

Chairperson
Roni Christmas
Vice-Chairperson
Patti Schafer
Secretary
Sara Clark Pierson
Members

Adam Stacey (BOC Rep.)
Frank Trierweiler
Mark Simon
Willis Heisey



Clinton County Planning Commission

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

Clinton County Courthouse
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St. Johns, Michigan 48879-1571
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MEETING MINUTES MARCH 11, 2021

VIA VIDEO AND TELEPHONIC CONFERENCE Per State Executive Order concerning OMA and COVID-19

CALL TO ORDER The Clinton County Planning Commission met on Thursday, March 11, 2021 at 6:00 p.m. with Chairperson Christmas calling the meeting to order.

ROLL CALL Roni Christmas (Brooksville, Hernando County FL)
Patti Schafer (Eagle Township, Clinton County MI)
Adam Stacey (Bath Township, Clinton County MI)
Frank Trierweiler (Westphalia Township, Clinton County MI)
Mark Simon (Olive Township, Clinton County MI)
Sara Clark Pierson (Eagle Township, Clinton County MI) – *joined at 6:15 p.m.*
Willis Heisey (Duplain Township, Clinton County MI)

STAFF PRESENT Doug Riley, Director
Jessica Plesko, Planning & Permit Technician
Dan Hufnagel, Building Inspector
Erin McElroy, Building Department Secretary/Accounting Clerk
Gabrielle Herin, (MSU) Planning Intern
Kelsie Stuber, (MSU) Planning Intern

VISITORS Patrick Simmons
Coraleen Peele
William Arens

AGENDA The agenda was presented for review and approval.
PLANNING COMMISSION ACTION:
Doug Riley, Director offered an amendment to the Agenda:

- Addition to section 4A of the Agenda: *City of East Lansing* to also include Bath Township.
 - Subject PA116 includes property in two different jurisdictions.

Patti Schafer moved, supported by Frank Trierweiler to approve the agenda as amended. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed. *Sara Clark Pierson was not yet in attendance]

APPROVAL OF PLANNING COMMISSION MEETING MINUTES **PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Patti Schafer to approve the January 14, 2021 Planning Commission Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed. *Sara Clark Pierson was not yet in attendance]

COMMUNICATIONS
PA116 APPLICATION

Doug Riley, Director provided a summary of the *City of East Lansing and Bath Township – Notice of Farmland & Open Space Applications (PA-116)*:

- Presented the PA-116 applications for Joan and David Johnson (pages 9-14 of the meeting packet).
 - Discussed the PA116 areas on the Future Land Use Map for Clinton County.
 - Identified areas of Ag Land Preservation.
 - Shared screen to display the areas affected by the PA116 applications.
 - Declared that these applications include approximately 1,000 acres of combined property within City of East Lansing and Bath Charter Township, Clinton County
 - Applicants are requesting these properties be enrolled in PA116 for 90 years.
 - Noted that this PA116 enrollment would add a significant amount of Ag Land Preservation to Bath Charter Township
- Adam Stacey asked if there are any penalties to the landowner for removing properties out of PA116 besides paying back tax benefits.
- Doug Riley replied that is the only penalty.
- Adam Stacey elaborated that there is no meaningful deterrent to the landowner from removing a property from PA116 for the purpose of residential development, should the market lead in that direction.
- Doug Riley confirmed that PA116 is a contractual program that a landowner can pull their property out of if they choose.
- Frank Trierweiler explained that common conditions of sale for residential development of PA116-enrolled land include the price of the property plus the penalty amount.
- Doug Riley noted that the subject area is generally muck soil which may cause limitations for residential development.
- Adam Stacey commented that there are a lot of muck soils in Clinton County.
- Doug Riley concluded a recommendation for the Planning Commission to receive and place on file.

PLANNING COMMISSION ACTION: Frank Trierweiler moved, supported by Willis Heisey to receive and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed. *Sara Clark Pierson was not yet in attendance]

BUILDING
STATISTICS

Doug Riley, Director provided a summary of the Building Statistics (Starts) – 2016-2020

- Presented the *Building Departments of Clinton County 2016-2020 Statistics* and *2020 New Home Starts by Government Unit* reports (pages 16 and 17 of the meeting packet).
 - Discussed the development through the last year, despite the COVID-19 pandemic, noting:
 - The development was still high County-wide.
 - Residential development was likely due to low interest rates.
 - The current high cost of construction materials.
 - Expanded on residential development per township, relating these numbers with the Comprehensive Plan update, noting:
 - The residential development trends help to analyze where this type of development should or should not be encouraged.
- Sara Clark Pierson asked for clarification on the Eagle Township residential development numbers.

- Doug Riley explained that Capital Crossings Community has had continuing development.

PUBLIC COMMENTS

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

OLD BUSINESS

None

NEW BUSINESS

PC-05-21 SLU

Chairperson Christmas called on Doug Riley, Director for report.

- Doug Riley, Director:
 - Reviewed ***PC-05-21 SLU – Application for a Special Land Use Permit*** (pages 19-41 of the meeting packet), noting the following:
 - An application for a Special Land Use Permit has been submitted by Simmons Off-Road Sales, L.L.C. (Patrick Simmons). The applicant is requesting approval for used vehicle sales at 7556 North US-27 (the site of the former “Hubcaps to Go” store).
 - The property is located on the northeast corner of North US-27 and Hyde Roads, (Parcel ID # 090-009-200-030-50), Section 9, Greenbush Township.
 - The site is zoned C-2 and requires Special Land Use approval to commence vehicle sales.
 - There is anecdotal evidence that this site was once used to sell vehicles in the past.
 - The applicant is requesting to sell up to 20 vehicles at a time.
 - Noted no vehicles would be allowed to be displayed within the MDOT/CCRC right-of-way - a condition requested by MDOT.
 - There were no objections from local agencies (pages 24 and 25 of the meeting packet).
 - Reviewed recommended 7 conditions of approval (page 27 of the meeting packet).
- Frank Trierweiler asked for clarification if the proposed business is part of a larger business plan or if it is limited to vehicle sales only.
- Patrick Simmons replied that his business proposal includes vehicle sales and additional vehicle-related accessories.
 - 75% vehicle sales and 25% vehicle accessory sales (i.e. aftermarket accessories, vehicles wraps, etc.).
- Chairperson Christmas asked for any additional comments from the Commission.
- Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Mark Simon to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

- Mark Simon asked about signage plans.
- Patrick Simmons answered that his plan is to work with the local agency who holds jurisdiction – with expectations of his own to be nice and neat.
- 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: 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 7-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Patti Schafer to recommend approval to the Board of Commissioners of PC-05-21 SLU/SP SIMMONS OFF-ROAD SALES, to display up to 20 vehicles for sale (vehicles sales) at 7556 N. US-27 in Section 9 of Greenbush Township based on the following reasoning and conditions:

- Reasoning: **(1)** The standards set forth under Sections 715 & 716 (site plan requirements) and Section 1305 (Special Land Use – General Standards/Basis of Determination) have been or can be met subject to the following conditions.
- Conditions of approval: **(1)** The display or sales of used vehicles is limited to 20 vehicles within (on the perimeter) of the existing parking lot on the site. There shall be no outdoor storage or display of inoperable or dismantled vehicles or parts on the site. **(2)** There shall be no parking of vehicles or signage permitted within any portion of the Michigan Department of Transportation or Clinton County Road Commission rights-of-ways. **(3)** The applicant shall obtain any appropriate permits from the Community Development/Building Department for any building renovations to accommodate the change of use. This shall include the installation of a required accessible parking space and associated signage in the parking lot. **(4)** The applicant shall discuss the comments from the Clinton County Drain Commissioner regarding roadside drainage (damaged pipes/culverts) with the Clinton County Road Commission regarding needed repairs. Any required repairs shall be completed prior to occupancy of the site. **(5)** The applicant shall address the comments/requirements of the Mid-Michigan District Health Department regarding the suitability of the existing well and septic facilities based upon the proposed use. Any requirements shall be addressed as part of final building permitting (change of use) for the buildings and prior to occupancy of the site. **(6)** Any signage on the site will require a permit and compliance with Section 1012 of the Zoning Ordinance. **(7)** The site will be subject to annual inspection by the Community Development Department (as specified in Section 1309 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 7-0, all in favor, none opposed.]

PC-07-21 SLU

- Doug Riley, Director:
 - Reviewed **PC-07-21 SLU – Application for a Special Land Use Permit** (pages 43-64 of the meeting packet), noting the following:
 - An application for a Special Land Use Permit has been submitted by Coraleen Peele. The applicant is requesting approval for a farmer's market.
 - The property is located at 2806 North Airport Road (Parcel ID # 030-006-200-015-00), Section 6, Bingham Township.
 - The previous application (denied) included a special events center – which has been stricken from the current application.
 - The property, being in the northwest corner of Bingham Township, is suited for Ag Land Preservation according to the Future Land Use Map.
 - Referring to the site plan (page 64 of the meeting packet), the proposed parking area is smaller.
 - The location of the drive moved north - to the side of a neighboring drive, rather than in line with it.

- The building will have a connecting walkway to the parking lot.
 - The barn will not be used as a “special events center”.
 - The applicant is proposing a greenhouse on the east side of the property along with a chicken coop.
 - For screening of the parking lot, the applicant is proposing a tree line.
 - The A-2 zoning district allows Farm Market Enhanced use by way of Special Land Use Permit.
 - The criteria for this use classification are the same as what was reviewed in the previous hearing (*pages 51-53 of the meeting packet*).
 - The applicant is on record mentioning hosting family events at the property.
 - There were no objections from local agencies (*pages 48 and 49 of the meeting packet*).
 - Bingham Township expressed their support for approval.
 - Briefly discussed recommended conditions of approval – if the Commission was inclined to approve the application (*pages 53 and 54 of the meeting packet*).
 - Per Section 1305 of the Zoning Ordinance – if this application is approved, a recommended condition of approval is to resubmit an amended Special Land Use application before hosting any future large commercial events (weddings, etc.).
 - If any related “family” events (such as a wedding) are held on the property, the applicant shall advise the Community Development Department prior to holding such event to address/respond to any public comments that may come as a result.
 - Discussed the three public comments from nearby neighbors which were received after the packets were sent out. **(1)** Sheila Moore objected, expressing concern regarding parking. **(2)** Larry St. George expressed support. **(3)** John and Patti Warnke expressed support.
- Patti Schafer asked Doug Riley if there is a public/outdoor assembly section of the Ordinance which would require the applicant to obtain a permit for a family wedding – or such event.
 - Doug Riley replied that there is not – it is difficult to police family events such as weddings without infringing on their rights (freedom of religion).
 - Willis Heisey inquired about setting a timeframe for when the applicant should notify the Community Development Department of family events.
 - Doug Riley offered a timeframe of 1 week.
 - Willis Heisey agreed, 1 week would be satisfactory.
 - Adam Stacey also agreed that 1 week would be satisfactory as opposed to the 48-hours he was originally thinking.
 - Noting, the intent of the notice is not to prevent such events, but rather to ensure the events are not commercial in nature.
 - Doug Riley confirmed that the notice would be used as a tool to respond to any potential complaints.
 - Roni Christmas inquired if he would be corresponding with the Sheriff.
 - Doug Riley confirmed that he would make it part of protocol if his office were contacted.
 - Adam Stacey inquired if there is a protocol to proactively notify the Sheriff every time there is going to be a large event.
 - Doug Riley responded that there is not such a protocol.

- Patti Schafer commented that Eagle Township has an Outdoor Assembly Ordinance which requires a \$25 permit for events in excess of 150 people.
- Chairperson Christmas asked for any additional comments from the Commission.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Sara Clark Pierson to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

- Coraleen Peele explained that despite her original application being focused on the “special events center”, she is passionate about the newly proposed farmer’s market.
 - Noting that she understands the restrictions on hosting commercial events and the condition to notify the Community Development Department of family events.
 - She may want to reapply for the “special events center” in a few years.
- Adam Stacey complimented Coraleen Peele on the scaled-back application.
 - Wishing her luck on this endeavor.
- Patti Schafer asked Coraleen Peele about her thoughts on her neighbors’ concern.
- Coraleen Peele responded that none of the neighbors are concerned except for Sheila Moore.
 - Noting that she takes Sheila Moore’s concerns as a compliment to the outlook of the successfulness of her proposed business.
- Adam Stacey commented that although Sheila Moore’s comments were appreciated, he hopes that they will ultimately be unfounded.
- Patti Schafer suggested that Sheila Moore’s concerns will likely be nonissues with the guidelines set for farmer’s market operations.
- Adam Stacey agreed, noting he hopes Sheila Moore finds this business will not invade on the enjoyment of her own property.
- 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: Willis Heisey moved, supported by Frank Trierweiler to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Sara Clark Pierson moved, supported by Frank Trierweiler to recommend approval to the Board of Commissioners of PC-07-21 SLU/SP PEELE, application for special land use and final site plan approval to allow a farmer’s market (farm market enhanced use) at 2806 N. Airport Road in Section 6 of Bingham Township based on the following reasoning and following conditions:

- Reasoning: **(1)** The standards set forth under Sections 715 & 716 (site plan requirements), Section 1342 (Farm Market Enhanced Performance Standards), and Section 1305 (Special Land Use – General Standards/Basis of Determination) have been or can be met subject to the conditions.

- Conditions of approval: **(1)** There shall be no large “commercial” events (such as weddings) on the property unless a new or amended Special Use Permit application is submitted and approved by the County. If any related “family” events such as a wedding are held on the property, the applicant shall advise the Community Development Department prior to holding such event to document the personal family use. **(2)** The applicant shall address the requirements of the Clinton County Drain Commissioner in regards to drainage for the parking lot/site. Final approval from the Drain Commissioner’s Office shall be required prior to occupancy approval for the project. **(3)** The applicant shall obtain a driveway permit from the Clinton County Road Commission for the new parking lot driveway to Airport Road prior to construction. **(4)** All new permanent and any temporary site lighting provided for the facility shall meet the standards of Section 606 of the Zoning Ordinance (shielded) so as not to impact adjacent properties or streets. **(5)** 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. Approval by the Mid-Michigan District Health Department is required prior to building permit issuance and occupancy approval for the project. **(6)** 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 buildings. **(7)** Any future signage will be required to comply with Section 1012 of the Zoning Ordinance. **(8)** The site will be subject to annual inspection by the Community Development Department (as specified in Section 1309 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.
- Patti Schafer asked for a friendly amendment to Special Condition number 1 to reflect, “If any related “family” events such as a wedding are held on the property, the applicant shall advise the Community Development Department **one week** prior to holding such event to document the personal family use.”
- Sarah Clark Pierson accepted the friendly amendment, seconded by Frank Trierweiler.

Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

OTHER BUSINESS
 COMP. PLAN UPDATE
 – REVIEW OF
 SURVEY QUESTIONS

- Doug Riley, Director provided a brief update:
 - Comprehensive Plan (5 Year) review/update – Draft Survey (*pages 66-76 of the meeting packet*), noting the following:
 - The Michigan State University Planning Interns have been assisting his office staff (i.e. Joel Haviland, Jessica Plesko and himself) with the survey as well as other comprehensive plan update tasks.
- Patti Schafer commented that she liked the layout of question number 9 but did not like the wording of question number 13.
 - Noting it sounded very negative.
- Adam Stacey agreed.
 - Asked if question number 11 can incorporate senior housing.
- Sara Clark Pierson expressed her concerns with the availability of senior housing.
- Doug Riley confirmed that question 11 can include a senior housing option.

- Gabrielle Herin, MSU Planning Intern thanked the Commission for their feedback and confirmed the changes suggested can be done.
- Adam Stacey suggested adding broadband infrastructure services to question number 15.
- Patti commented that she was involved in a meeting recently regarding infrastructure for broadband for her district to promote more financial support to local governments for such services.
- Frank Trierweiler noted the financial impact of broadband infrastructure.
- Sara Clark Pierson stated Europe's broadband infrastructure is government-owned.
 - It is better as it reaches more people.
- Patti Schafer noted that Eagle Township has been budgeting for over 10 years for broadband infrastructure.
- Chairperson Christmas opened the floor to the Commission for support.
 - Support carried unanimously. [Vote of 7-0, all in favor, none opposed.]

Chairperson Christmas complimented staff for the work thus far.

COMMUNITY
DEVELOPMENT
DIRECTOR'S REPORT

- Doug Riley, Director provided a brief update:
 - The Michigan State University Planning Interns have been working with staff to check boundaries and designations.
 - The Future Land Use Map currently uses bubble designations.
 - Pros: this format allows for flexibility for landowners as well as Commission discretion.
 - Olive Township has contacted him requesting the bubble designations be removed and designations be parcel specific.
- Adam Stacey explained that the bubble designations are better than a parcel approach because of the flexibility.
- Sara Clark Pierson agreed, stating that parcel designations are misleading by promoting false precision.
- Patti Schafer agreed.
- Mark Simon agreed.
- Chairperson Christmas agreed.
- Frank Trierweiler disagreed, stating he prefers the parcel designations for precision purposes.
- Doug Riley noted that the Census data is likely to be received by September, 2021
- Doug Riley updated the Commission on the status of the Zoning Ordinance reformatting – which they recommended using Giffels-Webster for to the Clinton County Board of Commissioners.
 - The contract has been executed.
 - They have possession of the Clinton County Zoning Ordinance.
 - They will be performing the “health audit” during this process.
- Doug Riley gave an update on Zoning Enforcement cases:
 - Joel Haviland and Jessica Plesko have been working on them with the new Prosecuting Attorney, Tony Spagnuolo.
- Doug Riley discussed future remote meetings:
 - Craig Longnecker, Clinton County Administrator is going to recommend to the Clinton County Board of Commissioners to continue remote meetings through April, 2021.
 - There has been a recent spike in COVID-19 cases in Clinton County.
- Sara Clark Pierson explained that when in-person meetings resume, moving to a later time may be necessary.
- Adam Stacey agreed; noting 6:30 p.m. may be a better time.

- Frank Trierweiler inquired if when in-person meetings resume, there will be a hybrid option available.
- Adam Stacey commented that he would like to see some version of that.
- Sara Clark Pierson stated that, in regards to her school board, participation levels have increased with remote meetings.
 - As it stands currently, legislation only supports remote meetings through the end of 2021.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Sara Clark Pierson to move the meeting time from 6:00 p.m. to 6:30 p.m. starting April, 2021. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

PLANNING
COMMISSIONER
COMMENTS

- Chairperson Christmas called for Commissioners' comments.
- Chairperson Christmas offered the updated from the Parks and Greenspace Committee:
 - There has been recent discussion of spending less time on the parks and more time on greenspace –
 - Clean surface water, etc.

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 7:49 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]



Jessica Plesko, Planning & Permit Technician

These minutes were approved by the Planning Commission on 04/08/2021.