

**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  
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### MEETING MINUTES JANUARY 13, 2022

**CALL TO ORDER** The Clinton County Planning Commission met on Thursday, January 13, 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  
Patti Schafer  
Roni Christmas  
Willis Heisey

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

**VISITORS** Jill Bahm, Giffels Webster  
Mark Higbee, 13824 S. Grange Road  
Marleen Higbee, 13824 S. Grange 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.  
**PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Frank Trierweiler to approve the agenda as presented. Motion carried.

**ELECTION OF OFFICERS** Chairperson Christmas opened the nominations for the election of officers.  
• Adam Stacey moved to retain the current officers for the Clinton County Planning Commission for the 2022 calendar year. Michael O'Bryant supported.  
**PLANNING COMMISSION ACTION:** Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

**CHAIRPERSON ASSUMES THE CHAIR** Chairperson Christmas assumed the Chair.

**APPROVAL OF PLANNING COMMISSION MEETING MINUTES** **PLANNING COMMISSION ACTION:** Frank Trierweiler moved, supported by Willis Heisey to approve the December 9, 2021 Planning Commission Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

COMMUNICATIONS  
WATERTOWN  
CHARTER TWP. –  
MASTER PLAN

Doug Riley, Director presented the Watertown Charter Township Master Plan Update notice.

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Michael O'Bryant to receive the *Watertown Charter Township Master Plan Update notice* and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

PUBLIC COMMENTS

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

OLD BUSINESS

None

NEW BUSINESS

PC-47-21 SP

- Chairperson Christmas announced that Frank Trierweiler is recusing himself as having a conflicting contractual relationship regarding the subject property.
  - There will still be a quorum with 6 voting members.
- *Frank Trierweiler excused himself from the room for this case.*
- Doug Riley:
  - Reviewed **PC-47-21 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).
- Chairperson Christmas called on Dave Paxton for questions from the Commission.
- Dave Paxton assured Mr. & Mrs. Higbee that his business was a small, family business and would be good neighbors to them.
- Patti Schafer questioned if the sign is proposed to be lit?
  - Suggested moving the sign to the south side of the drive.
    - Noted that moving the sign as suggested might be advantageous for customers.
- Dave Paxton explained that the sign is proposed to be a back-lit granite sign.
  - Stated that there will not be many customers on-site.
  - Agreed that moving the sign to the south side of the drive makes sense.
  - Thanked Patti Schafer for her suggestion.
- Patti Schafer asked for clarification on the location of the proposed facility in relation to a tree that sits on the property line (as seen on the County aerial mapping program).
- Dave Paxton indicated the relative location.
- Patti Schafer inquired, of the trucks expected to be traveling to and from the business, how many axels they will they have?
- Dave Paxton explained that that the types of trucks most frequent to the site are called "pups" and are built with 2 axels in the back.
  - The "pups" used are of the smaller variety.
  - They would rarely have semis on-site.
- Patti Schafer asked for clarification on the type of vehicle that would most frequent the site.
- Would they be comparable to the trucks used for postal or Amazon delivery?
- Dave Paxton confirmed.
- Patti Schafer noted that with the elevation in that location, they will have to consider the types of vehicles frequenting their site.

- Commented that the speed limit (35 mph) in that area will help with safety concerns.
- Mark Simon questioned if a 53-foot vehicle would be able to maneuver on the site as proposed?
- Dave Paxton answered, although such vehicles will not be on-site often, maneuverability has been planned for.
- Patti Schafer inquired about deliveries in relation to hours of operation.
- Dave Paxton answered, most deliveries will be in the morning around 10 a.m. on Wednesdays and Fridays.
- Roni Christmas asked for any comments from the public.
- Mark Higbee asked Mr. Paxton what the hours of operation are proposed to be?
- Dave Paxon answered, 5 a.m. – 11 p.m.
- Chairperson Christmas asked Mr. Higbee to address the Planning Commission.
- Mark and Marleen Higbee reviewed the letter they submitted to the Planning Commission enlisting their concerns.
- Mark Simon, noting that there will be some light associated with the business, asked Doug Riley to confirm the lighting standards.
- Doug Riley responded that the Zoning Ordinance does not require parking lot lighting.
  - The current plan (submitted with this application) does not include parking lot lights.
  - If the applicant chose to install parking lot lights in the future, the lights would have to meet height and direction standards as set forth in the Zoning Ordinance.
- Mark Simon observed that the front yard setback of the facility is proposed to be further than the Ordinance requirement.
  - Believes this was part of a conscience effort to be mindful of impacts to neighbors.
  - Asked for clarification regarding hours of operation/shifts in relation to noise.
- Doug Riley explained that the Zoning Ordinance allows the Planning Commission ability to set conditions of approval for hours of operation for Special Land Use Permits only.
  - Site Plan Approvals are “by-right”, however, and do not allow the Planning Commission the ability to set such conditions of approval.
  - Complimented Mr. and Mrs. Higbee’s map displaying the drive locations (included in their letter to the Planning Commission).
    - Generally, lining up driveways is a standard practice.
    - Glad to see the drives were not directly in-line with Mr. and Mrs. Higbee’s home across the road.
    - Noted that the Clinton County Road Commission reviewed the application materials as well and were in support of the proposed drive location.
  - Stated that, due to low land to the south, there are limitations on where buildings and drives can be constructed.
  - Consulted Chairperson Christmas – at what rate do trees normally grow?
    - Noted that the Planning Commission often allows smaller transplants to offset cost.
    - Example: 5- to 6-foot-tall evergreens.
- Chairperson Christmas asked Doug Riley for clarity on the height of the proposed berm.
- Doug Riley responded that it is only a couple of feet tall.

- Chairperson Christmas stated that if the trees were located on top of the berm, that would give them height automatically.
  - Noted that sugar maples grow quickly, whereas evergreens and spruces are slower growing – maybe 6 inches per year.
- Marleen Higbee asked if the berm could be higher?
- Doug Riley stated that the Planning Commission does have the authority under the Zoning Ordinance to condition landscaping.
- Mark Simon inquired about the typical height of berms for similar uses.
- Doug Riley responded, generally 2-3 feet.
  - They would generally have some vegetation (i.e., bushes, trees, etc.) on top of the berm.
  - Noted their design/purpose is usually for blocking vehicle headlights.
- Chairperson Christmas commented that large berms are generally located on the side property lines.
  - There cannot be a large berm in the front of the property.
- Doug Riley confirmed and explained that the slope cannot exceed 3:1 for safety.
- Marleen Higbee inquired for information regarding how this approval might affect their property value.
- Patti Schafer mentioned that it is a common misconception that commercial development brings residential property values down.
- Mark Higbee questioned the appropriateness of the proposed business in the “Light Industrial” zoning designation.
- Adam Stacey confirmed that the proposed business does fit within the “Light Industrial” zoning designation category.
  - Paid compliments to Mr. Paxton for the quality of his site plan submittal, including the accommodations he implemented for neighboring properties.
- Marleen Higbee thanked the Planning Commission for their consideration of their concerns.
- Chairperson Christmas asked Mr. Paxton to address Mr. and Mrs. Higbee’s concerns regarding noise and hours of operation.
  - Noted: offsetting the drive and the berm with landscaping on top seem to be accommodating to a couple of Mr. and Mrs. Higbee’s concerns.
- Dave Paxton:
  - Hours of operation will be 5 a.m. – 11 p.m.
  - The shifts will be 5 a.m. – 12 p.m. and 1 p.m. – 11 p.m.
  - If someone where to go to the existing shop, they wouldn’t even know it was open.
  - The Michigan Occupational Safety and Health Administration (MIOSHA) rated their noise under 120 decibels.
  - Most cutting is done under water.
  - There are no parking lot lights currently proposed.
  - The proposed height of the berm is not concrete.
- Patti Schafer commented, currently in this location, there is noise from the semis traveling on the highway going 70(+) mph.
- Dave Paxton explained, for reference, MIOSHA does not require earplugs for 90 decibels.
- Patti Schafer suggested that the minimal noise from the business will not be very impactful when considering the current noise levels of the area.
- Willis Heisey asked Chairperson Christmas if there are any better landscaping options than what was proposed?
- Chairperson Christmas proposed conifers on the berm.

- Noted that the Planning Commission wants the landscaping to look nice and professional.
- Recommended Mr. Paxton to talk to or visit Mr. and Mrs. Higbee so they can get a better understanding of the nature of the business.
- Patti Schafer inquired if moving the location of the sign to the south side of the drive would be a benefit to Mr. and Mrs. Higbee?
- Dave Paxton responded that he is unsure if it would benefit them, but he likes the idea in terms of placement and use purposes.
- Doug Riley agreed.
- Patti Schafer asked Doug Riley how to condition the location of the sign as discussed?
- Doug Riley responded that the Planning and Zoning Office can approve the sign administratively.
- Patti Schafer questioned if changing the placement of the sign would require the applicant to return to the Planning Commission for approval?
- Doug Riley answered that it would not as sign permits are generally under individual (separate) permitting anyhow.
- Patti Schafer noted, as the Township Supervisor of Eagle Township, that Eagle Township had not yet formally met in regards to this application.
  - After individual review, the Board's primary concern was road safety.
    - However, the Board generally agreed that any potential concerns were properly addressed by the Clinton County Road Commission and Clinton County Drain Commission's reviews.

**PLANNING COMMISSION ACTION:** Willis Heisey moved, supported by Patti Schafer to approve *PC-47-21 SP, Paxton Products*, application for site plan approval for its new facility in Section 16 of Eagle 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)** The proposed “stone sign” located along S. Grange Road shall be setback a minimum of 15’ from the road right-of-way and shall meet all dimensional requirements of Section 5.7 of the Zoning Ordinance. A permit shall be obtained from the Community Development Department prior to sign construction/placement. **(2)** The applicant shall submit the dumpster enclosure details as part of construction permitting to verify compliance with Section 5.8.L of the Zoning Ordinance which requires the enclosure to be architecturally compatible with the building. **(3)** The applicant shall submit the final 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. **(5)** The applicant shall obtain final (written) approval or permits from the Mid-Michigan District Health Department for the septic and well provisions for the project prior to construction permitting for the project. **(6)** The applicant's building exterior shall include a stone or similar wainscot treatment along the front of the building facing S. Grange Road. **(7)** Any substantive change to the site plan, as determined by the Community Development Department, shall be resubmitted to the Planning Commission for their review and approval.

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

#### OTHER BUSINESS

Chairperson Christmas called on Doug Riley, Director for report.

*GIFFELS WEBSTER*

- Doug Riley, Director:
  - Introduced Jill Bahm from Giffels Webster to present the Zoning Ordinance Health Audit.
- Jill Bahm presented the Zoning Ordinance Health Audit.
- The Planning Commission, Staff and Ms. Bahm discussed the audit results.
- Doug Riley thanked Ms. Bahm for her presentation.
  - Asked the Planning Commission to prioritize items they might like to address, keeping in mind the cost and time associated with those items.

*COMPREHENSIVE  
PLAN – UPDATE*

- Doug Riley, Director:
- Provided a brief update:
    - Staff has continued to work on the Comprehensive Plan.
    - Intends to have the draft Comprehensive Plan to the Planning Commission for review for their February meeting.

COMMUNITY  
DEVELOPMENT  
DIRECTOR'S REPORT

- Doug Riley, Director provided a brief update:
- In addition to the Draft Comprehensive Plan, the Planning Commission will be hearing 1 case and the 2021 statistics reports will be presented.
  - All 4 items recommended for approval to the Board of County Commissioners in December were approved.

PLANNING  
COMMISSIONER  
COMMENTS

- Mark Simon asked for an updated on the progress for the enforcement case near Locher Road and US-27.
- Doug Riley responded that there is slow progress happening and will look at a progress update.
- Adam Stacey inquired about the projected date for adoption of the Comprehensive Plan Update?
- Doug Riley explained, following state statute for noticing, etc., it will likely be May/June of 2022.

ADJOURNMENT

**PLANNING COMMISSION ACTION:** With no further business to come before the Board, Mark Simon moved, supported by Patti Schafer to adjourn the meeting at 8:32 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]



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Jessica Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on February 10, 2022.