

Planning Commission Public Hearing  
February 12, 2025  
Amendment to Ordinances:  
#1-2025  
Amendment of Section 2.1 (Definitions)

Chairperson Wendy Williams, Vice-Chair Brian Grachal, Commissioners Mark Schrader, Tim Seguin, John Righi, Hope Rosso, Dan Mullins, and Jeff Lake were in attendance. Donald White was absent. Also in attendance was Jeff McDonald, Zoning Administrator, Supervisor Mike Szukhent, Julie Marcotte, Recording Secretary and two members of the public.

Chairperson Wendy Williams opened the meeting at 4:30 p.m.

Pledge of Allegiance

Grachal made a **motion** that having reviewed the minutes from January 22, 2025, to accept the minutes as presented, seconded by Rosso; motion carried with 8 yea votes.

**New Business**

Williams: We have a public hearing this evening, on the proposed amendment to the Ordinance concerning Accommodation Uses. Section 1: Amendment of Section 2.1, section 2: Amendment of Section 4.15, Section 3: Amendment of Section 4.7, Section 4: Amendment of Section 4.8B, Section 5: Amendment of Section 4.11B, Section 6: Amendment of Section 4.12, and Section 7: Amendment of Article 7. We have all reviewed those at our previous meeting. Public hearing opened at 4:32 p.m.

**This public hearing is to receive public input on the above matter and has been placed in the newspaper. The Planning Commission would like to make clear that it is bound by rules and laws when making a decision on this application. In order to conduct the hearing within a reasonable time and to keep to the subject at hand, you are asked to observe the following rules:**

**Those who favor the proposed change will be heard next and those who are opposed will be heard last.**

- **Each person who makes a statement will be asked to state his or her name and address.**
- **Please refrain from repeating what has been said before you, and please do not make comments on personalities or the character of any person involved.**
- **Be as factual as possible**
- **We the Planning Commission reserve the right to question any speaker.**
- **All statements or questions must be directed to me, the chairperson.**
- **We the Planning Commission will make a recommendation on this matter at today's meeting following the close of the hearing.**
- **Our recommendation and a summary of comments received at the public hearing will be transmitted to the Albert Township Board.**
- **The Albert Township Board may pass, reject or modify the rezoning request. If the Township Board modifies the request it will return to the Planning Commission for review and comment. It will then be returned to the Albert Township Board for final determination. If approved the Zoning Ordinance and any subsequent amendments shall take effect upon the expiration of seven (7) days after publication as required by this Ordinance.**

Tommee Render, 5981 Stickfort, Lewiston, Michigan spoke in support of the proposed changes and provided copies of Facebook posts made by the owner of the Redwood Steakhouse and community comment. Tommee questioned the difference in definition between Hotel and Motel and access to the room via interior or exterior doors.

Grachal: “was this a question that came up at the court case, how to access? Because I have got Brians memorandum here and he does not mention it, is it of no consequence?”

Szukhent: “to give you guys an update, we withdrew our suit with prejudice, so this is not going to court. We withdrew with prejudice because he went to, he went back to, supposedly, he says he is operating back as a hotel. So, we decided to withdraw, so that we could tighten up our ordinance and get our new ordinance in place, while he was operating as a hotel.”

Williams: “and they are operating as a hotel because I know people that were here over the weekend and they stayed there, so they are taking reservations.”

McDonald: “I want to tell you, that sets really good with me because I have no indication that it’s been operating as a hotel.”

Williams: “well, I know my husband’s nephew was here this weekend, and they stayed there, so.

McDonald: “perfect, perfect.”

Szukhent: “Glad to hear it. All we were hearing was that nobody was answering the phone.”

Williams: “yeah, I don’t know how they made the reservations or anything, I didn’t talk to him but Frank told me they stayed at the Redwood, so...”

Szukhent: “so they conversation with the attorney when we at court, with the other case. When that case was over with, and we were sitting and talking afterwards waiting for our lunch break to be concluded, to come back in for this, the attorney advised us that the challenge that he has/we have is that our ordinances have too many definitions, you can’t do this UNLESS you do that, the UNLESS has to go away. You can always ask for a variance, you can always ask a zoning amendment or something like that but to put it there, so it basically painted the road to go ahead and do whatever you wanted to do without having any say in anything. So that’s why we’re, that’s why I went and pulled the case so that NEMCOG could get this zoning ordinance tightened up so that we can get a public hearing so that it can go to uh, uh, Montmorency County, they can review it. They got 30 days to post it, once it gets posted, there is a period of time...what is it John, two weeks something like that, after that...”

Righi: “it comes back to us..”

Williams: “it comes back to us..”

McDonald: “it comes back to the Board for approval”

Williams: “to the Planning Commission”

Righi: “then we make a motion”

McDonald: “to send it to the Board”

Righi: “to send it to the Board with whatever our recommendation is. Then I think its after the Board action it like 8 days before it actually becomes effective.”

Szukhent: “and then the ballgame changes.”

Righi: “we’re still looking at 2 months”

Szukhent: “I know”

Righi: “minimum”

Szukhent: “they’re going to be operating as a hotel until August, 1<sup>st</sup>.”

McDonald: “now we have proof that it’s been converted back to a hotel, and that’s great.”

Szukhent: “so it hasn’t gone before a judge”

Williams: “and so it shouldn’t then? Its dismissed, basically dismissed then?”

Szukhent: “with prejudice”

Williams: “with prejudice”

Szukhent: “which means we could bring it back at any time.”

Grachal: “based on Brians recommendations here, we’re mainly concerned about how this business is used. That’s the main thing, not how you enter the building or so forth, so if we were to not worry about that aspect of it, we are gonna be fine, ‘cause Tommee’s suggestion that “usually” has entrance that way, it think would work out fine. Because we are concerned with the bottom line. The bottom line is, how is that business...”

Williams: “I think that the language they are trying to get rid of though is the usually, they don’t want anything in there like that in there”

Szukhent: “there’s two definitions, one for hotel and one for motel so he’s, he’s, he’s, he is differentiating between the two. Now, I suppose what Tommee’s talking about could be a hybrid which means it falls in both. So, I wouldn’t, I wouldn’t, I wouldn’t mess with it ‘cause then you are changing the potential definition of a motel.

Righi: “and also a different slant on what a motel is.”

Szukhent: “correct”

Render: “correct, I get it. Under Hotel then, the last paragraph, refers to it being a motel in two places. And if he’s claiming by this definition that it’s a Hotel.

Righi: “that something we’ll need to, we should run by our attorney again, make sure we didn’t screw up”

Render: “well its under the definition of Hotel”

Righi: “yeah, I know, I don’t know if it should be.”

Szukhent: "I think that's an accurate observation, if just for clarity, under the definition of whichever you shouldn't list the other one because it just.."

Grachal: it muddies the water. If you go up to the definition of Motel, the definition is the same. I don't think for clarity here; the two terms are interchangeable.

Williams: "no."

Righi: "no."

Williams: "so it needs to be changed to Hotel?"

Szukhent: "so, is there something under Motel that need to be changed?"

Grachal: "no"

McDonald: "no"

Szukhent: "So just the two words, just the two type-o's?"

Williams: "any other public comment? Jeff, do you have any correspondence?"

McDonald: "no, I have no communications other than a couple of calls wanting it uh, the amendment forwarded to them and uhm.."

Szukhent: "who's them?"

McDonald: the uh, a Joe, told him it was posted on our website and he said, oh, I see it, thank you very much.

Williams: "oh, o.k.. Any other Board discussion right now?"

No response

Williams: "Tomme did you have something else?"

Render: "I just didn't know if Jeff wanted to read this, the Steak House forms."

McDonald: "I've been in contact with her too, Tommee."

Williams: "Oh, yeah, I saw that."

Render: "they get threats, believe it or not, threats! Because of what's going on next door"

Williams: "believe it, believe it, I've had threats."

Render: "and its like, she's trying to separate the two businesses but people just don't understand that they are not affiliated."

Williams: "and the thing is, they have not been affiliated together for many, many years"

Render: “many, many, many times, their people are getting cussed at for not answering the door or the phone. The last one was threatening to burn the restaurant down”

Williams: “my God”

Render: “so that one leads to a police report as well. I mean it’s hurt them bad. Yeah, I guess this whole thing was put on Facebook. She was gonna be here but they’re on vacation so...”

McDonald: “yeah, I talked to her on, today’s Wednesday? Monday afternoon I talked to her and she was leaving to go out of the Country she said.

Render: “right, well anybody who can push the notion that they’re not connected, it would be helpful.”

Williams: “thank you.”

Williams: O.K., I will close the public hearing at 4:50 p.m., and do we have other discussion amongst the Board?”

Grachal: “I think at our last meeting; the bottom line was we would proceed with it. The Board was in agreement that this was what we wanted to do, we took the next step in having it published. Since we have had the public hearing now, and have had no adverse comments and so forth, I think we can proceed with the uhm, with the change in those two words.”

Williams: “yeah”

Righi: “we need to check that out, do we want to check it with our attorney first?”

Grachal: “the changing of Motel to Hotel?”

All: “uh huh”

Grachal: “it might be a good idea.”

Righi: “also, Brian in the first paragraph, Section 1; Amendment of Section 2.1, he suggested that in the second line we change “their” to “its” ...read, in ITS entirety as follows... that was in his memorandum. And I’ve been a little out of touch lately, did the Board discuss the 30 days, the 7 days as far as changing those times or we’re just gonna leave it at 30?”

Rosso: “we’re gonna leave everything.”

Righi: “o.k., that’s fine.”

Righi made a **motion** that we forward the Albert Township/ Montmorency County ordinance # 1-2025 to the County Board for their input and ask for an expedited response, seconded by Grachal. Motion carried with 8 yeas votes.

### **Old Business:**

Master plan scheduling updates. Jeff has provided a packet for review prior to the next Planning Commission meeting on 2/26/2025, McDonald asked that members review the chapters provided prior to the next meeting, where the focus will be on Zoning. Melissa Chamber will be our new Master Plan Coordinator through NEMCOG and will be attending the 2/26/2025 meeting.

**Public Comment:**

None

Grachal made a **motion** to adjourn at 4:55 p.m.

Respectfully Submitted,

Julie Marcotte  
Recording Secretary

