

ISABELLA COUNTY
PLANNING COMMISSION

November 14, 2019

A Regular Meeting of the Isabella County Planning Commission was held on November 14, 2019 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Jeremy Murphy, Tim O'Neil, Phillip Vogel, Jim Horton, Bob Campbell, Nathan Rogers, Kelly Bean (7:04 p.m.), Jerry Neyer

MEMBERS ABSENT: Ann Silker

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director
Ray Johnson, Zoning Administrator
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Murphy at 7:00 pm.

The Pledge of Allegiance was recited by the commission.

APPROVAL OF AGENDA

Mr. Murphy requested that the amended agenda be approved as presented.

A motion was made by Mr. Neyer supported by Mr. Rogers to approve the agenda.

Yes: Jeremy Murphy, Tim O'Neil, Phillip Vogel, Jim Horton, Bob Campbell, Nathan Rogers, Kelly Bean, Jerry Neyer

No: None

Motion carried

PREVIOUS MINUTES

Minutes of the September 23, 2019 special meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mr. Horton supported by Mr. Neyer to approve the minutes as submitted.

Yes: Jeremy Murphy, Tim O'Neil, Phillip Vogel, Jim Horton, Bob Campbell, Nathan Rogers, Kelly Bean, Jerry Neyer

No: None

Motion carried

LIAISON REPORTS

Zoning Board of Appeals – Mr. Vogel had nothing to report.

Parks & Recreation – Mr. Murphy reported that the last meeting discussed the Passport Grant for improvements for Coldwater Lake Family Park.

Board of Commissioners – Mr. Horton stated that the Commission meeting included discussions on the jail project moving forward and Clark Construction has been chosen as the construction manager for the project. The wage reclassification was discussed and a recommendation regarding the Sheriff and Prosecuting Attorney departments will be considered.

TOWNSHIP CONCERNS

Denver – Jackie Curtis had nothing to report

Sherman – Richard Schmidt had nothing to report

PUBLIC COMMENT – none

SUP#19-03 Robert Cook

Mr. Johnson informed the board that a special use permit application was received by Robert Cook including a site plan depicting the location of the proposed campground which includes a bathhouse, pavilion, office with a small store for 131 R.V. campsites. The site is near the intersection of W. Wiley and N. Kimball Roads.

Mr. Johnson discussed the only proposed lighting in the campground and noted that the applicant had provided details that the lighting would meet the ordinance requirements. He also discussed the State and local health department approvals on the well and septic and recommended applicable permits be a condition if an approval was going to be made. He also discussed the entrance to the proposed campground and also recommended receiving a permit from the Road Commission be made a condition of an approval.

Mr. Johnson indicated that while no screening was shown on the site plan, staff had communicated with the applicant about appropriate screening to protect adjacent residential uses. The applicant also indicated in the narrative he would be installing this appropriate screening.

Mr. Johnson indicated that staff would make the following recommended stipulations as part of a motion to approve the request to address these notes.

1. The applicant shall provide a copy of a driveway permit for the proposed use.
2. The applicant shall provide a copy of an approval on the wells and septic from the Central Michigan District Health Department and/or the Department of Environment, Great Lakes and Energy (EGLE).

3. The applicant shall work with staff to develop appropriate screening between the campground and adjacent properties.
4. The applicant shall apply for an address for the campground.
5. The applicant shall be approved to operate 24 hours a day.

Mr. Nieporte stated that the office received 3 letters in opposition of the development siting concerns with security, noise, smoke, trespassing, 24 hour operation and septic system with concerns for the river. Also a petition was given to staff just prior to the start of the meeting. Mr. Nieporte indicated this two page petition listed names, addresses, and several phone numbers of those in opposition of the campground.

Mr. Murphy called for the applicant to speak.

Alan Craighead, engineer with Lapham Associates stated that the 100' buffer would be maintained and reiterated some of the points Mr. Johnson reviewed in his staff report.

Public Hearing Open 7:15 p.m.

George King spoke stating he represented Lake Isabella Property Owners Association with concerns about canoes, kayakers and the like exiting the river on private property owned by Lake Isabella. He also expressed concerns with Wiley Rd. use.

Mr. Nieporte stated that staff has emailed the Road Commission regarding Wiley Rd. and sent over the proposed site plan but have not heard back from them at this time.

Terry Gatehouse stated his brother owns property next to the proposed and expressed concern with Wiley Rd. condition due to swap in the area and expressed concerns with duck habitat.

Mr. Nieporte informed the board that the area proposed to be developed is not in a wetland or floodplain.

John Dauffenbach expressed concerns with the submitted site plans. His concerns also included waste disposal, development to the south end of the property, quite times and the 100' setbacks. He also asked if the campground would be open year round.

Mr. Nieporte informed the board that some of these concerns are addressed in the applicant's narrative and he suggested the applicant address these following public comment.

Stacey Dent adjacent land owner expressed concerns with Wiley Rd. traffic, 24 hr. operation, noise, the 100' buffer and trespassing onto surrounding property.

Harry Dent expressed concerns about Wiley Rd. traffic, trespassing, dirt bikes, tubing, kayaking and the use of the river. He also expressed his concern regarding noise, smoke and surrounding wetlands.

Rick Kruger had concerns with Wiley Rd., allowing ATVs and/or snowmobiles, RV. He asked if there would be tent camping and had further concerns regarding noise, and allowing for 24

hour operation.

Mr. Nieporte clarified the recommendation by staff to allow for a special use permit to operate 24 hrs.

Nick Kruger expressed concerns with dust, the party store, potential fire hazards, firecrackers, and ATVs.

Janet Dent concerns with numbers of guests at the campground and expressed concerns for impact to wildlife.

Rick Kruger questioned if there was waste removal onsite and need for police.

Richard Schmidt representing Sherman Township Board stated the board had concerns with Wiley Rd. conditions, emergency services and potential impact to the river.

Jean Davey express issues with the smell from pig farms and flies associated with the nearby pig farms.

Public Hearing closed 7:47 p.m.

Robert Cook informed the board he is from Mt. Pleasant and owns property in the area. He stated that the operation would be seasonal 1 May – 1 Oct. He stated that he owns several RV parks and has had none of these issues at other parks. He stated this park will be Veteran owned and operated and the small convenience store is for camper use only. He reiterated that hours will be from 10 p.m. – 6 a.m. and the development stops as shown on site plan.

Alan Craighead also indicated the development stops as shown on the site plan. He stated that sewage disposal will be approved by EGLE and the local health department. He indicated there will be no development in the wetlands and this campground will be only for RV camping and will have no primitive sites. He stated that they will be working with the Road Commission for review and permitting on the entrance and review and comment on Wiley Rd.

Robert Cook stated he would be willing to fence the perimeter and plant trees to deter trespassing. He also stated there would be no snowmobiles permitted.

Mr. Nieporte stated that staff reviewed the site plan and estimates development to stop approximately 350' from the river.

Alan Craighead stated there will be no development by the river.

Mr. Horton questioned if installation of large well would impact neighbors' water flow.

Alan Craighead stated that the well will be tested permits from the state would be acquired.

Mr. Horton asked if the store was for campers only.

Mr. Cook stated yes

Mr. Nieporte further stated that the store is only for users of the RV park by ordinance.

Mr. Horton asked about trespassing signs.

Mr. Cook stated the property boundaries will be clearly marked with no trespassing signs.

Mr. Horton asked if 4 wheelers will be allowed.

Mr. Cook stated all campground roads will be limited to 5 -10 mph or less. By law firewood cannot be brought into the campground and he plans to offer campfire wood for sale to campers.

Mr. Rogers asked if there have been trespass or similar issues at other campgrounds in the county.

Mr. Nieporte informed the board that staff spoke with the Undersheriff and he indicated the only calls they have received have been health related.

Mr. Cook stated this is not a party place it's a family campground.

Mr. Nieporte asked Richard Schmidt what where the concerns of the Township related to fire safety.

Dave Livermore, Fire Chief Sherman Township stated, he would like to see that there is enough room on interior roads for emergency vehicles ingress and egress.

Mr. Craighead stated that the internal roads will be 24 ft wide and are required to be under state review.

Mr. Livermore stated this would remove Township concerns for fire and life safety.

Mr. Nieporte further stated there are two other items that the board should consider adding as stipulations to an approval. One being the applicant be required to post no trespassing signs along property lines and limit the campground to being open from May 1st to October 1st.

Mr. Murphy called for a motion.

A motion was made by Mr. Horton supported by Mr. Bean to approve Special Use Permit 19-03 (SUP#19-03) as submitted by Robert Cook with the stipulations that the applicant provide a copy of the driveway permit, copies of well and septic approvals, apply for and be issued an address, be able to operate 24 hours a day and work with staff to establish appropriate screening, post no trespassing signs, and limit the campground being open from May 1st to October 1st. The approval is based upon the following finding of fact that the requirements of 12.03 have been met.

Mr. Murphy called for a roll call vote.

Mr. Rogers – No
Mr. Neyer – No
Mr. Horton – Yes
Mr. Bean – No
Mr. Murphy – Yes
Mr. O’Neil – No
Mr. Campbell – No
Mr. Vogel – Yes

Motion fails.

SPR#19-15 Dennis Berryhill/Scott Zeneberg

Mr. Nieporte state that in December 2018 the Planning Commission held a public hearing to review the re-zoning request by Mr. Zeneberg to rezone this property from AG-3 to C-1. The planning commission made a recommendation to approve the request and the Board of Commissioners approved the request.

The application for site plan review is to now establish the use of the property for a new and used car sales and service business. The application submitted by Mr. Zeneberg included a site plan showing the current building and the layout of the proposed parking and drive area.

The applicant has also submitted a permit from the Michigan Department of Transportation for the driveway with an approval to operate prior the driveway being fully installed at a later date. Staff has also confirmed with the Health Department that the current well is designed for a commercial use and a sample of the water still needs to be tested by the Health Department for final approval.

Mr. Nieporte stated that the applicant is complete and appears to meet all the requirements of the ordinance and recommended that an approval incorporate the following conditions:

1. The applicant shall provide a copy of the final approval on the installed well.
2. The currently installed sign shall be moved to meet the setback requirements in Article 7.
3. The applicant shall install and maintain a double row of evergreen trees at 10 ft on center with a minimum height of 3 ft in the location shown on the site plan.
4. The applicant apply for a building permit to change the use group.
5. That only 7 vehicles for sale in parking area at any one time. The applicant may amend parking area to include more vehicle spacing upon staff review and approval.

Mr. Horton asked for clarification on parking.

Mr. Nieporte stated that the site plan only depicts 7 spaces for vehicle sales. The others shown on the site plan are to meet the required parking for this use. Mr. Nieporte also indicated that staff has advised the applicant of this recommended condition and stated the applicant may be able to amend their application at a later date to show more parking detail.

A motion was made by Mr. O'Neil supported by Mr. Vogel to approve Site Plan Review 19-15 (SPR#19-15) as submitted by Scott Zeneberg with the stipulations that he provide a copy of the final well approval, move the sign to meet setback requirements, install a staggered double row of evergreen trees 10 ft on center at a minimum of 3 ft in height in the location shown on the site plan, apply for building permit for the use group change, and restrict to no more than 7 vehicles for sale at any one time.

Yes: Jeremy Murphy, Tim O'Neil, Phillip Vogel, Jim Horton, Bob Campbell, Nathan Rogers, Kelly Bean, Jerry Neyer

No: None

Motion carried

Farmland Agreements

Mr. Nieporte informed the board that since the last meeting in October, staff has received a multitude of farmland agreements. He stated that all of the farmland agreements have past their planning commission review time period and been approved by the board. Because of this there is no consensus on the applications, but for the record he will present a summary of the applications for the planning commission.

The following farmland agreements were presented by Mr. Nieporte.

Fodor Farms LLC. in Coldwater and Sherman Townships – 13 applications submitted, 11 in Coldwater and 2 in Sherman. All applications appear to be complete.

Daniel Epple in Denver and Isabella Townships – 5 applications submitted, 2 in Denver and 3 in Isabella. All applications appear to be complete.

Raymond Brookens in Lincoln and Denver Townships – 2 applications submitted, 1 in Lincoln and 1 in Denver. All applications appear to be complete.

Performance Farms LLC. in Coldwater and Sherman Townships – 1 applications with 4 properties, 1 in Coldwater and 3 in Sherman. The application appears to be complete.

Floyd and Rhonda Graham – 1 application in Isabella Township which appears to be complete.

Christopher and Betty Moeggenborg in Lincoln and Coe Townships – 2 applications in Lincoln Township and 1 in Coe which appear to be complete.

Gregg and Laurie Arnett – 1 application in Coe Township which appears to be complete.

Michael and Michelle Faber – 1 application in Coe Township which appears to be complete.

Martin Travis Living Trust – 1 application in Coe Township which appears to be complete.

PUBLIC COMMENT – None

STAFF COMMENTS – Mr. Nieporte updated the board on the Isabella Wind Turbine project.

PLANNING COMMISSIONER'S COMMENTS –

Mr. Horton asked if any of the farmland agreements had leases for wind turbines.

Mr. Nieporte stated he wasn't sure but suspected there wouldn't be many.

ADJOURNMENT

A motion was made by Mr. Horton supported by Mr. Campbell adjourn the meeting at 8:23 pm

Yes: Jeremy Murphy, Tim O'Neil, Phillip Vogel, Jim Horton, Bob Campbell, Nathan Rogers, Kelly Bean, Jerry Neyer

No: None

Motion carried

Tim O'Neil, Secretary