ISABELLA COUNTY
PLANNING COMMISSION – SPECIAL MEETING

December 10, 2020

An Electronic Special Meeting of the Isabella County Planning Commission was held on December 10, 2020 via Zoom on the above date.

MEMBERS PRESENT: Tim O'Neil, Kelly Bean, Jim Horton, Bob Campbell, Ann Silker, Nathan Rogers, Phillip Vogel, Jerry Neyer

MEMBERS ABSENT: None

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director
Ray Johnson, Planner/Zoning Administrator

The meeting was called to order by Mr. Bean at 7:06 p.m.

The Pledge of Allegiance was recited by the commission.

**ROLL CALL**

Chairman Bean requested a roll call.

Commissioner Bean – Present – St. John's, MI
Commissioner O'Neil – Present – City of Mt. Pleasant, MI
Commissioner Campbell – Present – Broomfield Township, MI
Commissioner Rogers – Present – Vernon Township, MI
Commissioner Vogel – Present – Rosebush, MI
Commissioner Silker – Present – Gilmore Township, MI
Commissioner Horton – Present – Rodney, MI
Commissioner Neyer – Present – Lincoln Township, MI

**APPROVAL OF AGENDA**

Chairman Bean called for a motion and second to approve the agenda.

A motion was made by Mr. Neyer supported by Mr. O'Neil to approve the agenda.

Chairman Bean called for a roll call vote.

Commission Horton – Yes
Commissioner Bean – Yes
Commissioner Neyer - Yes
Commissioner Silker – Yes

Unapproved

Commissioner O'Neil – Yes
Commissioner Campbell – Yes
Commissioner Rogers – Yes
Commissioner Vogel – Yes

Motion carried

**PREVIOUS MINUTES**

Minutes of the November 12, 2020 electronic meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mrs. Silker supported by Mr. Vogel to approve the minutes.

Chairman Bean called for a roll call vote.

Commission O'Neil – Yes
Commissioner Campbell – Yes
Commissioner Rogers – Yes
Commissioner Vogel – Yes
Commissioner Silker – Yes
Commissioner Neyer - Yes
Commissioner Bean – Yes
Commissioner Horton – Yes

Motion carried

**LIAISON REPORTS**

Zoning Board of Appeals – Mr. Vogel reported that two variances were heard last month and they both passed.

Parks & Recreation – None.

Board of Commissioners – Mr. Horton indicated the Board of Commissioners was wrapping up their 2020 session. He informed the members that the Board of Commissioners approved the conditional rezoning request from the September meeting.

**TOWNSHIP CONCERNS**

Mr. Nieporte reported that Jackie Curtis, Denver Township Trustee called staff to let the Commission know that all is good in Denver Township.

**PUBLIC COMMENT**

The Chairman opened the meeting to public comment at 7:16 p.m.

Unapproved

Tim Wolff spoke about the letter he submitted to the Planning Commission and indicated he would like to see Isabella County create more Commercial districts.

Theresa Todd indicated she was the neighbor to the north and requested the fencing be changed from a wooden fence to a vinyl fence for safety and ease of maintenance.

Harold Banks asked about the timing of the proposal and the impact of the proposal to small local businesses.

The Host indicated there were no other hands raised.

The Chairman closed the meeting to public comment at 7:23 p.m.

**SPECIAL USE PERMIT #20-09 RURAL PRODUCTION AND PROCESSING FACILITY (PALLETT CONSTRUCTION) ADEN WEAVER – ROLLAND TOWNSHIP**

Mr. Nieporte reported that a special use permit application was submitted by Aden Weaver for a Rural Production and Processing Facility to construct pallets. Mr. Nieporte gave an overview of the property and of the site plan submitted with the application.

Mr. Nieporte indicated that staff had some concerns and wanted some clarifications with the narrative submitted. He stated that the application indicated the facility would open to the public. He stated that staff spoke to Mr. Weaver who clarified to staff there would not be a storefront. Mr. Nieporte stated that Mr. Weaver also indicated lumber was coming from two different sawmills via pickup truck and trailer one to two times per week.

Mr. Nieporte also indicated a clarification that Mr. Weaver has a contract to produce pallets as allowed under the ordinance Section 12.05 KK. He also indicated that staff is of the opinion that no additional screening is necessary for this site due to the topography of the area.

Mr. Nieporte sated that Mr. Weaver submitted a waste disposal plan which indicated that any waste or scrap produced would be burned to heat the house.

Mr. Nieporte indicated that the application appeared to be complete, and with the clarifications appears to meet the requirements of the ordinance. He also indicated the following stipulations were recommended by staff if an approval is going to be made.

1. The applicant shall provide a copy of the driveway permit or approval on the existing driveway from the Isabella County Road Commission for this use.
2. Existing screening shall be maintained, and the applicant shall comply with all requirements of Section 12.05 KK., Rural Production and Processing Facilities.
3. The applicant's waste disposal plan, as described in the application, is approved by the planning commission and there shall be no open burning of waste material.

Chairman Bean asked if the applicant would like to add anything.

Unapproved

Mr. Weaver stated that Mr. Nieporte had covered everything.

Chairman Bean opened the meeting to public comment at 7:31 p.m.

None heard.

Chairman Bean closed the meeting to public comment at 7:31 p.m.

Chairman Bean called for a motion and a second.

A motion was made by Mr. O'Neil and seconded by Mr. Neyer to approve Special Use Permit 20-09 (SUP#20-09) as submitted by Aden Weaver to establish a Rural Production and Processing Facility in the Agricultural Buffer (AG-3) district and shall further be conditioned upon the following:

1. The applicant shall provide a copy of the driveway permit or approval on the existing driveway from the Isabella County Road Commission for this use.
2. Existing screening shall be maintained, and the applicant shall comply with all requirements of Section 12.05 KK., Rural Production and Processing Facilities.
3. The applicant's waste disposal plan, as described in the application, is approved by the planning commission and there shall be no open burning of waste material.

Mr. Bean called for comments or questions on Sections 12.03 and 12.05 KK and if any of the members felt Mr. Weaver was not meeting these requirements.

The Board discussed the burning of treated lumber.

Mr. Horton felt that not allowing treated lumber to be burn would speak to this use not being detrimental to surrounding neighbors as per Section 12.03.

Mr. Horton asked for clarification on the size of the delivery trucks.

Mr. Nieporte clarified lumber would be delivered by pickup truck and trailer according to the application.

A motion was made by Mr. Horton to add stipulation #4 to state no burning of treated lumber.

The motion was seconded by Mr. Neyer

Chairman Bean called for a roll call vote on the motion for the additional stipulation of no burning of treated lumber.

Commissioner Silker – Yes
Commissioner O'Neil – Yes
Commissioner Vogel – Yes

Unapproved

Commissioner Campbell – No
Commissioner Neyer – Yes
Commissioner Horton – Yes
Commissioner Rogers – Yes
Commissioner Bean - Yes

Motion Carried

Chairman Bean called for a roll call vote on the original motion including the amendment to approve the special use permit.

Commissioner Horton – Yes
Commissioner Neyer – Yes
Commissioner Silker – Yes
Commissioner Vogel – Yes
Commissioner Rogers – Yes
Commissioner O'Neil – Yes
Commissioner Campbell – Yes
Commissioner Bean – Yes

Motion Carried.

**SITE PLAN REVIEW #20-17 MIDWEST V LLC – RETAIL BUILDING**

Mr. Nieporte indicated a site plan review for a retail building was received. Mr. Nieporte gave an overview of the property location and surrounding uses.

Mr. Nieporte stated that included in the application was a request to reduce the number of required parking spaces from 40 to 30 as per Section 7.07 C. He indicated the language in the ordinance gives the Planning Commission the authority to approve the reduction.

Mr. Nieporte also indicated a privacy fence is proposed on the north side of the property and is not currently proposing a sign. He stated staff clarified this with the applicant and that they will be required to come back for a separate approval prior to a sign being installed.

Mr. Nieporte indicated staff would recommend several conditions on an approval, the first being:

1. The applicant shall provide a copy of all required permits from the Central Michigan District Health Department and the Isabella County Road Commission.

He stated that if the Planning Commission was going to approve the parking reduction request, the following condition should be included:

2. The applicant is approved for the reduction in the parking requirement as requested in the application and shown on the approved site plan.

Unapproved

Mr. Nieporte indicated that if the Planning Commission is not going to approve the parking reduction, then an amended site plan to include all 40 spaces should be included as a condition.

Mr. Nieporte reviewed the correspondences received by staff, 11 in opposition and 1 in favor of the request.

Mr. Nieporte reviewed the letter received by Mr. Tim Wolff. He stated that there were two main concerns, insufficient information and comments on the review standards. Mr. Nieporte indicated that the letter stated buildings and structures within 100 ft of the property boundaries were not shown. He stated that a stipulation can be made to require an amended site plan to be sent to staff showing these buildings and their heights.

Mr. Nieporte also stated that the letter from Mr. Wolff indicated there were no signs or parking lot lighting proposed. Mr. Nieporte agreed but noted that the proposed sign conduit terminated on the north side of the driveway. He stated that staff would recommend stipulating an approval that a sign shall be installed on the south side of the driveway and not on the north side of the driveway.

Mr. Nieporte also indicated the letter pointed out the site lighting indicated lights should meet the Broomfield Township Ordinance. He recommended an amended site plan be corrected to reference the Isabella County Zoning Ordinance.

Mr. Nieporte indicated that staff is of the opinion that the insufficient information identified by Mr. Wolff would not prohibit the Planning Commission from taking action on this request with the recommended conditions.

Mr. Nieporte reminded the Planning Commission no specific business has been identified by the application or the applicant and the request is for a retail building.

Charmain Bean asked if the applicant would have anything to add.

Peter Oleszczuk stated that they would be more than happy to include a vinyl fence of an almond or tan color in an amended site plan. He also indicated all building lighting is on a sensor and is pointing down. Mr. Oleszczuk also clarified any signage would be via a separate application.

Scott Jozwiak stated an amended site plan would be provided to include buildings and structures with their heights as required. He also agreed to the placement of the sign on the south of the entrance.

Mr. Jozwiak also discussed the parking reduction request and indicated they were working on road commission and health department permits.

Mr. Nieporte asked for information on the methodology on the retention pond since the County does not have a storm water management plan.

Unapproved

Mr. Jozwiak stated the pond was engineered to a 100-year flood event and the site is contoured to the east to handle any unlikely overflow.

Chairman Bean asked for clarification on a motion and stipulations.

Mr. Nieporte indicated the following stipulations are recommended by staff and based on comments are agreed upon by the applicant.

1. The applicant shall provide a copy of all required permits from the Central Michigan District Health Department and the Isabella County Road Commission.
2. The site plan be amended to replace the wooden fence on the north property boundary with a six (6) foot vinyl fence in an almond or tan color.
3. The site plan shall also be amended to include all buildings and structures within 100 feet of the property boundary, including heights.
4. Page C 1.2 item 7.1 shall be amended to indicate lighting shall comply with the Isabella County Zoning Ordinance Section 3.20 and shall include a statement that all lighting shall be down-shielded.
5. A freestanding or monument type permitted sign shall be located to the south of the proposed driveway and the applicant shall apply to the Zoning Administrator for approval of any and all signs prior to installation of any signs.

Chairman Bean called for a motion and a second.

A motion was made by Mr. Neyer and seconded by Mr. Vogel to approve Site Plan Review 20-17 (SPR#20-17) as submitted by Midwest V, LLC to establish a Retail Building in the Commercial-Industrial (C-I) district and shall further be conditioned as read by staff.

Chairman Bean called for discussion.

The Board discussed fence heights to help protect the health and safety of the neighbor to the north.

Mr. Horton discussed the retention pond depth and the possibility of a fence around the pond.

Mr. Nieporte gave a few examples of unfenced retention ponds.

Mr. Jozwiak indicated if the pond were full, there would be less than four feet of water and the bulk of the basin is a gentle 4:1 slope.

Mr. Vogel asked if the lighting would be on 24/7.

Mr. Oleszczuk indicated that all lights on the site are timed to turn off one hour after close with the exception of about 20% of the lights for safety and security purposes.

Mr. Nieporte pointed out that one letter received from the public indicated there was too much traffic in this area while another stated there wasn’t enough traffic to sustain a retail business.

Unapproved

Mr. Nieporte discussed parking requirements and stated that if the six parking spaces were not installed to the north, it would reduce the chance of lights from vehicles shining onto the adjacent residential home to the north.

The Board discussed parking requirements and the applicant's request to reduce the number of parking spaces.

Mr. Horton made a motion to include the following stipulation in the original motion, seconded by Mr. Neyer.

6. The applicant shall be approved for a reduction in the number of parking spaces to 30 and shall reserve the area indicated on the site plan for the additional 10 spaces. These 10 spaces shall be required to be developed if traffic patterns dictate the need or at such time the additional spaces are required by a change of use.

Chairman Bean called for a roll call vote.

Commissioner Rogers – Yes
Commissioner Vogel – Yes
Commissioner Campbell – Yes
Commissioner Horton – Yes
Commissioner Neyer – Yes
Commissioner O'Neil – Yes
Commissioner Silker – Yes
Commissioner Bean – Yes

Motion carried.

Mr. Nieporte reviewed the motion to approve the site plan and the stipulations.

Mr. Bean Called for a roll call vote on the original motion including the amendment to approve the site plan.

Commissioner Bean – Yes
Commissioner Silker – Yes
Commissioner O'Neil – Yes
Commissioner Neyer – Yes
Commissioner Horton – Yes
Commissioner Rogers – Yes
Commissioner Vogel – Yes
Commission Campbell – Yes

Motion carried.

**UNION TOWNSHIP MAP AMENDMENT**

Unapproved

Mr. Nieporte reported that a map amendment was received by staff from Union Township. He indicated the property on the corner of Broomfield St. and S. Isabella Rd. is currently split zoned and the rezoning would remove the split zoning.

Mr. Nieporte stated the Union Township Planning Commission voted to recommend approval to the Township Board and staff sees no issues with the rezoning request.

He stated that staff would forward a letter back to Union Township informing them of the Planning Commission's review of the amendment.

**PUBLIC COMMENT**

Chairman Bean called for public comment at 8:38 p.m.

Mr. Tim Wolff thanked staff and the Planning Commission for the consideration of his comments. He commented on his dissent of the decision of the Planning Commission to take action and make an approval just because it meets the ordinance. He stated this is harmful for building communities and does not encourage residents to invested in their local community. He again thanked the Commission.

Chairman Bean closed the meeting to public comment at 8:39 p.m.

**STAFF COMMENTS** – None

**PLANNING COMMISSIONER'S COMMENTS**

Mr. Rogers asked about a special meeting scheduled for next week.

Mr. Nieporte indicated there was and packets will go out tomorrow.

Mr. Neyer apologized for missing the last few meetings.

**ADJOURNMENT**

Chairman Bean called for adjournment of the meeting at 8:42 p.m..

Meeting adjourned at 8:42 p.m.

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Ann Silker, Secretary

Unapproved