

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



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

## Clinton County Planning Commission

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

### MEETING MINUTES JULY 13, 2023

**CALL TO ORDER** The Clinton County Planning Commission (PC) met on Thursday, July 13, 2023 at 6:31 p.m. with Chairperson Christmas calling the meeting to order.

**ROLL CALL** Jan Motz – *absent with notification*  
Margaret Sayles – *absent with notification*  
Michael O’Bryant  
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  
Raphael Kasen, Planner (Consultant)  
Todd Campbell, Deputy County Administrator

**VISITORS** Alannah Woodring, 12875 Thompsen  
Cori Feldpausch, 11480 State Road  
David Peters, 11408 S. Grange Road  
David Smith, 4739 W. Gratiot Road  
Gail Wadell, Duplain Township  
Garrett Singer, Assistant Operations Manager of StoneCo  
Janine Dyer, 15773 Tallman Road  
Kathleen Peters, 11408 S. Grange Road  
Kathy George, Essex Township Treasurer  
Matt Gillrite, StoneCo

**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:** Peter Psarouthakis moved, supported by Michael O’Bryant to approve the agenda as presented. Motion carried.

**APPROVAL OF PLANNING COMMISSION MEETING MINUTES** **PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Patti Schafer to approve the June 8, 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) PORTLAND TWP – MASTER PLAN • Raphael Kasen, Planner introduced himself as a new planning consultant for Clinton County and provided information regarding his background.

(B) EATON COUNTY –  
TEXT AMENDMENT

- Presented for review:
  - The Portland Township’s **Notice of Draft Master Plan Update**
  - Eaton County’s **Notice of Text Amendment**

**PLANNING COMMISSION ACTION:** Peter Psarouthakis 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.
  - *There were no public comments.*

OLD BUSINESS

None

NEW BUSINESS  
PC-21-23 SP  
(EXT)

- Raphael Kasen, Planner Reviewed **PC-21-23 SP (EXT) – Application for Extension of Site Plan Approval** as detailed in the Staff Report (which includes the Site Plan Review/Extension criteria to be reviewed by the PC).
- Chairperson Christmas called on the applicant.
- Garrett Singer, Assistant Operations Manager of StoneCo, noted that he received copies of the comments received in response to noticing from the Planning & Zoning Office.
  - The Mid-Michigan District Health Department (MMDHD) specifically touched on the potential issues of dewatering on-site.
    - Dewatering has not been used for this site at all.
    - Water used on-site has typically been recycled significantly and drawn out of a lake/pond.
- Chairperson Christmas asked if the Clinton County Drain Commissioner’s Office (CCDC) has submitted further comments, following receipt of review fee, as indicated?
- Raphael Kasen stated that no further comments have been received at this time.
- Garrett Singer commented that the review fee was paid to the CCDC.
- Chairperson Christmas asked if any concerns the CCDC may indicate following the PC and Board of County Commissioners’ (BOCC) review can be addressed administratively?
- Jessica Bolt, Planning & Permit Technician, clarified that compliance with agencies is addressed under Condition of Approval #1.
- Chairperson Christmas asked for any comments or questions from the PC.
- Val Vail-Shirey asked Mr. Singer if he could elaborate on the location the water used on-site is being drawn from?
- Garrett Singer indicated that the water is sourced from ponds that are dug on-site.
  - The ponds typically get filled back in with sediment.
  - The material is washed, and the water is pumped back into the pond, so they are generally filled back in on their own through this process.
- Val Vail-Shirey inquired if this process requires permitting through the Michigan Department of Environment, Great Lakes, and Energy (EGLE)?
- Garrett Singer explained that EGLE permitting is not required for the excavation of a pond as long it is meets their setback requirements and size restrictions.

- Noted, they have proposed “wet planning” on their site plan for the majority of the property – which does require some EGLE permitting.
  - Are currently in the process of obtaining the necessary permitting.
- Chairperson Christmas asked for any comments from the public.
  - Hearing none, Chairperson Christmas called for a motion.

**PLANNING COMMISSION ACTION:** Peter Psarouthakis moved, supported by Patti Schafer to approve PC-21-23 SP (EXT), StoneCo of Michigan, a five (5) year extension of the site plan for a mining operation in Section 36 of Greenbush Township based on the following reasoning and subject to the following conditions:

- Reasoning: **(1)** The standards set forth under the original site plan approval and Section 3.11 (permit to mine) have been or can continue to be met subject to the conditions set forth below.
- Conditions: **(1)** Compliance with the rules and requirements of the CCDC, CCRC, MMDHD and MDEQ. Any substantive change, as determined by the Community Development Department, shall be resubmitted to the Planning Commission for their review and approval. **(2)** Mining permit (extension) is valid for a five (5) year period. A mining permit shall be required until final reclamation is complete. Upon completion of reclamation and restoration as required by Section 3.11E, it shall be the responsibility of the permit holder to provide a final site plan to the Community Development Department to verify compliance with the Ordinance. The final site plan shall verify that all slopes are adequate, and that the property is stabilized for future use. **(3)** The operation shall remain in compliance with the originally approved site plan and all standards of Section 3.11 (Permit to Mine) of the Zoning Ordinance.

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

OTHER BUSINESS  
DISCUSSION –  
ORDINANCE  
AMENDMENTS

- Joel Haviland, Building Official/Zoning/SESC Administrator, reviewed the Memorandum (*Discussion – Potential Zoning Ordinance Amendments*) and discussion from the October, 2022 PC meeting.
  - Former Director, Doug Riley, initiated initial discussions with the PC last October regarding potential Zoning Ordinance amendments following the reformatting of the Zoning Ordinance and completion of the Comprehensive Plan update (5-year review).
  - The purpose of this discussion is for the PC to provide guidance and prioritization to Staff for any potential amendments.
  - The issues listed on the Memorandum have been previously discussed/identified by the PC, BOCC, Zoning Board or Appeals (ZBA) or staff in the daily administration of the Zoning Ordinance over the past few years.
    - Some of these items have already been discussed but could be reevaluated, if the PC is inclined, given the length of time since the initial discussion was held.
  - Any specific amendments would ultimately have to be prepared and reviewed through a later (formal) public hearing/adoption process.
    - The County is considering contracting with a consultant for this process.
- Peter Psarouthakis asked if the PC can add to this list?
- Joel Haviland confirmed that the PC can add to the list, if desired.
- Val Vail-Shirey commented on the importance of bringing applicable ordinances into to compliance with State law.

- Chairperson Christmas noted that the PC can make ordinances more restrictive than State law, but not less restrictive.
- **Event Centers (e.g., Wedding Barns) in the agricultural zoning districts – Need for more defined criteria/standards.**  
Following discussion, the PC consensus was that it didn't make sense to tie this land use to a farmer's market (current practice) but to create more clearly defined standards to allow as a stand-alone land use. However, the PC should give additional consideration to the requirement that they need to be located on a paved road.
- **Solar Farms – Agricultural lands balance – future cap?**  
*The PC has formed an Advisory Committee to specifically address this item.*
- **Flag Lots – Potential for homes behind homes.**  
Following discussion, the PC consensus was that no new or additional regulations were warranted.
- **4 to 1 – Parcel depth-to-width ratio limitation.**  
Following discussion, the PC consensus was that it appears to make sense to pursue changing the requirement from a 40-acre exemption to a 20-acre exemption to reduce the number of variances that must be reviewed/approved. Keep a Zoning Board of Appeals review an option.
- **Accessory structures on corner parcels.**  
Following discussion, the PC consensus was that it appears to make sense to amend the Ordinance to not penalize homeowners with corner lots (and 2 front yard setbacks) with the placement of accessory structures.
- **Sign Regulations – Zoning Consultant Audit Recommendation.**  
Following discussion, the PC consensus was that this should be a high priority to make sure our regulations meet recent Supreme Court rulings regarding content, regulation of free speech, etc. and comply with audit recommendations in these regards. *As this ordinance is not currently in compliance, it was recognized that illegal law is unenforceable.*
- **Accessory (2nd) Dwelling Units on parcels – Zoning Consultant Audit Recommendation.**  
Following discussion, the PC consensus was to review this item further. There was split discussion to consider language to constructively accommodate the aging population while others expressed lingering concerns of potential rental properties and hinderances (or resulting variances) for future land divisions.
- **Landscaping Section/Standards – Zoning Consultant Audit Recommendation.**  
Following discussion, the PC consensus was to review this item further.
- **Stormwater Management/Low Impact Development Standards.**  
Following discussion, the PC consensus was to review this item further to accommodate the CCDC, if able.
- **Auto Repair as a Home-Based Business.**

Following discussion, the PC consensus was to review this item further, and perhaps allow some flexibility while having thoughtful regulation.

- **Shipping containers as an allowed accessory building.**  
Following discussion, the PC consensus was to review this item further as a low-priority item.
  - **Private (Home) Kennels – Number of dogs allowed.**  
Following discussion, the PC consensus was to comply with/match State licensing laws and the Clinton County Animal Control.
  - **Agricultural Structure Exemption – Need for qualifying criteria.**  
Following discussion, the PC consensus was to review this item further to define clear qualifying criteria.
  - **Accessory structure before home – Clarification in Ordinance.**  
Following discussion, the PC consensus was to review this item further for clearer definitions/regulation.
  - **Accessory Structures – Minimum side and rear property line setbacks.**  
Following discussion, the PC consensus was to review this item further for clearer definitions/regulation.
  - **Complaints (Enforcement) – Repeated complaints.**  
Following discussion, the PC consensus was that it appears to make sense to seek an opinion from legal counsel in regards to this item.
  - **10-acre Minimum Parcel/Lot Size.**  
Following discussion, the PC consensus was to review this item further and potentially consider reducing this regulation.
  - **Wireless Communications – Zoning Consultant Audit Recommendation.**  
Following discussion, the PC consensus was that this should be a high priority to make sure our regulations comply with federal and state laws as indicated in the audit recommendations.
  - **Private use solar panels in the front yard.**  
Following discussion, the PC consensus was to review this item further and consider less restrictive language for this regulation.
  - **Aggregates (Mining Operations).**  
Following discussion, the PC consensus was to comply with/match State law in these regards.
- COMMUNITY DEVELOPMENT DIRECTOR'S REPORT
- Jessica Bolt, Planning/Permit Technician provided a brief update:
    - There will be an August PC meeting.
    - There are currently 5 cases for review.
- PLANNING COMMISSIONER COMMENTS
- Chairperson Christmas asked Val Vail-Shirey to give an update on the Advisory Committee.
  - Val Vail-Shirey explained that the Committee has met twice and has been listening to general education presentations with upcoming wind and solar tours scheduled.

- David Smith explained that he does not feel the presentations have been balanced thus far.
  - Would like to hear more on other energy options alternative to renewable energy.
- Val Vail-Shirey assured Mr. Smith that there will be more presentations.
  - Clarified that the Committee is only charged with reviewing the regulations for utility scale solar and wind projects.

ADJOURNMENT

**PLANNING COMMISSION ACTION:** With no further business to come before the Commission, Peter Psarouthakis moved, supported Val Vail-Shirey to adjourn the meeting at 8:34 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]



---

Jessica Bolt, Planning & Permit Technician

NOTE: These were approved by the Planning Commission on August 10, 2023.