use Regulations** - Land and/or buildings in this zoning district may be used for the  
11 following purposes only:

12  
13 1) **Residential Use**

14  
15 (a) Single-family and multiple-family dwellings, including not more than two (2)  
16 detached accessory buildings located on a lot, subject to the requirements of  
17 Sections 4.03 and 4.04 of this Ordinance. An accessory gazebo or garage shall not  
18 exceed a height of twenty (20) feet.

19  
20 (b) Minimum Dwelling Unit Size.

21  
22 (1) Single Family Residence - 768 square feet of floor area, 600 feet on first floor  
23 of a multi-story building.

24  
25 (2) Each Multiple Family dwelling unit shall have a minimum of 600 square feet  
26 of floor area exclusive of porches, decks, garages and utility rooms.

27  
28 2) **Commercial Use** - Commercial uses shall be limited to the following uses:

29  
30 (a) Automobile and other vehicle sales.

31  
32 (b) Boat, boat motor or related marine repair facilities.

33  
34 (c) Wet or dry storage of boats, boat sales and brokerage firms, boat builders, yards  
35 and shops.

36  
37 (d) General Office Building (executive, administrative, professional).

38  
39 (e) Banks, Savings & Loan, Insurance, Real Estate.

40  
41 (f) Bed and Breakfasts.

42  
43 (g) Public Utility Offices.

**PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE**  
**Adopted April 26, 2004**

- 1  
2 (h) Generally recognized retail business including but not limited to: groceries,  
3 drugs, dry goods, clothing, and hardware.  
4  
5 (c) Single Family Residential dwelling to be used for rental purposes, and motels,  
6 hotels, and boarding houses.  
7  
8 (d) Museums, Art Galleries.  
9  
10 (e) Publicly owned and occupied Municipal buildings.  
11  
12 (f) Churches and accessory buildings.  
13  
14 (g) Municipal playgrounds, recreation areas.  
15  
16 (h) Private club, halls.  
17  
18 (i) Indoor storage in a permanent structure excluding toxic and/or hazardous  
19 materials.  
20  
21 (j) Indoor recreational uses (bowling alley, billiards).  
22  
23 (k) Theaters.  
24  
25 (l) Personal service establishments, which perform services on the premises:  
26 repair (TV, radio, shoe), barber or beauty shop.  
27  
28 (s) Shop for custom work, i.e., for making articles provided that the conduct of such  
29 business is not objectionable as being odorous, unsightly or noisy.  
30  
31 (t) Bakery not employing more than five (5) persons.  
32  
33 (u) Restaurants, (not including drive-in restaurants), and bars.  
34  
35 (v) Gasoline filling or service station subject to the following requirements:  
36  
37 (1) Gas pumps, air and water hose shall be set back no less than fifteen (15)  
38 feet from all street right-of-way lines.  
39  
40 (2) Proper driveways for entrance and exit shall be installed.  
41  
42 (3) Gas pumps, vents, and filler pipes must be not less than one hundred (100)  
43 feet from a Single Family residence.

PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE  
Adopted April 26, 2004

1  
2 (4) Prohibited activities include the following: outdoor storage of disabled  
3 vehicles for more than seven (7) consecutive calendar days, vehicle body  
4 repair, undercoating, painting, tire recapping, and other such activities  
5 whose external physical effects could adversely extend beyond the  
6 property line.

7  
8 (w) Special uses that may be authorized include the following uses provided a  
9 Special Use Permit has been approved by the Planning Commission in  
10 accordance with the procedures, provisions, and standards of Article IX of this  
11 Ordinance:

- 12  
13 (1) Living quarters above or attached to the principal structure as long as it has  
14 a minimum of 600 square feet of floor area.  
15 (2) Temporary outdoor displays.  
16 (3) Institutions for human care including senior housing.

17  
18 **c) Development Regulations**

19  
20 1) All buildings are subject to the following requirements:

21  
22 (a) **Minimum Requirements:**

23  
24 Front Yard Setback: There shall be a minimum front yard setback of twenty-  
25 five (25) feet except for commercial buildings where established buildings on  
26 adjacent lots have an average setback of less than the minimum. In such  
27 cases, a new or expanded building shall be constructed with a front yard  
28 setback equal to the average setback established by the buildings on both  
29 sides of and within 200 feet of the new or expanded building. No off-street  
30 parking shall be permitted between the street and the front of the commercial  
31 building.

32  
33 Rear Yard Setback: 35 feet

34  
35 Side Yard Setback: (each side) 10 feet

36  
37 Lot Size 10,000 square feet

38  
39 (b) **Maximum Requirements:**

40  
41 Building Height 40 feet

42  
43 Lot Coverage 40 %

**PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE**  
**Adopted April 26, 2004**

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- 2) All utility lines (power, telephone, water, gas, and cable TV) serving this zoning district shall be placed underground.
- 3) A buffer strip or screening may be required by the Planning Commission to obtain compatibility between dissimilar uses.
- 4) Areas for loading and unloading delivery trucks and other vehicles and for refuse collection service, fuel and other services shall be provided and shall be adequate in size and shall be arranged so that they may be used without blockage or interference with the use of access ways or parking facilities.
- 5) Provisions shall be made for safe and efficient ingress and egress to the public streets servicing this zoning district without undue congestion or interference with normal traffic flow.
- 6) The developer of residential structures other than Single Family dwellings shall be required to give consideration to the provision of community areas, laundry facilities, playground and tot lots, and other services necessary for the comfort and convenience of residents of this district.
- 7) The property owner shall be required to preserve and incorporate natural features such as woods, streams and open spaces, which add to the overall development of the area.
- 8) The Development Plan shall have the following: Provisions for safe and efficient ingress and egress to the public streets servicing this zoning district without undue congestion or interference with normal traffic flow.
- 9) All uses must comply with Article VIII, which requires off-street parking and Article VII, which regulates signs.
- 10) A Development Plan for each structure in this zoning district shall be reviewed for approval by the Planning Commission for compatibility of use with existing land uses, in accordance with Article XIV, of this Ordinance, and said Plan shall indicate or illustrate how the requirements of this Section are being met.