

**Chairperson**  
Roni Christmas  
**Vice-Chairperson**  
Patti Schafer  
**Secretary**  
Willis Heisey  
**Members**  
Adam Stacey (BOC Rep.)  
Frank Trierweiler  
Mark Simon  
Michael O’Bryant



**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

## Clinton County Planning Commission

### MEETING MINUTES

APRIL 14, 2022

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**CALL TO ORDER** The Clinton County Planning Commission met on Thursday, April 14, 2022 at 6:30 p.m. with Chairperson Christmas calling the meeting to order.

**ROLL CALL** Adam Stacey  
Frank Trierweiler  
Mark Simon  
Michael O’Bryant – *joined at 6:31 p.m.*  
Patti Schafer – *absent with notification*  
Roni Christmas  
Willis Heisey – *absent with notification*

**STAFF PRESENT** Doug Riley, Director  
Jessica Plesko, Planning & Permit Technician  
Joel Haviland Building Official/SESC/Zoning Administrator  
Dan Hufnagel, Building/SESC Inspector

**VISITORS** Bob Miller  
Chad Mencarelli

**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 a second Communication Item: **(B)** Draft Bath Charter Township Comprehensive Plan 2021 – 2026.  
**PLANNING COMMISSION ACTION:** Adam Stacey moved, supported by Frank Trierweiler to approve the agenda as amended. Motion carried.

**APPROVAL OF PLANNING COMMISSION MEETING MINUTES** **PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Frank Trierweiler to approve the March 10, 2022 Planning Commission Meeting Minutes as presented.

**COMMUNICATIONS** Jessica Plesko, Planning & Permit Technician presented ***Four Notice of Farmland & Open Space Applications (PA-116) – Eugene A. Livingston Jr. & Carole A. Livingston Trusts, Sections 29, 32, & 33 of Greenbush Township.***

*(A) PA-116 APPLICATIONS*

*(B) BATH TWP. – COMP. PLAN* Doug Riley presented ***Draft Bath Charter Township Comprehensive Plan 2021 – 2026*** for the Planning Commission’s review and comment.

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

**PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Frank Trierweiler to receive communication items A and B and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

PUBLIC COMMENTS

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

OLD BUSINESS

None

NEW BUSINESS

*PC-14-22 SP*

- Doug Riley, Director:
  - Reviewed **PC-14-22 SP – Application for a Site Plan Approval** as detailed in the Staff Report (which includes the Site Plan Review criteria to be reviewed by the PC).
- Chairperson Christmas asked Mr. Miller if he would like to add anything to the Director's report?
- Bob Miller deferred, adding that Director Riley's report was well-stated.
- Chairperson Christmas asked for any comments from the PC.

**PLANNING COMMISSION ACTION:** Frank Trierweiler moved, supported by Adam Stacey to recommend approval of petition *PC-14-22 SP*, a five (5)-year extension and expansion of the site plan for a mining operation in Section 31 of Westphalia Township based on the following reasoning and subject to the following conditions:

- Reasoning: **(1)** The standards set forth under the original site plan approval and Section 3.11 (Permit to Mine) have been or can continue to be met subject to the conditions set forth below.
- Conditions: **(1)** A surety (reclamation) bond shall remain in place with the Community Development Department in compliance with Section 3.11.G of the Zoning Ordinance. **(2)** The operation shall remain in compliance with the approved site plan and all standards of Section 3.11 (Permit to Mine) of the Zoning Ordinance. At the conclusion of operations, the applicant shall submit a letter/certification from a Michigan Licensed Engineer or Surveyor that the rehabilitation requirements of the Zoning Ordinance have been achieved. **(3)** The applicant shall comply with the rules and requirements of the CCDC, CCRC, MMDHD and MDEQ as applicable. Any substantive change to the site plan or operational characteristics as a result of these requirements, as determined by the Community Development Department, shall be resubmitted to the Planning Commission for their review and approval. **(4)** If dewatering of the site is proposed in the future, the applicant shall obtain approval from the CCDC and MDEQ for the discharge. **(5)** Approval to mine is valid for a 5-year period, renewable, with annual inspection by the Community Development Department to verify compliance with the permit and the Zoning Ordinance.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

*OR 178-22*

- Doug Riley, Director:
  - Reviewed **OR 178-22 – Zoning Ordinance Amendment – Marihuana Related Businesses – Township Regulation** as detailed in the Memorandum to the Planning Commission (which

includes the required findings of fact for a Zoning Ordinance amendment to be reviewed by the PC).

- Also reviewed:
  - Copy of Memorandum to Townships
  - Draft Ordinance Language
- 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:** Mark Simon moved, supported by Frank Trierweiler to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- 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 Frank Trierweiler to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

**PLANNING COMMISSION ACTION:** Frank Trierweiler moved, supported by Mark Simon to recommend approval of *OR 178-22*, to the Board of County Commissioners, *an ordinance amending Section 4.50 of the Zoning Ordinance regarding medical and adult-use marijuana establishments - township regulation*, as outlined in the attached Ordinance amendment exhibit.

- Reasoning: **(1)** Based upon review of the amendment as presented, the Planning Commission has assessed and resolved the seven (7) findings of fact under Section 7.21.E.2 of the Zoning Ordinance as referenced in the staff memorandum.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

#### OTHER BUSINESS

None

#### COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- Doug Riley, Director provided a brief update:
  - Both rezoning cases recommended for approval by the PC in March were approved by the Board of County Commissioners.
  - The SLU case that was recommended for approval by the PC in March was tabled by the Board of County Commissioners until April.
  - The required 63-day review period for the Comprehensive Plan Update was initiated by the Board of County Commissioner's approval, following the PC's recommendation for approval in March.
    - The tentative final adoption of this update will be in June.
  - There are currently no cases for the month of May.
    - Recommended the PC cancel the May meeting.
    - Noted that he will be out of the office on medical leave for the month of May.

**PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Michael O'Bryant to cancel the May 12, 2022 Planning Commission Meeting. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

#### PLANNING COMMISSIONER COMMENTS

- Chairperson Christmas asked Mr. Stacey if he could speak to the Board of County Commissioners' review of PC-02-22 SLU.
- Adam Stacey explained that the Board of County Commissioners were undecided.

- Noted, he mentioned Mr. Heisey's request to postpone action to ask to review records (such as a business plan or accounting records) that might indicate which of the two operations is the primary business, but the Board of County Commissioners were not in support.
- Overall, they wanted to postpone action until there was a full board.
- Frank Trierweiler announced his resignation from the Planning Commission, following the expiration of his term.
- Chairperson Christmas thanked Mr. Trierweiler for his service and added, he will be missed.
- Doug Riley also thanked Mr. Trierweiler for his service to Clinton County.
- Mark Simon inquired for a status update on an enforcement case in Olive Township.
- Doug Riley explained that staff is working on the case and getting the necessary applications.

ADJOURNMENT

**PLANNING COMMISSION ACTION:** With no further business to come before the Board, Mark Simon moved, supported by Michael O'Bryant to adjourn the meeting at 7:03 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]



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Jessica Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on June 9, 2022.