

**Chairperson**  
Roni Christmas  
**Vice-Chairperson**  
Patti Schafer  
**Secretary**  
Margaret Sayles  
**Members**  
Jan Motz  
Michael O’Bryant  
Peter Psarouthakis  
Val Vail-Shirey (BOC Rep.)



## Clinton County Planning Commission

**Community Development Dept.**  
**Planners**  
Jeff Keesler / Raphael Kasen  
**Planning & Permit Technician**  
Jessica Bolt

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

### MEETING MINUTES JUNE 8, 2023

**CALL TO ORDER** The Clinton County Planning Commission (PC) met on Thursday, June 8, 2023 at 6:33 p.m. with Chairperson Christmas calling the meeting to order.

**ROLL CALL** Jan Motz – *absent with notification*  
Margaret Sayles  
Michael O’Bryant – *joined at 6:57 p.m.*  
Patti Schafer  
Peter Psarouthakis  
Roni Christmas  
Val Vail-Shirey

**STAFF PRESENT** Jeff Keesler, Planner (Consultant)  
Jessica Bolt, Planning & Permit Technician  
Joel Haviland, Building Official/Zoning/SESC Administrator  
John Fuentes, County Administrator  
Todd Campbell, Deputy County Administrator

**VISITORS** Abigail Wade, 461 Glenmore Road  
Alannah Woodring, 12875 Thompsen  
Bruce Levey, Duplain Township Supervisor  
Carmen Thayer, 2739 Lehman Road  
Claudia Pluger, Ovid Township Clerk  
Cori Feldpausch, 11480 State Road  
Dan Feldpausch, 11480 State Road  
David D’Onofrio, ESA  
David Smith, 4739 W. Gratiot Road  
David Vanderbroek, 13311 S. Grange Road  
Dennis Strahle, Eagle Township Trustee  
Drew F., 461 Glenmore Road  
Eric Voisinet, Olive Township Supervisor  
Gillian Kelahan, ESA  
Jamie Shank, 3090 Bentley Drive  
Janine Dyer, 15773 Tallman Road  
Jennings West, Ovid Township Supervisor  
Jillian Pemack, 4921 Huron Drive  
Jody Smith, 4739 W. Gratiot Road  
Ken Wieber, 5048 N. Wright Road  
Kevin Thayer, 2739 Lehman Road  
Kurt Wolf, 1700 N. Shepardsville Road  
Larry Kindel, 3273 W. Island Road  
Laurie, Briggs-Dudley, Eagle Township Clerk  
Lee Thelen, Greenbush Township Supervisor  
Linda Stoudt, 2135 W. Townsend Road

Matt Drennan, 2250 Lucien Way  
Melany Mack, 11849 Schavey Road  
Raquel Dietrich, 201 Brush Street  
Rene Rosenbaum, 6227 W. Parks Road  
Richard Stoudt, 2135 W. Townsend Road  
Rob Mack, 11849 Schavey Road  
Roxy Wade, 13969 Lawson Road  
Theresa Hubbard, 1124 E. Alward Road  
Troy Stroud, 12320 S. Bauer Road  
Tyler Malkin, 6644 E. Alward Road  
Zachary Pemack, 4921 Huron Drive

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.
- Jeff Keesler, Planner recommended the PC add a second Old Business item: **(B)** Update on Comprehensive Plan (Southeast Eagle Township) Amendment Study.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Margaret Sayles to approve the agenda as amended. Motion carried.

APPROVAL OF PLANNING COMMISSION MEETING MINUTES

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Peter Psarouthakis to approve the May 11, 2023 PC Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

COMMUNICATIONS  
(A) CITY OF DEWITT – MASTER PLAN

- *Jeff Keesler, Planner introduced himself as a new planning consultant for Clinton County and provided information regarding his background.*
  - Presented for review:
    - The City of DeWitt’s **Notice of Draft Master Plan Update**
    - Portland Township’s **Notice of Draft Master Plan Update**

(B) PORTLAND TWP – MASTER PLAN

**PLANNING COMMISSION ACTION:** Margaret Sayles moved, supported by Patti Schafer 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.
- Lee Thelen, Greenbush Township Supervisor, spoke in regards to the proposed leadership format of the Advisory Committee (Utility Scale Solar and Wind Zoning Regulations):
  - Suggested someone other than Val Vail-Shirey be the Advisory Committee Chairperson to avoid conflict of interest/hierarchy issues as both a Planning Commissioner and Board of County Commissioner.
- Bruce Levey, Duplain Township Supervisor, expressed that he disagrees with Mr. Thelen.
- David Smith suggested the Advisory Committee be comprised of constituents of townships that are under the zoning jurisdiction of Clinton County only as they will be left with the results of the changes.
- Ken Wieber commented, in light of the recent events of Eagle Township, the PC should give thoughtful consideration to the optics of the Advisory Committee.

- Agrees with Mr. Thelen’s comments regarding the leadership format of the Advisory Committee.
- Encouraged the PC to give consideration to the areas where the solar/wind projects will be going (i.e., rural areas) when selecting the at-large members.
  - Has concerns that many County boards are comprised of constituents that do not live in the rural areas.
- Requested the PC give serious consideration to this process.
- Melany Mack stressed the importance of reviewing the County’s utility scale solar and wind project regulations to the County as a whole.
- Larry Kindel thanked the PC for implementing the Moratorium (on utility scale solar and wind projects).
  - *Discussed the value that he would bring to the Advisory Committee if the PC were to select him as an at-large member.*
- Kathleen George, Essex Township Treasurer, agreed with Mr. Smith as she feels these decisions will be affecting those who are under the County’s zoning jurisdiction the most.
  - Concerned about the balance of the Advisory Committee regarding the at-large members.
    - Not in favor of previous discussions that there should be 3 supporting and 3 opposed.
- Rene Rosenbaum supports the revision (of utility scale solar and wind project regulations) and the Moratorium.
  - Does not agree that the at-large members should only be those within the County’s zoning jurisdiction as the whole county is affected by the County’s green energy contribution.
- Chairperson Christmas called for any additional public comments.
  - *There were no additional public comments.*
- Chairperson Christmas summarized the PC’s charge regarding the Advisory Committee:
  - “To establish a 19-person advisory committee with the end goal of reviewing and perhaps revising the Zoning Ordinance, consisting of 1 appointment from each of the 11 General Law Townships within Clinton County, 6 at-large appointments, and 2 Planning Commission members” as motioned and approved at the May 11, 2023 PC meeting.
  - Direction: to accomplish the set goal in an efficient, professional manner and complete by September 14, 2023.
  - *Initiated discussion in regard to a potential facilitator of the Advisory Committee.*
- Margaret Sayles suggested a professional group or Staff chair the Committee meetings.
  - Perhaps Commissioner Vail-Shirey serves as a facilitator rather than a Chair?
- Chairperson Christmas stated her understanding is that the additional funding was more for legal staff than services of McKenna.
- Val Vail-Shirey stated that the Board of County Commissioners (BOCC) approved additional funding for a part-time staff member and County Legal Counsel to assist the Planning and Zoning Office with the Advisory Committee for up to 10 meetings.
- John Fuentes explained that he did not engage McKenna regarding the Committee.

OLD BUSINESS  
(A) ADVISORY  
COMMITTEE

- Confirmed that the BOCC approved additional funding for overtime for Staff, a part-time employee, and County Legal Counsel to assist with the Advisory Committee
- Chairperson Christmas noted that a facilitator would not have a vote but would help keep the Committee on task and productive.
- Peter Psarouthakis commented, someone has to chair the Committee due to the aggressive timeline.
  - Suggested that a PC member chair the Committee.
  - Thinks Commissioner Vail-Shirey should stay involved.
- Patti Schafer clarified that the County Legal Counsel is going to be part of this process.
  - Legal counsel would be able to provide examples of ordinances for the PC to review.
  - There will be a period of time where the Committee will be learning rather than deliberating.
    - Legal counsel and professional presenters will be giving advice.
- Margaret Sayles asked Commissioner Schafer if she is saying that a facilitator isn't necessary?
- Patti Schafer confirmed – since legal counsel will be there.
  - How involved will legal counsel be in this process?
- Val Vail-Shirey explained that it is up to the Committee.
  - Legal counsel will be there to present examples of ordinances.
    - The BOCC approved the use of legal counsel for up to 10 meetings.
  - Thanked Mr. Thelen for his comments.
  - *Read her phone number aloud, promoting her answering of phone calls and text messages.*
  - Has put a lot of time and consideration into this process and believes she would serve better as a facilitator of this Committee.
    - This is the type of work that she does for her day job.
    - Believes, as the facilitator, she can keep the Committee on track with the BOCC's requested timeline.
    - Would only facilitate the meetings; not vote.
  - *Discussed the timeline of the meetings.*
  - Reassured that she is not the Chair of the PC or BOCC.
  - *Discussed the representatives and staff involved in the process.*
  - All 19 Committee members would fill out a contact sheet and input their requests for policies and presenters.
- Margaret Sayles offered for consideration, Commissioner Vail-Shirey is volunteering her professional consulting services by offering to serve as a facilitator of the Committee.
- Peter Psarouthakis noted, the township appointees have already been established and there are 2 PC members that have volunteered.
- Chairperson Christmas clarified, Commissioners Motz and Sayles have volunteered.

**PLANNING COMMISSION ACTION:** Margaret Sayles moved, supported by Peter Psarouthakis to select Val Vail-Shirey as non-voting “facilitator” of the Advisory Committee. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- *Chairperson Christmas introduced the present township representatives by having them stand once their name had been called.*

**PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Margaret Sayles to appoint the eleven (11) township representatives and their alternates as identified by the individual eleven (11) General Law

Townships; and Jan Motz and Margaret Sayles as the two (2) Planning Commission representatives to the Advisory Committee. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Margaret Sayles asked for any present at-large candidates to stand and state their names.
- *At-large candidates stood and stated their names.*
- *Chairperson Christmas discussed potential considerations for appointing at-large members to the Committee.*
- Margaret Sayles commented that he thinks these appointments will be difficult as she's been impressed with several individuals that have attended meetings, including how those individuals have presented information and themselves.
  - Has also been impressed with the letters and professional qualifications.
- Peter Psarouthakis asked the PC if they had any specific candidates in mind?
- Patti Schafer confirmed.
- *The PC discussed the at-large candidates' letters, backgrounds, etc.*
  - *Polled each candidate individually to identify those that may have been preferred by a majority of the PC.*
  - As a result of the polling, the 6 at-large candidates receiving the most support were identified as:
    - Donald Lowell
    - David Smith
    - Mike Halfman
    - Melany Mack
    - Rene Rosenbaum
    - Russell Braun
- Leslie Abdoo, County Legal Counsel, explained that as an advisory committee only, the Committee would not be subject to the Open Meetings Act (OMA).
  - However, a lot of advisory committees do follow the OMA, and would advise that they follow it as well to the extent of establishing a strict time limit on public comment due to the aggressive timeline.

**PLANNING COMMISSION ACTION:** Margaret Sayles moved, supported by Peter Psarouthakis to appoint the six (6) at-large representatives (Donald Lowell, David Smith, Mike Halfman, Melany Mack, Rene Rosenbaum, and Russell Braun) to the Advisory Committee. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

**PLANNING COMMISSION ACTION:** Val Vail-Shirey moved, supported by Roni Christmas to appoint Michael O'Bryant as a Planning Commission alternate to the Advisory Committee. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- John Fuentes suggested that the PC adopt a meeting schedule and time.
- *The PC discussed the proposed meeting schedule.*
  - Amendment to begin the meetings on June 29, 2023.
  - Amendment to revise the meeting date listed as September 7, 2023 to September 14, 2023.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Patti Schafer to approve the schedule of meetings as amended. Voting

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

(B) COMP. PLAN  
AMENDMENT STUDY  
UPDATE

- John Fuentes, County Administrator gave an update on the **Comprehensive Plan (Southeast Eagle Township) Amendment Study**:
  - The BOCC approved continuation of the study per Eagle Township's request via resolution.
  - A final report will be completed by Giffels Webster by the end of August, 2023.
- Peter Psarouthakis inquired, when the study is concluded, what is the PC's charge?
- John Fuentes explained that a report with recommendations will be generated from the study – which the PC will review for determination.
- Peter Psarouthakis asked if the PC will be under a specific timeline for this review and consideration?
- John Fuentes assured that the PC is not under a statutory or legal time constraint to act in September.
- Peter Psarouthakis asked Mr. Fuentes if Eagle Township is still considering establishing their own zoning program?
- John Fuentes relayed that Eagle Township has passed a resolution to establish a PC of their own.
  - However, cannot speak to any of Eagle Township's plans beyond that.
  - Clarified that Eagle Township's establishment of a PC does not change anything at the County zoning level.
- Leslie Abdoo, County Legal Counsel, confirmed that Eagle Township would remain under the County's zoning jurisdiction until they adopt their own zoning ordinance.

NEW BUSINESS  
PC-14-23 MA  
(OR 188-23)

- Jeff Keesler, Planner Reviewed **PC-14-23 MA (OR 188-23) – Application for a Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
  - Read into the record comments that were received after the PC packets were sent out – which were forwarded to the PC today.
    - *Clinton County Drain Commission: no objections to the request.*
- Peter Psarouthakis inquired if Eagle Township submitted comments?
- Jessica Bolt, Planning/Permit Technician relayed that they have not submitted comments prior to tonight's meeting.
- Patti Schafer indicated that Eagle Township did not have time to review the case prior to tonight's meeting although it was distributed to each board member.
  - Three of the board members are present tonight.
  - As the Township Supervisor, is not aware of any concerns from Eagle Township board members or constituents.
- Chairperson Christmas asked for any comments or questions from the PC.
  - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis 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.

- Abigail Wade indicated that the majority of the property will be kept as farmland – with the exception of the 5.23 acres that they are requesting to rezone with intentions of dividing it off to build a new home.
- 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:** Margaret Sayles 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.]

- Patti Schafer noted a section from the Staff Report that states there will be over 48 acres that will continue to be farmland.
- Margaret Sayles asked Commissioner Schafer if there is any reason to delay this decision to allow Eagle Township time to review the case?
- Patti Schafer presumed that there would be no reason to delay the decision as there does not appear to be any issues with the request.

**PLANNING COMMISSION ACTION:** Margaret Sayles moved, supported by Michael O'Bryant to recommend approval of petition PC-14-23 MA (OR 188-23), Lawson/Wade, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to A-3 (Agriculture/Residential Transition) for the property located in Section 34 of Eagle 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-15-23 SLU

- Jeff Keesler, Planner reviewed **PC-15-23 SLU – Application for a Special Land Use Permit** as detailed in the Staff Report (which includes the Special Land Use Permit criteria to be reviewed by the PC).
  - Read into the record comments that were received after the PC packets were sent out – which were forwarded to the PC today.
    - *Clinton County Drain Commission (CCRC): no objections to the request.*
    - *Mid-Michigan Health Department (MMDHD): no objections to the request as the existing sewage disposal system was found to be adequate for the proposed use upon site evaluation (revision to previous comments received on 5/30/2023).*
- Chairperson Christmas asked for any comments or questions from the PC.
- Patti Schafer noted, the last daycare the PC reviewed, the drive was proposed to be widened.
  - Asked Staff to speak to the reasoning of why this one is not?
- Jeff Keesler identified the proposed turnaround area for pickup and drop-off functions.
- Jessica Bolt, Planning/Permit Technician clarified, the layout of the drive for the previous daycare site did not have the turnaround or parking maneuverability that the current application has.
- Peter Psarouthakis inquired if Ovid Township submitted comments?
- Jessica Bolt relayed that they have not submitted comments prior to tonight's meeting.
  - However, Jennings West, Ovid Township Supervisor is present.
- Chairperson Christmas asked for clarification on the 2 comments received by the MMDHD.

- Jessica Bolt explained that the initial comment was received prior to the MMDHD's site evaluation.
  - The MMDHD submitted revised comment following their site evaluation on 6/2/2023.
  - Perhaps the applicant can provide more information in these regards.
- Chairperson Christmas noted the State House Bill increasing the allowance for a Group Day Care Home from 6-14 children as detailed in the Staff Report.
  - The PC will need to discuss fencing, signage, and hours of operation with the applicant.
  - Asked for any additional comments or questions from the PC.
    - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis 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.
- *Kurt Wolf discussed the Michigan Department of Licensing and Regulatory Affairs (LARA) regulations as they pertain to this approval.*
- Specific fencing material requirements will be determined following SLU approval.
  - The site currently has ample turnaround provisions and over 5,000 square foot of parking space.
  - His girlfriend (proposed operator of the daycare) has over 20 years of related experience.
  - Believes their proposal will positively serve the community.
  - The MMDHD's first comments were based off of archive files.
    - The revised comments were following a physical site evaluation.
  - The State House Bill that allows up to 14 children will not immediately apply to them as they will be under LARA's preliminary 4-year license.
  - Does not believe the square footage of their home would accommodate 14 children.
    - May consider expanding to a commercial facility, if warranted, later.
- Chairperson Christmas asked Mr. Wolf about his plans for signage?
- Kurt Wolf indicated that he is currently working on gathering information for the required signage – which must identify the property as a childcare facility.
  - Hours of operations would be 7:00 AM to 5:30 PM.
  - Plans to adhere to the County and LARA's requirements in regard to lighting, etc.
  - There are no proposed additions or alterations – only installation of a designated outdoor play area (which will be fenced-in, per requirements).
- Chairperson Christmas noted the County's standard to include the site address on the sign for emergency services, etc.
- Kurt Wolf indicated that he intends to comply with that regulation.
- Patti Schafer commented that Staff is recommending a few conditions of approval if the PC were inclined to recommend approval of this application.



- Asked Mr. Wolf if he sees any need for additional fencing (beyond what was indicated on the application/site plan)?
- How do you plan to meet County lighting standards to ensure any lighting matches residential requirements?
- Kurt Wolf stated that he discussed these elements with Staff during the initial application process, including the required indoor and outdoor square footages, fencing, and drive/parking – feels his site plan matches the requirements as proposed.
  - The lighting that will be utilized is existing and is already residential in nature.
  - Fencing materials will discourage climbing as required by both the County and LARA.
- Chairperson Christmas asked for any comments from the public.
- Claudia Pulger, Ovid Township Clerk indicated that the Ovid Township Board reviewed this application today and does not have any objections to the request.
  - The Board supports approval of this Special Land Use (SLU) permit.
  - Feels it will be very nice and an asset to the community.
- 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:** Margaret Sayles moved, supported by Pater Psarouthakis 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 Pater Psarouthakis to recommend approval to the Board of Commissioners of PC-15-23 SLU, Wolf, for a group child day care home at 1700 N. Shepardsville Road in Section 9 of Ovid Township based on the following reasoning and conditions:

- Reasoning: **(1)** The standards as specifically described in Section 4.20 (Group Child Day Care Home Criteria) have been or can be met subject to the conditions set forth below. **(2)** The standards set forth under Section 6.2.F (Special Land Use - Basis of Determination) have been or can be met subject to the conditions set forth below.
- Conditions: **(1)** The exterior lighting installed for the day care shall be kept similar to standard residential use and in compliance with the cutoff and shielding requirements of Section 5.6 of the Clinton County Zoning Ordinance. **(2)** The applicant shall comply with the rules and permitting requirements of the State of Michigan, Clinton County Road Commission, Mid-Michigan District Health Department and Clinton County Drain Commissioner as part of the day care use. Compliance with these agency requirements shall be verified as part of final permitting/zoning approval to the State of Michigan by the Community Development Department. **(3)** The applicant shall install a minimum of 4' tall, not to exceed 6' tall, fence around the play area. The design shall discourage climbing by children. **(4)** The applicant shall obtain applicable building and trade (plumbing, mechanical and electrical) permits from the Community Development Department for any internal remodeling required for day care. **(5)** Any substantive changes to the site or use, 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.]

PC-16-23 MA  
(OR 189-23)

- Jeff Keesler, Planner reviewed **PC-16-23 MA (OR 189-23) – Application for a Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
  - Read into the record comments that were received after the PC packets were sent out – which were forwarded to the PC today.
    - *Clinton County Drain Commission: no objections to the request.*
    - *Anonymous public comment: concerned how this request may affect the wetland on the subject property.*
- Peter Psarouthakis asked Staff if they know where the person that submitted the anonymous complaint lives?
- Jessica Bolt, Planning/Permit Technician answered: no.
- Peter Psarouthakis explained that he does not like anonymous letters as there's no way of knowing if that person lives in the relevant township.
- Patti Schafer asked Mr. Keesler if the non-conforming parcels across the road from the subject property were divided prior to 2005, when the 10-acre minimum parcel size went into effect?
  - Noting the PC reviewed a similar request at the last meeting in which the Township recommended denial of the request and that Olive Township has provided a recommendation of denial for this request.
    - Asked Mr. Keesler if he felt this was the best opportunity for the applicant – to rezone the subject property to Rural Residential (RR)?
- Jeff Keesler confirmed that he believes this request fits the character of the area.
- Peter Psarouthakis noted in the Findings of Fact from the Staff Report, indication that the existing parcels across the Norris Road and along Lehman Road in the subject area were created in 2005 prior to the amendment to require a minimum of 10-acre parcel size in the A-2 (General Agriculture) zoning district and that they are considered "grandfathered in".
- Chairperson Christmas asked for any further comments or questions from the PC.
  - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Peter Psarouthakis 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.
- Kevin Thayer explained that the subject property is part of a family farm that has been in his family for over 100 years.
  - Has lived on the farm for most of his life.
  - If his daughter's family were able to build a home on the requested portion for rezoning, that would make the 6th generation that's lived on the farm.
  - Not supportive of the 10-acre minimum parcel size as he has concerns about the potential negatives associated with giving 10 acres of land to his daughter as opposed to just a couple of acres (ex., divorce, etc.).

- His grandfather gave him a 1-acre lot on Lehman Road, where his daughter grew up, and there were a lot of benefits to that.
  - Wants to keep the land in the family and give that same opportunity to his daughter and grandchildren.
- Jillian Pemack, daughter of Kevin Thayer, introduced herself as the individual that would be purchasing the 1.83-acre parcel if the rezoning is approved.
  - Is understanding of agricultural preservation policies.
    - However, there are a handful of parcels across the road from the subject property that are smaller than the current required parcel size.
  - This request would allow her parents to continue to use the land how it was intended (for farming).
    - Feels this request would actually help preserve farmland.
  - It also would allow them to care for each other – especially her parents as they age.
    - Recalled growing up on Lehman Road and what a wonderful experience it was to be close to her grandparents.
- Margaret Sayles asked Mr. Thayer if he owns any of the lots across the road from the subject property?
- Kevin Thayer indicated that he does not.
  - Noted, initial discussions with Mr. Riley (the previous Director of the Clinton County Planning and Zoning Office) led to the general idea that the requested portion for rezoning was the best location.
- Margaret Sayles asked Mr. Thayer why he is not requesting to rezone part of the wooded portion of the property rather than a portion that is farmed?
- Kevin Thayer explained that the wooded portion of the property is affected by wetlands.
- Peter Psarouthakis asked Mr. Thayer if he spoke with Olive Township in regard to this request?
- Kevin Thayer stated that he spoke with Bing Barks (the previous Olive Township Supervisor) years ago in these regards.
  - Commented that a lot of farmers do not agree with the 10-acre minimum parcel size as it promotes the property owner to stop using 10 acres of farmland.
- Peter Psarouthakis asked Mr. Thayer to clarify if he ever spoke to the current supervisor or board members?
- Kevin Thayer indicated that he did not prior to receiving a copy of their recommendation of denial.
  - After receiving the recommendation of denial, he had a good conversation with Eric Voisinet, Olive Township Supervisor.
- Chairperson Christmas asked Mr. Thayer how long his family has owned the subject property?
- Kevin Thayer responded: 123 years.
- Chairperson Christmas specified, so you owned this property prior to 2005, when the 10-acre minimum parcel size was established?
- Kevin Thayer confirmed.
  - However, he never received direct notification that that change would take effect.
- Chairperson Christmas asked for any comments from the public.
- Eric Voisinet, Olive Township Supervisor explained that the Olive Township Board has not had a chance to review this request.
  - Initially submitted comments on behalf of the Board based on the Future Land Use Map (FLUM).

- Did not realize that the parcels across the road from the subject property were (legal) non-conforming.
  - The applicant did not speak with him prior to his review and submittal of comments, although he wishes that he would have.
  - Olive Township generally wishes to allow an exception to the 10-acre minimum parcel size for immediate family members.
    - Has asked the County to consider this ordinance revision in the past.
  - Feels confident that the Board would be supportive of this request if they were to review it.
  - Concluded, keeping family closer to home, the better off you are.
- 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:** Peter Psarouthakis 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.]

- Patti Schafer expressed appreciation toward the Township for stating their reasoning of support.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Patti Schafer to recommend approval of petition PC-16-23 MA (OR 189-23), Thayer, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to RR (Rural Residential) for the property located in Section 29 of Olive 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-17-23 MA  
(OR 190-23)

- Jeff Keesler, Planner reviewed **PC-17-23 MA (OR 190-23) – Application for a Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
  - Read into the record comments that were received after the PC packets were sent out – which were forwarded to the PC today.
    - *Clinton County Drain Commission: no objections to the request.*
    - *Bingham Township: Eric Silm, Bingham Township Supervisor provided comments on behalf of the Board (as they had not had an opportunity for a formal review), indicating the Board does not have any issues with the request.*
- Chairperson Christmas inquired if this would be considered “spot zoning”?
  - Clarified, if the consideration is rezoning the property to Rural Residential (RR) to accommodate a setback deviation in the current (General Agriculture (A-2)) zoning district?
- Joel Haviland, Building Official/Zoning/SESC Administrator commented that a lot of the properties in the area act as RR currently being small, 1-2 acre lots.
  - There are also a few RR and Single-Family Residential (R-1) zoned properties within a mile of the subject property.

- Leslie Abdoo, representative of Clinton County’s legal counsel, noted that adherence to the Future Land Use Map (FLUM) is only one factor for consideration.
  - Added, a court would also look at the surrounding land uses.
- Chairperson Christmas asked for any comments or questions from the PC.
  - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Peter Psarouthakis 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.
- Jamie Shank indicated that she did not have anything to add to Mr. Keesler’s report.
- Richard Stoudt, Ms. Shank’s father, commented that he feels this request is well justified for the purpose of the proposed addition.
- 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:** Peter Psarouthakis moved, supported by Margaret Sayles 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:** Peter Psarouthakis moved, supported by Patti Schafer to recommend approval of petition PC-17-23 MA (OR 190-23), Shank, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to RR (Rural Residential) for the property located in Section 30 of Bingham 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-18-23 MA  
(OR 191-23)

- Jeff Keesler, Planner reviewed **PC-18-23 MA (OR 191-23) – Application for a Zone Map Amendment (Rezoning)** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
  - Read into the record comments that were received after the PC packets were sent out – which were forwarded to the PC today.
    - *Clinton County Drain Commission (CCDC): no objections to the request but recommended installation of drive culverts.*
- Chairperson Christmas inquired if the PC should set a condition of approval regarding the CCDC’s comments if inclined to recommend approval?
- Jessica Bolt, Planning/Permit Technician clarified that the PC cannot condition a rezoning.
  - Noted, any required CCDC permitting/requirements would be addressed as part of development applications.
- Peter Psarouthakis inquired if Ovid Township submitted comments?
- Jessica Bolt relayed that they have not submitted comments prior to tonight’s meeting.

- Chairperson Christmas asked for any comments or questions from the PC.
  - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

**PLANNING COMMISSION ACTION:** Margaret Sayles 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.
- Raquel Dietrich indicated that she doesn't have much to add to Mr. Keesler's report other than her request complies with the Future Land Use Map (FLUM).
- Peter Psarouthakis asked Ms. Dietrich if she spoke with Bingham Township in regard to this request?
- Raquel Dietrich responded that she had such communications under the advisement of Mr. Riley (the previous Director of the Clinton County Planning and Zoning Office).
- Patti Schafer asked Ms. Dietrich why she has chosen this layout?
- Raquel Dietrich explained that the requested parcel configuration would best accommodate her farm animals and still allow her access to the wooded area.
- Margaret Sayles inquired if she has intentions of building a new home on one of the proposed parcels?
- Raquel Dietrich indicated that she does intend to build a new home on the parent parcel eventually.
  - The farm animals will be on the same property.
- 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:** Peter Psarouthakis moved, supported by Margaret Sayles 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.]

- Patti Schafer commented that she feels the request does meet the criteria.

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Margaret Sayles to recommend approval of petition PC-18-23 MA (OR 191-23), Dietrich, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to A-3 (Agriculture/Residential Transition) for the property located in Section 13 of Bingham 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.]

OTHER BUSINESS

None

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

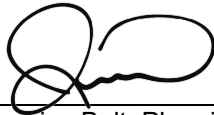
- Jeff Keesler, Planner provided a brief update:
  - There will be a July Planning Commission meeting.
    - There is currently 1 site plan review.
  - Thanked the PC for allowing him the opportunity to work with them.

PLANNING  
COMMISSIONER  
COMMENTS

- Christopher Khorey, West Michigan Manager for McKenna thanked Clinton County for the opportunity to serve them during this interim period.
  - *Discussed McKenna's schedule for Clinton County with the PC.*
- Margaret Sayles thanked Jessica Bolt, Planning/Permit Technician for the assistance through tonight's meeting on behalf of the PC.

ADJOURNMENT

**PLANNING COMMISSION ACTION:** With no further business to come before the Commission, Margaret Sayles moved, supported by Peter Psarouthakis to adjourn the meeting at 9:12 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]



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Jessica Bolt, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on July 13, 2023.