

Chairperson
Roni Christmas
Vice-Chairperson
Patti Schafer
Secretary
Sara Clark Pierson
Members
Adam Stacey (BOC Rep.)
Frank Trierweiler
Mark Simon
Willis Heisey



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

Clinton County Planning Commission

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

MEETING MINUTES

JULY 8, 2021

CALL TO ORDER The Clinton County Planning Commission met on Thursday, July 8, 2021 at 6:30 p.m. with Chairperson Christmas calling the meeting to order.

ROLL CALL Adam Stacey
Frank Trierweiler
Mark Simon
Willis Heisey
Sara Clark Pierson – Absent
Patti Schafer
Roni Christmas

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

VISITORS Brian Zsoter, 6241 Upton Rd., Laingsburg, MI
Bob Randolph, 4275 S. DeWitt Rd., St. Johns, MI
Jason Bloomquist, 3706 Gleneden Dr., Lansing, MI

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.

- Director Doug Riley recommended adding a City of East Lansing PA-116 application under “Communications”.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Mark Simon to approve the agenda as recommended amended. Motion carried.

APPROVAL OF PLANNING COMMISSION MEETING MINUTES **PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Willis Heisey to approve the June 10, 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.]

COMMUNICATIONS Jessica Plesko, Planning and Permit Technician provided a summary of the *Westphalia Township – Notice of Farmland & Open Space Application (PA-116)*:

- Presented the PA-116 application for Anthony P. Hengesbach & Sharon Hengesbach Trust.
 - The applicants are requesting to enroll 101 acres located in Westphalia Township, Section 2 into PA-116.
 - The parcel is currently zoned A-2.

- The request matches the Future Land Use Map, which designates this area as Agricultural Preservation.
- Doug Riley, Director provided a summary of the *City of East Lansing – Notice of Farmland & Open Space Application (PA-116)*:
 - Presented the PA-116 application for Joan and David Johnson.
 - This same application that was presented to the Commission in March, 2021.
 - This application to enroll 591 acres located in East Lansing has been resubmitted due to a processing issue.
- Doug Riley concluded a recommendation for the Planning Commission to receive and place on file both applications.

PLANNING COMMISSION ACTION: Adam Stacey moved, supported by Patti Schafer 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.]

PUBLIC COMMENTS

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

OLD BUSINESS

None

NEW BUSINESS

*PC-21-21 MA
(OR 166-21)*

Chairperson Christmas called on Doug Riley, Director for report.

- Doug Riley:
 - Reviewed ***PC-21-21 MA (OR 166-21) – Application for Zone Map Amendment (Rezoning)***, noting the following:
 - A petition for a change of zone/map amendment has been submitted by Brian Zsoter.
 - The applicant/property owner is requesting approval to rezone approximately 16.5 acres from A-2 (General Agriculture) to A-3 (Agricultural/Residential Transition).
 - The property is addressed as 6241 S. Upton Road (southeast corner of S. Upton and E. Price Roads) in Section 11 of Victor Township (Parcel ID#: 140-011-200-010-00).
 - The subject property is currently zoned A-2 and is utilized for residential and woodlot purposes.
 - The property is entirely wooded.
 - The applicant's home lies on the western portion of the property with access taken off from S. Upton Road.
 - The Future Land Use Map is not technically supportive as it shows the property designated as Agricultural Preservation.
 - However, the subject property is near an area designated as Rural/Transitional (which equates to the A-3 zoning district).
 - It is not conclusive why this area was not included in the Rural/Transitional designation.
- Adam Stacey stated that the subject property is likely a product of early designations.
- Doug Riley:
 - This is also just one part of the criteria, and it should be noted that the bubble designations allow the Commission discretion.
 - There are several other A-3 zoned properties located around Sleepy Hollow State Park.
 - The A-3 zoning district would allow the creation of 5-acre parcels.
 - The applicant has verbally indicated that if the rezoning is approved, he may split the 16.5-acre property into 3 parcels in the future (which would then allow additional home construction).
 - There were no objections from local agencies.
 - Victor Township did not provide comments.

- The Clinton County Drain Commission noted, the resulting divisions of the property after the rezoning will rely on the Price Road ditching to provide any improved drainage for the parcels.
- The Clinton County Road Commission indicated there is adequate site distance in both directions on Price Road to accommodate driveway entrances for each of the three potential lot splits.
- The Mid-Michigan District Health Department would require the existing well and septic systems to remain wholly on the parcel that contains the dwelling.
 - They also recommend that the applicant complete vacant land evaluations prior to the proposed splits, in order to ensure the parcels have adequate features to allow for the installation of on-site well and septic systems.
- There were no public comments.
- Adam Stacey commented that he feels this request is common sense as rezoning the property to A-3 would not be taking anything away from Agricultural Preservation due to the parcel being heavily wooded.
 - Although he understands the intent of the 10-acre minimum for A-2 zoned lots, it takes up too much valuable farmland and would much rather see the smaller 5-acre lots.
- Frank Trierweiler, citing his own observations of wooded lots, asked if the subject property is affected by any wetlands?
- Doug Riley replied that he checked for muck soils in his review and none were noted; however, the applicant may be able to provide further information.
- Frank Trierweiler commented, as a farmer, most of his land with woods can turn into wetlands.
- Brian Zsoter stated that there are some small areas of seasonal standing water, but none of any major concern.
- Patti Schafer asked Doug Riley for clarification on the details of the 3 potential motions.
- Doug Riley clarified that if the Commission were inclined to recommend approval for a rezoning, it cannot include any conditions of approval (as a rezoning).
- Chairperson Christmas asked for any comments from the Commission.
 - 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 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.]

- Brian Zsoter declared that he does not have anything to add to Doug Riley's report.

PLANNING COMMISSION ACTION: Frank Trierweiler moved, supported by Patti Schafer to recommend approval of petition PC-21-21 MA (ZSOTER) to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to A-3 (Agricultural/Residential Transition) for the property

located in Section 11 of Victor Township as legally described in the petition based on the following reasoning:

- Reasoning: The seven (7) findings of fact outlined in Section 1605 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-25-21 SP

- Doug Riley, Director:
 - Reviewed ***PC-25-21 SP – Application for Site Plan Approval***, noting the following:
 - An application for Site Plan Approval has been submitted by Quality Solar (Jason Bloomquist) on behalf of property owner, Kurt Kramer.
 - The applicant/property owner is requesting approval to install solar panels at 9487 S. Francis Road that would be located between the home and S. Francis Road.
 - This property is located in Section 27 of Riley Township (Parcel ID#: 130-027-300-009-00) on the east side of S. Francis Road.
 - The property is approximately 10 acres in size and has approximately 325 feet of frontage on Francis Road.
 - The property is zoned A-2 (General Agriculture) and is used for single family/residential purposes.
 - The applicant's home lies in the relative center of the property approximately 600 feet from S. Francis Road.
 - The Kent County Drain bisects the property from east to west.
 - The applicant's proposal is to place a 10-foot by 46-foot solar panel closer to S. Francis Road than his home on the southern portion of the property – where the property "jogs" to the south; (to the east of a pole barn that was constructed years ago by the previous property owner).
 - This placement would locate the solar array relatively "behind" the adjacent property owner's home(s).
 - There is an existing tree/fence line that would essentially screen the solar array from those neighbors' view (if the tree/fence line remains).
 - *Reviewed the applicant's site plan.*
 - There were no objections from local agencies.
 - Riley Township met regarding this item on July 1, 2021 and ultimately recommended approval; Supervisor Don Potts is in attendance to speak on this recommendation.
 - The Clinton County Drain Commission indicated they are generally not opposed, noting they would require a permit if this project necessitated a service (electrical) line to cross the Kent County Drain.
 - The Mid-Michigan District Health Department, with no objections, recommended the proposed solar array be installed at least 10 feet from the toe of the berm surrounding the lagoon (septic) system.
 - There were no public comments.
 - Recommended the Planning Commission to discuss with the applicant if there are other options on-site for the solar array placement (such as directly behind the applicant's home) to determine why other options may not be preferable.
 - Frank Trierweiler asked for clarification if any electric (generated from the solar panels) would be going back to the house?

- Doug Riley replied that the original proposal did not include power to the home; the Commission should confirm this with the applicant.
- Chairperson Christmas asked for any 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 6-0, all in favor, none opposed.]

- Jason Bloomquist, speaking on behalf of Kurt Kramer (who could not attend the meeting), dispersed and discussed additional visual-aid materials.
- Mark Simon asked Mr. Bloomquist if the solar panel could be placed further to the east?
- Doug Riley commented that pushing the solar panel to the east would still not put it into compliance as it would not be behind the home (due to the panel size).
- Adam Stacey asked how much energy this solar panel should produce?
- Mr. Bloomquist answered, about 14-15 thousand kilowatt-hours.
- Adam Stacey inquired about potential seasonal impediment.
- Mr. Bloomquist confirmed that the peak of production is in the summer with winter months resulting in more efficient production in a smaller timeframe (daylight hours).
- Willis Heisey asked why the solar panel can't be placed behind the home?
- Mr. Bloomquist explained that the tree line on the east side of the property would shorten Mr. Kramer's available daylight hours (for production).
- Willis Heisey inquired why moving the solar panel further to the east isn't an option?
- Mr. Bloomquist responded that moving the solar panel further to the east is not an option due to the lot line and tree line.
 - The tree line would cut off the eastern horizon.
 - They would like the panel centered between the east and west tree lines.
- Mark Simon asked if the solar panel would eliminate the need for electricity from the utility company?
- Mr. Bloomquist answered, the solar panel will provide the use of electricity for the barn during the day.
 - The solar panel will over-produce during the day.
 - Surplus power will be credited to him through his meter – which he will be able to use at night.
- Frank Trierweiler inquired about safety measures.
- Mr. Bloomquist stated that there will be a disconnect at the barn, a placard at the home and the inverter self-disconnects in the event of anything below 80 volts.
- Frank Trierweiler stated that from the visual on Google Maps, he feels the proposed placement of the solar panel wouldn't create a visual impact (to the neighboring properties/ from the road).
- Chairperson Christmas asked for any comments from the public.
- Riley Township Supervisor, Don Potts explained that the shape of the property is due to a deed restriction caused by the lagoon system.
- Doug Riley thanked Don Potts for his comment, recalling that there is a required 100-foot property line setback for lagoon systems.

- Don Potts further explained that this extra space was for the purpose of installing a new lagoon system in the event the current failed.
 - Commented that the applicant's proposed location is great for using otherwise unusable land and would allow him space enough to install additional solar panels if he wanted to in the future.
- 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 Frank Trierweiler 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: Mark Simon moved, supported by Patti Schafer to approve PC-25-21 SP (KRAMER) application for site plan approval for a proposed solar panel array in Section 27 of Riley Township based on the following reasoning and subject to the following conditions:

- Reasoning: The standards set forth under Sections 715 (site plan requirements) and Section 716 (standards for review) have been or can be met as referenced in the staff report subject to the conditions set forth.
- Conditions: (1) The applicant shall complete final permitting with the Community Development Department for the solar panel installation. (2) Following installation, there shall be no commercial advertising of the solar panel array placed on the property.

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

OTHER BUSINESS
GOALS &
OBJECTIVES

Doug Riley, Director:

- Dispersed literature including the Goals and Objectives of the Comprehensive Plan and alluded to how important the Planning Commission's feedback is as leaders of the community.
- Mark Simon asked Doug Riley how well he feels the Goals and Objectives support current practices/ideals?
- Doug Riley responded Goal 3 (Agricultural Land Preservation) in particular.
 - The PA 116 program is really aiding in this goal.
 - There are 110 square miles of land enrolled in PA 116 (the equivalent of 3 townships).
 - The County has now overlaid the PA 116 properties onto the Future Land Use Map to assist in reviews.
- Adam Stacey discussed several areas within the Goals and Objectives that could be revised or stricken.
 - Recommended adding an objective regarding broadband to Goal 2 (Quality of Life).
- Doug Riley offered: a broadband objective may be better suited for Goal 6 (Community Services & Infrastructure).
- Patti Schafer suggested a collaboration between the Townships and the County to achieve accessible broadband.
- Mark Simon commented that the need for broadband will only continue to explode/expand, as well as solar energy.
- Doug Riley confirmed, it may be time to include sustainable language in the Comprehensive Plan (Goals and Objectives).
- Brian Zsoter expressed his interest in a non-motorized trail system as a citizen of Clinton County.

- Doug Riley discussed Goal 7 (Natural Resources), Objective 11 – proposing his ideas for improving the reclamation and permitting process for gravel pits.
 - Implement language to guarantee a good plan.
 - If plan is broken, their mining permit/ability may be restricted.
- Adam Stacey expressed his support.
- Willis Heisey questioned how this could be better implemented if we already require an end-use plan?
- Doug Riley responded that the final 5-year review (approval) could be held until the final development (end-use) plan is solidified and satisfies the County’s requirements/standards.
- Adam Stacey initiated discussion on Goal 6 (Community Services & Infrastructure), Objective 6.
- Doug Riley referenced joint planning to improve coordination of utilities (i.e., a utility authority) such as the urban service boundary being formed by the City of St. Johns and Bingham Township.
- Adam Stacey presented the idea of expanding US-127.
- Frank Trierweiler expressed that the plans are done but may be 40-50 years out.
- Adam Stacey questioned, specifically, in relation to development – should this theoretical expansion be detailed in the plan?
- Doug Riley suggested that it may fit best under Goal 9 (Transportation).
 - Referencing feedback from the survey, arose discussion regarding senior/accessory housing (Goal 2: Quality of Life).
- Frank Trierweiler stated that an outcome of this is it has created a demand for assisted living businesses.
- Doug Riley stated that there are some instances where a (temporary) medical hardship trailer may be allowed.
 - Overall, the update process is going well.
 - Staff will continue to meet with Townships individually.
 - The current goal for the draft plan to be part of a public hearing is December/January.
 - Thanked the Commission for their discussion.
 - Any thoughts/comments can be emailed to Staff.

COMMUNITY
DEVELOPMENT
DIRECTOR’S REPORT

Doug Riley, Director provided a brief update:

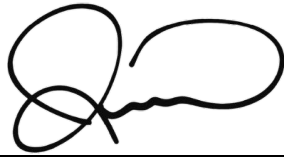
- The Board of County Commissioners approved the cases that the Planning Commission recommended approval for in June.
- The August 12th Planning Commission meeting is anticipated to have a full agenda.
- Dispersed the attendance sheet and bylaws.
 - Encouraged the Commission to review.

PLANNING
COMMISSIONER
COMMENTS

Chairperson Christmas called for Commissioners’ comments. There were no comments.

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 8:41 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 August 12, 2021.