

Chairperson
Roni Christmas
Vice-Chairperson
Patti Schafer
Secretary
Willis Heisey
Members

Adam Stacey (BOC Rep.)
Frank Trierweiler
Mark Simon
Michael O'Bryant



Clinton County Planning Commission

Community Development Dept.
Director
Doug Riley
Planning & Permit Technician
Jessica Plesko

Clinton County Courthouse
100 East State Street, Suite 1300
St. Johns, Michigan 48879-1571
(989) 224-5180

MEETING MINUTES MARCH 10, 2022

CALL TO ORDER The Clinton County Planning Commission met on Thursday, March 10, 2022 at 6:30 p.m. with Chairperson Christmas calling the meeting to order.

ROLL CALL Adam Stacey
Frank Trierweiler – *absent with notification*
Mark Simon
Michael O'Bryant
Patti Schafer
Roni Christmas
Willis Heisey

STAFF PRESENT Doug Riley, Director
Jessica Plesko, Planning & Permit Technician
Dan Hufnagel, Building/SESC Inspector

VISITORS Bill Wimmer, 2785 N. Airport Road
Bob Miller, 11260 Monroe Road
Bonnie Ehlert (Patrick Ehlert), 611 & 633 W. Williams Street
Coraleen Peele, 2806 N. Airport Road
Dan May, 10750 S. Jones Road
Dwight Nash, 4717 N. Shepardsville Road
Forrest Budd, 1692 N. Hollister Road
Forrest Nash, 1695 N. Hollister Road
Gina Gibson, 3415 N. Scott Road
Harold Rappuhn, 1525 Waterford Parkway
Jacob Munson, 7430 Simpson Road
Jason Moore, 2803 N. Airport Road
Jean Bradley, 3842 N. Scott Road
Jodilyn Laplow, 792 W. High Street
Kevin Nash, 7890 E. Mead Road
Mike Gibson, 3415 N. Scott Road
Mitch Miller, 11260 Monroe Road
Patrick Ehlert, 227 W. Pearl Street
Russel Seifferlein, 8003 N. Scott Road
Shaun Schneider, 7097 S. St. Clair Road
Sheila Moore, 2803 N. Airport Road
Tiffany Krumlauf, 2785 N. Airport Road

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given to the flag of the United States of America.

AGENDA The agenda was presented for review and approval.

Doug Riley, Director recommended the Planning Commission add two Communication Items **(A)** Notice of Farmland & Open Space Application (PA-116) – Edward & Linda Faivor, Section 10 of Olive Township and **(B)** Portland Township Master Plan – Notice of Intent to Update.

PLANNING COMMISSION ACTION: Michael O’Bryant moved, supported by Willis Heisey to approve the agenda as amended. Motion carried.

APPROVAL OF
PLANNING
COMMISSION
MEETING MINUTES

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Willis Heisey to approve the February 10, 2022 Planning Commission Meeting Minutes as presented.

Roni Christmas abstained as she was not in attendance for this meeting. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

COMMUNICATIONS
PA-116 APPLICATION

Jessica Plesko, Planning & Permit Technician presented the **Notice of Farmland & Open Space Application (PA-116) – Edward & Linda Faivor, Section 10 of Olive Township.**

PORTLAND
TOWNSHIP –
MASTER PLAN

Doug Riley, Director presented the **Portland Township Master Plan – Notice of Intent to Update.**

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Mark Simon to receive communication items A and B and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PUBLIC COMMENTS

Chairperson Christmas called for public comments. There were no public comments.

OLD BUSINESS

None

NEW BUSINESS
PC-02-22 SLU

- Doug Riley, Director:
 - Reviewed **PC-02-22 SLU – Application for a Special Land Use Permit** as detailed in the Staff Report (which includes the SLU criteria to be reviewed by the PC).
- Chairperson Christmas asked for any comments from the PC.
- Adam Stacey asked Doug Riley to define the language, “50% of the primary use” in relation to farm market, enhanced.
- Doug Riley explained that a farm market is allowed, and, at the PC’s discretion, events could be allowed as well in the A-2 zoning district as an “enhanced permit” – subject to at least 50% of the business conducted being for the farm market.
- Adam Stacey commented that he wanted to clarify the true intent of the proposal.
- Patti Schafer asked Doug Riley to elaborate on the development process, given the Mid-Michigan District Health Department’s (MMDHD) response to noticing.
- Doug Riley stated, if the PC forwards the case with a recommendation to the Board of County Commissioners – whom makes the final decision; if approved, the applicants could proceed with necessary permitting with the Building Department to bring the barn into compliance with commercial code, occupancy, etc.
 - The MMDHD has their own permitting and approval process.

- Willis Heisey stated that he is conflicted about how to interpret the language, “primary”.
- Doug Riley indicated, the Zoning Ordinance is very clear, “commercial events”, as a stand-alone use or business, are only allowed in the C-2 zoning district.
 - The enhanced portion (i.e., events) must be 50%, or less, addition to the farm market in the A-2 zoning district.
- Chairperson Christmas asked for any additional comments from the PC.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Patti Schafer to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Chairperson Christmas called on the applicant.
- Coraleen Peele explained that her farm market was a great success; so much so, they sold out of the product they were getting from other businesses.
 - She has been doing research on and working to further develop the farm market, including education on gardening, testing soils, and constructing a greenhouse.
- Adam Stacey asked when the farm market “officially” opened?
 - Did you hold regular hours of operation?
- Coraleen Peele responded that, they opened the first weekend in May of last year.
 - Due to her and her partner working 40(+) hours per week, they were open on Friday nights, Saturdays and Sundays.
 - However, they transitioned to a roadside stand due to a lack of product in the fall.
- Adam Stacey clarified that he was just trying to check the validity of the intent (i.e., technicalities), but understands that she opened this business in the midst of a pandemic.
- Chairperson Christmas inquired if there were established hours of operation on the days the farm market was open?
- Coraleen Peele responded:
 - Friday hours were 4 p.m. – 8 p.m.
 - Saturday and Sunday hours were 9 a.m. – 4 p.m.
- Patti Schafer asked Ms. Peele, if she was just now trying to find ways to improve the farm market and test a viable market along with working, how she will be able to manage the addition of the events center?
- Coraleen Peele explained that her proposal of incorporating the events center in a progressive approach is to aid in the ease of management.
 - Noted that she has a lot of family to help with the events center while she manages the farm market.
- Willis Heisey asked Ms. Peele if she put together a business plan.
 - Which business is primary in this plan?
- Coraleen Peele answered – no, as it is just a proposal at this point.
 - The farm market is her main concern, which she will manage herself.
- Willis Heisey inquired how the PC can be sure that the primary business is the farm market when there is no business plan?
- Coraleen Peele explained that she sees the farm market as the primary business due to the difference of hours of operation between the two – the farm market being open many more days per year than available rental days for the events center.

- Noted, the events center may not even get rented – that’s the risk of entrepreneurship.
 - However, the financial risk is one she is willing to take to achieve her dream.
- The forefront of her concern is the farm market.
- Mark Simon, noting his business background, commented that he is concerned about the location being a hinderance to this business.
 - Confessed that he was unsure (last year when the initial SLU was granted) if the farm market would even be viable in that location.
- Coraleen Peele paid appreciation to Mark Simon for his concern of her financial wellbeing, reiterating that the risk is worth reaching her life dream.
- Michael O’Bryant stated that he has a lot of confidence that the events center will be successful but is concerned about the impacts to the adjacent properties (neighbors) with the presence of alcohol on the premises.
- Coraleen Peele indicated that she intends to require the renter to hire a licensed bartender by contractual agreement.
 - She also has planned to hire family as security – to help with walking the perimeter, etc.
 - With the two family events she hosted in 2021, there were no known impacts to neighbors/issues with attendees leaving the premises.
- Chairperson Christmas expressed, as a previous owner of a reception hall and understanding the popularity of wedding barns, her concern regarding further requests to increase the allowable number of events per year (if wildly successful).
- Coraleen Peele assured Chairperson Christmas that she would not request more events per year than what she has proposed.
 - Commented that she wants to have time for herself as well.
- Patti Schafer asked Ms. Peele if she could address the opposition responses?
- Coraleen Peele explained that the family wedding she feels got the most attention was the large wedding for her partner’s daughter in May.
 - Noted that she forewarned Mr. and Mrs. Moore by sending them a letter to contact her with any concerns they may have – but they never did.
- Patti Schafer inquired if Mr. and Mrs. Moore were the only neighbors upset from previous family events?
- Coraleen Peele confirmed that all other neighbors, besides Mr. and Mrs. Moore, signed letters of support.
 - Noted that family events are exceptions to the rules as they cannot be stipulated.
 - One of the family events was a very large wedding.
 - Campers on-site were for family helping with the wedding.
 - Unsure, but believed the wedding started around 5 p.m. and music did not start until 7 p.m. – 8 p.m.
 - The DJ was located inside of the barn so if the music was as loud as Mr. and Mrs. Moore indicated, the guests would not have been able to be inside.
 - As a test, the DJ turned the music all the way up at the rehearsal dinner the day prior and Ms. Peele walked to the road in between her home and Mr. and Mrs. Moore’s – the music could be heard but not identified.
 - Booked events will be held to a different standard: music off by 11 p.m., guests out by 11:30 p.m./12 a.m.

- Chairperson Christmas asked for any comments from the public.
- Mike Gibson, security guard for the events center, spoke in support of Ms. Peele's request noting:
 - For the family events, he was tasked with replenishing supplies and left the site frequently – did not feel the music was an issue.
- Gina Gibson, who helped with catering for a family event, explained that she did not hear the music playing from inside the house (on-site).
 - Since the barn doors were closed, the music could be heard from outside, but not identified.
- Sheila Moore gave the following points of opposition:
 - The music playing at the rehearsal dinner on Thursday night was so loud that it shook her house.
 - Her son's room is the closest to the property in question and has concerns for his anxiety with the loudness.
 - Her home cameras, of which the videos sent to the PC came from, face opposite the event.
 - Called the police at 12:30 a.m. the night of the event due to noise.
 - Would like to support a local business but does not support this request with concerns about noise, having moved to this rural area for quiet.
- Jason Moore commented that his primary concern with the noise is excessive base; mentioning the music needs to be set up as to not impact the neighbors.
- Patti Schafer asked Mrs. Moore if anything Ms. Peele said in her statement satisfied her concerns.
- Sheila Moore commented that she was upset about the length of time that the noise impacted her household.
- Patti Schafer restated to Mrs. Moore, hearing the applicant's proposed hours of operations, etc. – will the proposals satisfy her concerns?
- Sheila Moore indicated, as long as Ms. Peele adheres to those proposals, she would be satisfied.
- Bob Wimmer claimed that he would be the neighbor most impacted by this business but is not concerned.
 - Noting that he was not the property owner for the first family event, but was for the second, he summarized the event as being "boring".
 - Citing that he also has neighbors with children and a neighbor with a shop, he is not concerned about the occasional loud noises in the neighborhood.
- Harold Rappuhn spoke in indifference, expressing his concern about potential impacts to his property – namely, trespassing and litter on/of his agricultural land surrounding the site.
 - Stated that he would like a fence surrounding the property with the events center to deter trespassing/litter, which could damage his crops and/or farm equipment.
- Chairperson Christmas asked for any additional comments from the public.
 - Hearing none, Chairperson Christmas called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Patti Schafer to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Adam Stacey commented that he was awaiting to see facial validity from Ms. Peele, but it is clear she is pursuing the events center heedlessly.

- Suggested that it may have been advisable to wait at least 2 years before making this request.
- However, with Ms. Peele's passion in pursuing this matter and having support from 80% of her neighbors, he generally supports this request.
- Although, personally sympathetic toward Mrs. Moore's child with anxiety.
- Patti Schafer asked Adam Stacey if he is in support of requiring a fence?
- Adam Stacey responded that he is agnostic/does not have a preference on the matter of a fence.
- Coraleen Peele reminded the PC of their last discussion on this matter, having previously discussed a split-rail fence and additional trash receptacles.
- Mark Simon expressed some concern about split-rail fencing.
- Doug Riley suggested the PC consider additional (decorative) containment elements in between the rails to serve as an additional barrier for litter.
- Willis Heisey agreed that an additional buffer would help to prevent transfer of litter to neighboring properties.
 - A split-rail fence might encourage guests to sit and visit – potential to invite trespassers onto neighboring properties.
 - Has concerns about glass, in particular.
- Coraleen Peele indicated that glass is not allowed on the site.
- Mark Simon asked Doug Riley if he could work out the fencing details with the applicant administratively?
- Doug Riley asked for the PC to specify the fence distance, height, etc. for him to work off of.
- Willis Heisey indicated that he has confidence in Doug Riley to work out the details.
- Patti Schafer supported Doug Riley's request to clarify specifications in the motion.
- Mark Simon proposed a height of 4 feet for the fence.
- Chairperson Christmas commented that 4 feet is probably the typical height for a split-rail fence.
 - Inquired if the PC is inclined to require large trees in front of the parking area?
- Patti Schafer noted that the bushes planted probably haven't grown much as they have only been there 1 year.
 - Asked Chairperson Christmas for her professional opinion.
- Coraleen Peele stated that she already has 4 spruce trees ordered – regardless if the PC conditions additional trees or not.
- Willis Heisey indicated that he is still concerned about the primary emphasis of this request.
 - Is not convinced this request complies with the intent of the Zoning Ordinance.
 - Feels the PC has a duty to deny this request if the events center is more emphasized (primary) than the farm market.
- Adam Stacey asked Doug Riley if the courts would defer to the PC's interpretation being that the regulations are vaguely written.
- Doug Riley confirmed that the courts would consider the PC's interpretation.
 - There is no way to know which (farm market or events center) is "primary" without looking at the accounting records.
- Willis Heisey expressed that he is concerned about the way that this request was presented.

- Without a business plan, he is not convinced the farm market is “primary”.
- Chairperson Christmas asked Doug Riley if the farm market falls behind as the “primary” use, can the SLU be revoked?
- Doug Riley answered, yes.
 - If the business expands and no longer fits the permit issued, the SLU can be revoked, and the permittee would have to discuss moving to a more suitable location (that would support the use).
- Mark Simon commented that he would not personally invest his own money in this plan.
 - Not totally convinced the farm market is the “primary” use.
- Patti Schafer stated that her interpretation of how “primary” is measured, is by hours spent, not money made.
 - Noted, the applicant is proposing many more days and hours to maintain the farm market than the events center.
 - Recommended, cannot ask to review the accounting records.
- Adam Stacey agreed that the PC cannot ask to review the accounting records.

PLANNING COMMISSION ACTION: Willis Heisey moved that the Planning Commission postpone decision on *PC-02-22 SLU, Peele*, to amend the Special Land Use Permit to allow periodic events (in conjunction with the farmers market) at 2806 N. Airport Road in Section 6 of Bingham Township based on the following reasoning:

- Reasoning: **(1)** Additional information is necessary to assess if the proposal is in compliance with the Zoning Ordinance to prove that the farm market is the primary use and to give the applicant time to present this information.

The motion was not seconded; motion failed.

- Patti Schafer commented that Mr. and Mrs. Moore did indicate they were satisfied with Ms. Peele’s proposals (to address their concerns).

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Michael O’Bryant to recommend approval of petition *PC-02-22 SLU, Peele*, to the Board of Commissioners to amend the Special Land Use Permit to allow periodic events (in conjunction with the farmers market) at 2806 N. Airport Road in Section 6 of Bingham Township based on the following reasoning and conditions:

- Reasoning: **(1)** The standards set forth under Section 6.2.F (Special Land Use – General Standards/Basis of Determination) as detailed in the staff report have been or can be met subject to the conditions set forth below.
- Conditions: **(1)** Periodic (commercial) events, such as weddings, are only allowed as long as a farmers market is being operated on the property as the events are considered secondary/ancillary to the primary use of a farmers market under the terms of the Zoning Ordinance. **(2)** As proposed by the applicant, the events are only allowed from May-October of each year. Eight events are allowed in 2022, 10 events in 2023 and 2 per month (12 total) for year 2024 and beyond. The applicant shall provide the Community Development Department with an annual written events update to verify compliance with this condition. **(3)** Music for any events shall be turned off by 11 pm and the property vacated by commercial (event) guests by midnight. **(4)** There shall be no parking on or along N. Airport Road for any events. **(5)** There shall be no overnight stays for any commercial (event) guests allowed on the property. **(6)** The applicant shall address all requirements and comments

of the Mid-Michigan District Health Department in regards to water, septic/sanitary and food provisions for the facility. Final (written) approval by the Mid-Michigan District Health Department is required prior to building permit issuance and occupancy approval for the project (i.e., conversion of the barn to hold events). **(7)** The applicant shall address the requirements of the Clinton County Drain Commissioner in regards to site drainage for the property. Final (written) approval from the Drain Commissioner's Office shall be required prior to any events being conducted. **(8)** All new permanent and any temporary site lighting provided for the facility shall meet the standards of Section 5.6 of the Zoning Ordinance (shielded) so as not to impact adjacent properties or streets. **(9)** The applicant shall obtain all appropriate building and trade permits (electrical, plumbing and mechanical) from the Community Development Department prior to commercial use of the barn for events. **(10)** The site will be subject to annual inspection by the Community Development Department as specified in Section 6.2.J.2 of the Zoning Ordinance. It shall be the duty and obligation of the owner(s) and/or operators to at all times be in compliance with the use requirements of the Zoning Ordinance and the stipulations of the special use approval. **(11)** The applicant shall obtain approval from the Clinton County Planning & Zoning Office to achieve approximately 400 feet of fencing along the east boundary of the events area. **(12)** The permitted activity granted by this amendment will be subject to a 3-year review by the Planning Commission.

Voting on the motion by roll call vote: AYES: Adam Stacey, Mark Simon, Michael O'Bryant, Patti Schafer, Roni Christmas; NAYS: Willis Heisey, motion carried. [Vote of 5-1, five in favor, one opposed.]

PC-05-22 MA
(OR 176-22)

- Doug Riley, Director:
 - Reviewed **PC-05-22 MA (OR 176-22) – Application for Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the zone map amendment criteria to be reviewed by the PC).
- Chairperson Christmas asked for any comments from the PC.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Patti Schafer to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Chairperson Christmas called on the applicant.
- Bob Miller stated, his business is local, supports (supplies) local projects, and employs 10 local people.
 - His goal with this site is to be wrapped up in 3-5 years.
- Patti Schafer complimented Mr. Miller and his family, having worked with them on previous projects located in Eagle Township.
- Doug Riley mentioned that he has discussed with the applicant and his engineer, combining the adjacent pit (Carpenter) and this proposed pit into one site plan for a coordinated review if the PC is inclined to recommend approval for this request to re-zone.
- Bob Miller indicated that he intends to restore the site back to farmland when the extraction is complete.
- Willis Heisey asked Mr. Miller how extraction would not leave a great depression?

- Bob Miller responded that the site currently has a bump in the land, so removing about 20 feet of aggregate will level it.
- Chairperson Christmas asked for any comments from the public.
 - Hearing none, Chairperson Christmas called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Patti Schafer to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Mark Simon to recommend approval of petition *PC-05-22 MA (OR 176-22)*, *AM Miller Trucking*, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to MR (Mineral Resource Extraction) for the property located in Section 31 of Westphalia Township as legally described in the petition based on the following reasoning:

- Reasoning: **(1)** The seven (7) findings of fact outlined in Section 7.21. E of the Zoning Ordinance, as detailed in the staff report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

*PC-06-22 MA
(OR 177-22)*

- Doug Riley, Director:
 - Reviewed ***PC-06-22 MA (OR 177-22) – Application for Zone Map Amendment (Rezoning)*** as detailed in the Staff Report (which includes the zone map amendment criteria to be reviewed by the PC).
- Mark Simon asked if the site supports powerline setbacks for the proposed development.
- Doug Riley indicated that powerline setbacks vary and would have to be accounted for in the future site planning.
- Adam Stacey commented that powerline setbacks are not of concern for a re-zoning.
- Willis Heisey noted that the applicant can always pay to have the powerlines moved.
- Chairperson Christmas asked Doug Riley if duplexes are allowed in the R-1 (Single-Family Residential) zoning district?
- Doug Riley responded, they are – however, they require a Special Land Use Permit.
- Chairperson Christmas asked for any comments from the PC.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Patti Schafer to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Chairperson Christmas called on the applicant.
- Jacob Munson spoke on behalf of the applicant, Dale Greenhoe (his father-in-law):
- Mr. Greenhoe is looking for an alternative investment to stocks and decided on developing duplexes.
- He (Mr. Munson) will be the on-site contractor and builder for this project.
- Michael O'Bryant inquired if the subject properties have been perked?
- Jacob Munson responded that he is unsure; however, with today's technology, nearly any property can perk.

- Doug Riley agreed, noting engineered systems can be viable options as well.
- Jacob Munson indicated the selected ICF build is a good, structural build style.
- Kevin Nash introduced himself as a member operator of Nash Dairy and owner of some properties surrounding the subject sites.
 - Is requesting the PC deny the request.
 - The primary milk haul route into Ovid is in the subject area.
 - Concerned about heavy traffic.
- Adam Stacey asked Mr. Kevin Nash why he is concerned if residents choose to live in an area with high traffic?
 - How would residents on those properties impact farmland?
- Kevin Nash answered, he is concerned about conflicts of interest, his livestock, and impacts such as dust to farmland.
 - Believes there could be a better use for these properties.
- Patti Schafer clarified, the request to re-zone is the concern for this hearing, not how it might be developed.
- Forrest Budd expressed that he is concerned about the traffic level in this area.
 - Noting, the jake-breaks from the trucks shake his house.
 - Also concerned about the potential future residents requesting a fence between their properties and his.
- Adam Stacey asked Mr. Budd for clarification.
 - Stated, fencing installation is the obligation of the landowner if one is desired.
- Forrest Budd answered, he is concerned about having unhappy neighbors with all of the traffic.
 - Recommended the subject properties get soil tests; believes there is lead contamination.
 - Believes as long as the lead stays buried, it won't cause harm.
 - Afraid of unfamiliar residents being unhappy in the area.
 - Wouldn't mind if Mr. Greenhoe built a house for him to live in in the area because he knows him.
 - There was a person that built a house on one of the properties and moved out within 5 years.
- Bonnie Ehlert commented that she also has concerns about the truck route (traffic).
- Adam Stacey stated, he does not understand how the truck route is relevant to this hearing.
- Bonnie Ehlert explained further:
 - The trucks hauling milk cannot stop "on a dime".
 - 3 milk trucks have rolled in this area.
 - There is a dense swale that interferes with vehicular vision.
 - Feels that the potential of 6 families living there is dangerous.
 - Bus stops, especially, could cause dangerous situations.
- Adam Stacey asked Ms. Ehlert if what she means is, the subject properties are unsuitable for any kind of development?
- Bonnie Ehlert stated that she feels the truck route needs to be seriously considered.
 - Also concerned about disturbing the springs/water table;
 - As well as residents complaining about her scrapyard.
 - Noted, the surrounding uses will affect the residents of the proposed duplexes.
- Adam Stacey asked Ms. Ehlert for further clarification.

- Bonnie Ehlert explained that she is specifically concerned about potential residents complaining about her already established business as well as water draining onto her property.
- Jodilyn Laplow expressed that she is concerned about her property value being affected.
- Forrest Nash stated, as farmers, they try to be respectful of surrounding properties, but farming is not a 9 a.m. – 5 p.m. job and is concerned about the potential residents complaining.
 - Commented that he is unsure if the subject properties will even perk due to it being very wet.
- Patrick Ehlert stated that he recently purchased a property in the area and had intentions of tearing down the existing home on it due to the issues discussed.
 - There are also issues with the floodplain in this area.
- Dwight Nash commented that Michigan has the largest milk trucks in the nation.
 - The trucks are heavy.
 - The area is wet.
 - There are a lot of hazards in this area.
- Patti Schafer clarified, this hearing is for the request to re-zone only.
 - The development is a different process, and if pursued, the issues discussed will be addressed by the agencies involved in that review.
- Chairperson Christmas asked for any comments from the public.
 - Hearing none, Chairperson Christmas called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Mark Simon to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Adam Stacey asked Doug Riley to clarify if the Zoning Ordinance has any language deterring the PC from approval based on traffic concerns?
- Doug Riley explained that a re-zoning is no guarantee for approval of development; there is a completely separate process for that.
 - Referred the PC to evaluate the review criteria to see if “traffic hazards” could be applicable to this request to re-zone.
- Adam Stacey to Doug Riley: if the PC recommends approval of this re-zoning, is that them saying that these properties are “safe” for R-1 use?
- Doug Riley responded that the Clinton County Road Commission (CCRC) has their own process of approval regarding road safety and driveway permitting.
- Adam Stacey inquired, individual agencies all review specific matters, but does any one body “spot check” for general safety?
 - Safety of school bus stops (route)?
- Doug Riley answered that the CCRC does, to a degree regarding road/traffic safety.
 - Suggested these comments (warnings) be memorialized as part of the review, making the agencies and applicant aware as this project proceeds.
 - The process is multi-step to ensure safety.
- Chairperson Christmas asked Doug Riley to confirm that, through the required process, there is a chance that an agency might deem these properties “unsafe”/not suitable for development?
- Doug Riley confirmed, noting all of the agencies that would be involved in the development review process.

- Some issues fall onto the property owner to decide their comfort level.
- Mark Simon expressed his appreciation of the concerns that were discussed.
 - Has some concerns of approving with the forewarnings but believes the agencies that would be involved in the development would prevent development if truly unsafe.
- Michael O'Bryant commented that he, personally, never took High Street on his route because of the traffic hazards; however, Ovid needs affordable housing.
 - Conflicted whether this area is the best place for that; but knows the types of duplexes proposed will be of good quality.
- Doug Riley stated, the A-2 (General Agriculture) zoning district allows single-family homes.
 - In other words, these properties are able to be built on as-is – just as single-family dwellings.
- Patti Schafer assured that the CCRC's evaluations highly regard safety standards.
- Adam Stacey agreed.
 - Mentioned that their evaluations are site-specific.
 - Summarized – the PC wants this project “flagged” for high scrutiny in regards to safety.
- Patti Schafer expressed that she has the utmost confidence in the agencies upholding safety.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Mark Simon to recommend approval of petition *PC-06-22 MA (OR 177-22)*, *Greenhoe*, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to R-1 (Single Family Residential) for the three (3) parcels located in Section 12 of Ovid Township as legally described in the petition based on the following reasoning:

- Reasoning: **(1)** The seven (7) findings of fact outlined in Section 7.21. E of the Zoning Ordinance, as detailed in the staff report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PC-07-22 SP

- Doug Riley, Director:
 - Reviewed ***PC-07-22 SP – Application for Site Plan Approval*** as detailed in the Staff Report (which includes the site plan approval criteria to be reviewed by the PC).
- Mark Simon asked which way the gable-end is proposed to face?
- Doug Riley responded, the gable-end is proposed to be south-facing.
- Patti Schafer asked Doug Riley if there has been any complaints since the SLU was granted in 1990?
- Doug Riley answered that there were no complaints on file.

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Michael O'Bryant to approve *PC-07-22 SP, DeWitt Service Center*, application for site plan approval for 40' x 60' addition to its facility in Section 33 of Olive Township based on the following reasoning and subject to the following conditions:

- Reasoning: **(1)** The standards set forth under Section 6.1 (site plan review) as referenced in the staff report have been or can be met subject to the conditions set forth below.
- Conditions: **(1)** All of the provisions of the original special use permit (ZC-02-04-90) remain in effect that originally approved this use. **(2)** A handicapped (ADA) parking space may be required for the facility as

part of the construction permitting for the addition. **(3)** The applicant shall submit any new lighting details as part of construction permitting to verify compliance with Section 5.6 of the Zoning Ordinance. **(4)** The applicant shall obtain final (written) approval for the grading and stormwater management plan from the Drain Commissioners Office prior to construction permitting for the project.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PC-09-22 SLU

- Doug Riley, Director:
 - Reviewed **PC-09-22 SLU – Application for a Special Land Use Permit** as detailed in the Staff Report (which includes the SLU criteria to be reviewed by the PC).
- Chairperson Christmas asked for any comments from the PC.
- Adam Stacey questioned, even if the applicant decides to change to service animals on-site, it wouldn't be an issue for this property?
- Doug Riley stated that would not be an issue unless they were kenneling dogs – which requires a specific review.
- Chairperson Christmas asked for any additional comments from the PC.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Mark Simon moved, supported by Michael O'Bryant to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Chairperson Christmas called on the applicant.
- Russel Seifferlein thanked the PC for hearing his case and mentioned that Doug Riley represented it well.
- Chairperson Christmas asked for any comments from the public.
- Jean Bradley spoke in support –
 - Believes this is the best use for this property being surrounded by gravel pits.
- Doug Riley agreed with Ms. Bradley.
 - Applauded the applicants for locating this site, noting that they spent a significant amount of time looking for a good location for the proposed use.
- Chairperson Christmas asked for any additional comments from the public.
 - Hearing none, Chairperson Christmas called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Patti Schafer to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Michael O'Bryant moved, supported by Patti Schafer to recommend approval of petition *PC-09-22 SLU/SP, Seifferlein*, to the Board of Commissioners for a large animal veterinary clinic at 3530 N. Scott Road in Section 34 of Greenbush Township based on the following reasoning and conditions:

- Reasoning: **(1)** The standards set forth under Section 6.2.F (Special Land Use – General Standards/Basis of Determination) as detailed in the staff report have been or can be met subject to the conditions set forth below.
- Conditions – **(1)** The applicant shall provide the screening details for the waste dumpster (dumpster pad) as required under Section 5.8.L of the

Zoning Ordinance as part of the building permit for the remodeling of the buildings to accommodate the new use. **(2)** The applicant shall obtain final (written) approval from the Clinton County Drain Commissioners Office prior to construction permitting for the project. **(3)** The applicant shall obtain final (written) approval from the Mid-Michigan District Health Department for the well and septic provisions for the new use prior to construction permitting for the project. **(4)** Any signage on the site will require a permit and compliance with Section 5.7 of the Zoning Ordinance. **(5)** Any new site lighting shall comply with Section 5.6 of the Zoning Ordinance and the details for said lighting shall be approved/permitted by the Community Development Department prior to installation. **(6)** The site will be subject to annual inspection by the Community Development Department as specified in Section 6.2.J.2 of the Zoning Ordinance. It shall be the duty and obligation of the owner(s) and/or operator(s) to at all times be in compliance with the use requirements of the Zoning Ordinance and the stipulations of the special use approval.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

OTHER BUSINESS
*COMPREHENSIVE
PLAN – DRAFT*

- Doug Riley, Director:
 - Presented the Draft Comprehensive Plan – which incorporated the PC's requested revisions from the February 10, 2022, Planning Commission Meeting.
- Chairperson Christmas asked for any comments from the Commission.
 - Hearing none, Chairperson Christmas called for a motion.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Patti Schafer to forward the Draft Comprehensive Plan (Update) to the Board of County Commissioners with a recommendation to authorize its distribution and the beginning of the required 63-day review period.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

COMMUNITY
DEVELOPMENT
DIRECTOR'S REPORT

Doug Riley, Director provided a brief update:

- There will be an April 14, 2022 Planning Commission meeting to review the County Board of Commissioners initiated Zoning Ordinance amendment regarding marijuana businesses and township regulation of those, should the townships decide to allow.

PLANNING
COMMISSIONER
COMMENTS

None

ADJOURNMENT

PLANNING COMMISSION ACTION: With no further business to come before the Board, Michael O'Bryant moved, supported by Patti Schafer to adjourn the meeting at 9:25 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]



Jessica Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on April 14, 2022.