

**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 AUGUST 12, 2021

**CALL TO ORDER** The Clinton County Planning Commission met on Thursday, August 12, 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 – *arrived at 6:35 pm*  
Roni Christmas

**STAFF PRESENT** Doug Riley, Director  
Jessica Plesko, Planning & Permit Technician  
Dan Hufnagel, Building Inspector  
Erin McElroy, Building Department Secretary/Accounting Clerk

**VISITORS** Don Potts, Riley Township Supervisor  
Spencer Speerbrecker of 8201 S. Grove Road  
Dustin Speerbrecker of 8142 Grove Road  
John Speerbrecker of 5646 Pratt Road  
Jill Bahm, Giffels Webster of 1025 E. Maple Road  
Mike and Brenda Warr of 7900 Chadwick Road  
Jason Bloomquist, Quality Solar of 3706 Gleneden Drive  
Becky and John Chrenka of 8660 Kinley Road

**PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was given to the flag of the United States of America.

**AGENDA** The agenda was presented for review and approval.  
**PLANNING COMMISSION ACTION:** Willis Heisey moved, supported by Frank Trierweiler to approve the agenda as presented. Motion carried.

**APPROVAL OF PLANNING COMMISSION MEETING MINUTES** **PLANNING COMMISSION ACTION:** Mark Simon moved, supported by Willis Heisey to approve the July 8, 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** None

**PUBLIC COMMENTS** Chairperson Christmas called for public comments. There were no public comments.

OLD BUSINESS

None

NEW BUSINESS

PC-26-21 SLU

Chairperson Christmas called on Doug Riley, Director for report.

- Doug Riley:
  - Reviewed **PC-26-21 SLU – Application for Special Land Use Permit** as detailed in the Staff Report.
- Adam Stacey inquired about the proposed fencing – specifically, why it is not connected to the house when the purpose is to contain the children.
- Doug Riley responded that the code requires fencing, but the term used is “adjacent”.
- Willis Heisey questioned what type of fence is being proposed?
  - Visibility?
  - Commenting, he feels the fencing should allow some visibility for the purpose of monitoring the children from outside of the fence.
- Doug Riley agreed that he feels there should be some visibility; however, some designs may create opportunity for climbing.
  - The applicant may be able to answer those questions based off her communications with the State regarding licensing requirements.
- Becky Chrenka stated that the State is not specific on fencing type or materials.
  - However, the residential code does not permit horizontal fencing.
  - Considering vertical fencing – not privacy fencing.
- Frank Trierweiler commented that he believes a daycare is needed in the proposed area.
- Chairperson Christmas asked what the distance between the house and proposed playground area is?
- Becky Chrenka recalled the proposed playground area to be approximately 70 feet from the home.
  - Offered that she is open to the idea of bringing the playground forward (closer to the home) and expanding the designated area as well.
- Mark Simon addressed the Mid-Michigan District Health Department’s comments that the applicant’s existing well and septic systems are not sufficient for the proposed use – asking the applicant if she has received details of what would be required?
- Becky Chrenka answered that she has had minimal correspondence with the Health Department and has not yet gotten definitive requirements.
- Mark Simon commented (from his own experiences) that certain types of systems are difficult to maintain.
  - Suggested that she look into hiring someone to maintain the system for her if she finds it difficult to manage.
- Becky Chrenka thanks Commissioner Simon for his input.
- 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.]

**PLANNING COMMISSION ACTION:** Frank Trierweiler moved, supported by Patti Schafer to recommend approval of PC-26-21 SLU (CHRENKA) to the Board of Commissioners for a group child day care home at 8660 E. Kinley Road in Section 2 of Ovid Township based on the following reasoning and conditions:

- Reasoning: (1) The standards as specifically described in Section 1318 (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 1305 (Special Land Use - Basis of Determination) have been or can be met subject to the conditions set forth below.
- Conditions: (1) Any 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 606 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 building permitting. (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 the conversion of the home to day care use. (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-27-21 SLU*

- Doug Riley, Director:
  - Reviewed ***PC-27-21 SLU – Application for Special Land Use Permit*** as detailed in the Staff Report.
- Frank Trierweiler inquired about the parking situation with concerns that employees parking in the yard makes the property appear commercial.
- Doug Riley indicated that home based businesses are only allowed 2 non-family employees and there must be an improved parking area (not grass) per the criteria.
- Patti Schafer asked Doug Riley if the existing building was built for the applicant's business or if it was originally intended for agricultural use?
- Doug Riley answered that the building was built in 2015 and permitted as a residential pole barn.
- Patti Schafer asked Doug Riley for clarification on the criteria – inquiring if the proposal is simply to bring the existing business into compliance or if the applicant is requesting the expansion/improvements on his own?
- Doug Riley replied that the applicant's proposal includes the addition – which is what necessitated the application for a home based business.
  - After going through the criteria, some improvements were added to the applicant's proposal for compliance (i.e. screening of equipment and improved parking).

- Patti Schafer asked for confirmation that the requirement set by the Commission would be improved parking, while the applicant's proposal is for approval of the addition and apron (parking)?
- Doug Riley confirmed.
- Mark Simon, citing the 2 non-family employee rule, asked Doug Riley how many non-family employees the applicant has?
- Doug Riley confirmed the rule and expressed that the applicant can address the number and relation of employees.
- Mark Simon stated that he has some concerns about increased traffic.
- Willis Heisey expressed his concerns with setting a precedence as this site looks commercial, stating home based businesses are meant to look residential.
- Adam Stacey agreed that the intent of the ordinance was written to protect; however, he feels it is meant to be protective of residential areas rather than rural areas.
  - Overall, he is not concerned about protecting aesthetics of this rural area being that many farms have similar looking sites.
  - Stated that the 2020 aerial photos show a lot of equipment outdoors.
  - Asked Doug Riley for clarification on the criteria requirements of equipment storage.
    - Concerned about the proposed expansion providing enough enclosed storage for the equipment that is currently being stored outdoors.
  - Asked the applicant if his proposal is sufficient for storing all of the equipment currently outdoors?
    - Will there be an entrance on the back side of the proposed addition?
- Spencer Speerbrecker answered that there is not going to be a door on the back side of the addition.
  - The proposed apron is dual-purpose, proposed for fenced-in storage and maneuvering trailers.
  - The initial proposal was a larger building to store equipment in, but that size is not allowed for residential purposes.
- Adam Stacey asked for clarification on the storage goal, where the entrance will be?
- Spencer Speerbrecker replied that the goal is to get all of the equipment in contained storage areas.
  - There are 2 large doors on the south side of the proposed addition.
  - The proposal also includes a fence that will be non-translucent.
  - In regards to the employees, the business is family-owned and most of the vehicles parked on the site are family.
- Adam Stacey asked if the majority of the work is done on or off-site?
- Spencer Speerbrecker replied that the work is done off-site.
- Doug Riley commented that 7,500 square feet of accessory buildings is the max allowed for this site.
  - The applicant would not be able to expand his business (construct more buildings) without a variance.
- Patti Schafer inquired about repositioning the dumpster.
- Spencer Speerbrecker confirmed that the dumpster will be on the proposed concrete apron close to the home.
  - There is also proposed landscaping on the south side of the driveway, framing the north and south drives.
- Patti Schafer declared that any proposed landscaping cannot block the road right-of-way vision.

- Doug Riley stated that Riley Township’s comments included clear vision along the road right-of-way.
  - They also supported the dumpster moving to the proposed concrete expansion for maneuvering equipment (trailers).
- Adam Stacey expressed that he does not feel there needs to be landscaping on the north drive.
- 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:** Adam Stacey 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.
- Don Potts, Riley Township Supervisor explained that Riley Township is in support of the applicant’s proposal with the conditions of clear vision, the dumpster moving and some screening.
- 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:** Patti Schafer moved, supported by Adam Stacey 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.]

- Adam Stacey stated that he feels requiring landscape screening, in this instance, may be disruptive.
  - Ultimately, the landscaping should be to the discretion of the applicant.

**PLANNING COMMISSION ACTION:** Patti Schafer moved, supported by Frank Trierweiler to approve PC-27-21 SLU (SPEERBRECKER) for a home based business at 8142 S. Grove Road in Section 23 of Riley Township based on the following reasoning and conditions:

- Reasoning: (1) The standards as specifically described in Section 1332 (Home Based Business Criteria) have been or can be met subject to the conditions set forth below. (2) The standards set forth under Section 1305 (Special Land Use - Basis of Determination) have been or can be met subject to the conditions set forth below.
- Conditions: (1) Any exterior lighting installed for the building/business shall be kept similar to standard residential use and in compliance with the cutoff and shielding requirements of Section 606 of the Clinton County Zoning Ordinance. (2) The applicant shall comply with the rules and permitting requirements of the Clinton County Road Commission, Mid-Michigan District Health Department and Clinton County Drain Commissioner as part of future construction/improvements. Compliance with these agency requirements shall be verified as part of building (construction) permitting. (3) The applicant shall relocate the garbage dumpster to a screened location next to or behind the building to reduce the commercial appearance to the roadway(s). (4) As represented by the applicant, all material and equipment storage will be confined within the proposed pole barn and fenced-in area. (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-29-21 SP

- Doug Riley, Director:
  - Reviewed **PC-29-21 SP – Application for Site Plan Approval** as detailed in the Staff Report.
- Jason Bloomquist, Quality Solar dispersed and discussed additional visual-aid materials.
- Adam Stacey asked for clarification on the proposed placement of the solar array.
  - Commenting that he assumes the proposed placement is due to optimal efficiency of equipment, not because they are unsightly.
- 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:** Adam Stacey 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.]

- Don Potts, Riley Township Supervisor expressed that the applicants have agreed to move the array 20-30 feet to the east.
  - The array is proposed to be directly back from the access drive on stable ground.
- Frank Trierweiler asked if the access drive is a property line?
- Don Potts answered, no, although it used to be.
- Adam Stacey asked Don Potts if additional landscaping is part of Riley Township's recommendation?
- Don Potts confirmed that it is, on the Forest Hill Road side.
- Mike Warr inquired when the trees (landscaping) would be required to be planted?
  - Expressed concerns about planting in the off-season.
- Doug Riley consulted Chairperson Christmas for her recommendation.
- Chairperson Christmas answered that fall would be the best time to transplant.
  - 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:** Frank Trierweiler moved, supported by Adam Stacey to approve PC-29-21 SP (WARR) application for site plan approval for a proposed solar panel array in Section 28 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  
GIFFELS WEBSTER

Doug Riley, Director:

- Introduced Jill Bahm from Giffels Webster to present the Draft Updated (Reformatted) Zoning Ordinance.
- Ms. Bahm presented the draft revised ordinance.
  - The Planning Commission, Staff and Ms. Bahm discussed the format/process.

BY-LAWS

Doug Riley, Director:

- Reviewed the Planning Commission By-Laws.
  - Recommended language revision of Section 6.A from 25% to 3 absences within a 12-meeting period.
- Adam Stacey explained that this particular requirement was put into place by the Board of County Commissioners to remove members that were not performing.

**PLANNING COMMISSION ACTION:** Adam Stacey moved, supported by Patti Schafer to amend By-Law 6.A as follows:

“To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson or Planning Staff of their intention to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence. Two (2) consecutive, unexcused absences or more than 3 absences in any 12 meeting period shall be considered nonperformance of duty and cause removal of the member by the Board of County Commissioners.”

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

COMMUNITY  
DEVELOPMENT  
DIRECTOR'S REPORT

Doug Riley, Director provided a brief update:

- Sara Clark Pierson submitted her official resignation.
  - *Read Sara Clark Pierson's resignation letter.*
- The Board of County Commissioners will appoint someone for her unfulfilled term.
  - A statutory requirement for Planning Commissions is to have a commissioner that is a school board member or administrative official of a school district within the County.
- Willis Heisey asked if this requirement excludes the St. Johns school district?
- Doug Riley answered that it does not exclude the St. Johns school district.
- Adam Stacey advised the Commission to pass along any suggestions to Commissioner Dave Pohl.
- Doug Riley continued with his report:
  - Brian Zsoter's case that was recommended for approval by the Planning Commission in July was approved by the Board of County Commissioners.
  - Former Planning Commission Chair, Judge Shannon Schlegel has invited the Planning Commission to her investiture.
  - The regularly scheduled meeting for September 9<sup>th</sup> will take place.

PLANNING  
COMMISSIONER  
COMMENTS

- Chairperson Christmas called for Commissioners' comments.
- Adam Stacey asked Doug Riley for an update on the Comprehensive Plan Update project.
- Doug Riley responded that Staff met with Duplain and Lebanon Townships last month.
  - Still waiting on Census numbers.

- Hopeful to have a draft by January, 2022.

ADJOURNMENT

**PLANNING COMMISSION ACTION:** With no further business to come before the Board, Mark Simon moved, supported by Patti Schafer to adjourn the meeting at 8:58 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 Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Planning Commission on September 9, 2021.