

**EATON COUNTY  
PLANNING COMMISSION MEETING  
February 7, 2017**

**Call to Order:** Ms. Claudine Williams, Community Development Department Director, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

**Pledge:** The Pledge of Allegiance was given by all.

**Roll Call:** Brian Ross, Christine Barnes, Ronald Wilson, Jack Owens, Michelle Stahl, Barbara Rogers, Ben Tirrell, Jeana Rohrs and Tim Cattron

**Staff Present:** Claudine Williams and Brandy Hatt

**Nominations and Elections of Board Chairperson, Vice Chairperson and Secretary.**

Ms. Williams asked for nominations for Chairperson. **Commissioner Owens** nominated Commissioner Ross. **Commissioner Stahl** seconded. **Commissioner Rohrs** moved nominations be closed and a unanimous ballot cast for Commissioner Ross. **Commissioner Wilson** seconded. Motion carried.

Commissioner Ross assumed the responsibility of presiding over the meeting.

**Commissioner Ross** asked for nominations for Vice-Chair. **Commissioner Stahl** nominated Commissioner Wilson. **Commissioner Rohrs** seconded. **Commissioner Rohrs** moved nominations be closed and a unanimous ballot case for Commissioner Wilson. **Commissioner Stahl** seconded. Motion carried.

**Commissioner Ross** asked for nominations for Secretary. **Commissioner Stahl** nominated Commissioner Owens. **Commissioner Wilson** seconded. **Commissioner Rohrs** moved nominations be closed and a unanimous ballot cast for Commissioner Owens. **Commissioner Stahl** supported. Motion carried.

**Commissioner Rohrs** moved to close elections. Commissioner Wilson seconded. Motion carried.

**Agenda Approval:** A motion was made by **Commissioner Wilson** to approve the agenda for the February 7, 2017 meeting as printed. **Commissioner Stahl** supported. Motion carried.

**Minutes Approval:** A motion was made by **Commissioner Owens** to approve the December 6, 2016 minutes as printed. **Commissioner Cattron** supported. Motion carried.

**Public Comments:** None

**CU-2-17-2:** Request by Eaton County Parks Department for a Conditional Use Permit to operate a Commercial Recreation Facility (walking trails and lake access for canoes and kayaks) as defined in Section 5.3.3 C of the Ordinance at 3425 E. Clinton Trail, Sec. 15 & 16, Eaton Township.

**Staff Report:** Ms. Williams read the staff report into record.

**Applicant Statement:** Mr. Clay Summers, Director, Eaton County Parks Department, stated the property in question has been purchased by Eaton County through a Michigan Department of Natural Resources Grant; he stated Eaton County Parks Department is now going through the process of getting the property open to the public. He stated Eaton County as a condition of the grant is required to have the property open to the public within ninety days of obtaining the grant.

**Commissioner Stahl** stated a Commercial Recreation Facility states the property will be open to the public for a fee; she asked Mr. Summers if there will be a fee to get into the park. Mr. Summers stated

because of the way the park will be setup with a walk in entrance only, there will not be a fee at this time, but there may be a fee in the future. Mr. Summers stated the Parks and Recreation Commission plan to go through a six to eight month public planning process to develop the park.

**Commissioner Stahl** asked Mr. Summers if the park will be open year round; will there be winter recreation including ice fishing. Mr. Summers said yes, the park will be open year round; fishing may be allowed once a fish study is complete for the property. He stated the lake has never been formally stocked and Eaton County would like to better understand what fish are already in the lake.

**Commissioner Owens** asked Mr. Summers if there is a five year plan for the park that shows the possible location of the camping and fishing areas. Mr. Summers stated the Eaton County Parks Department has a five year master plan for all Eaton County Parks. He stated over the next six to eight months or year, a master plan will be developed specifically for this park. He stated the Eaton County Board of Commissioners will be putting together a task force to work on the plan.

**Commissioner Wilson** asked staff if clarification is needed for signage. Ms. Williams said no.

**Commissioner Ross** stated he is not familiar with the current master plan for the park; he asked if the current plan is to allow the public to walk the entire property. Mr. Summers stated the Eaton County Parks staff will watch to see where the public gravitates to and then possibly mow paths. He stated while the entire property will be open to the public, the only access point is located off from M-50. Mr. Summers stated the only use of the property currently is walking trails, kayaks, canoes and dog walking. **Commissioner Ross** stated he is not sure he wants to propose it as a requirement at this time, but he would like to see some natural buffering between the park property and the existing residential area in an effort to be good neighbors. Mr. Summers stated they will be installing natural buffering and will continue to communicate and work with the neighbors. He stated once the park is open and they can identify where the high traffic areas are they will address it more. Mr. Summers stated buffering will be in the fore front of issues to address.

**Commissioner Owens** asked Mr. Summers if opening the park for passive recreation is a part of the ninety day requirement from Michigan Department of Natural Resources. He also asked if rustic camping will be allowed at this time. Mr. Summers said there will be no camping allowed on the property at this time. He said the park will be open in the morning and close in the evening. Mr. Summers stated they will have a plan for securing the property on the north end and in the woods. He stated the walk in access is located on the south of the property; they do not have a plan to keep the entrance closed. Mr. Summers stated the Parks Department is working on a plan to secure access points. **Commissioner Owens** stated the amount of noise that might come from the property is more than what the neighbors are currently used to. **Commissioner Ross** stated that is why he brought up the buffering. Mr. Summers stated they deal with noise levels at all of their park locations. He said he hopes the neighbors are excited about the park.

**Commissioner Rohrs** said per the application there will not be regular employees dedicated to the park, but it was stated foot traffic will be watched to better determine how to develop the property. Mr. Summers stated the park will not have dedicated staff on the property, but park managers and grounds keepers will be on the site, enough that they should be able to obtain accurate information. He stated there will not be someone on the property all the time.

**Commissioner Ross** invited any speaker in favor or opposition to the request to make public comment.

**Speakers in favor:** None

**Speakers in opposition:** Mr. Donald Southern, 2655 E. Clinton Trail, stated he has lived in his home for twenty-six years. He said it has been interesting to hear the responses from Eaton Township because he did not receive a letter regarding their meeting. Mr. Southern stated he lives off the road, but near the property line. He stated he is concerned about the traffic to the property and potential

accidents. Mr. Southern stated there is not a left turn lane. He said his concerns are Stewart Road is a busy road and the noise from the property.

Mr. Gary Crittenden, 382 S. Stewart Road, stated he is the only home on Stewart and the park is in his back yard. He said Crandell Trucking runs up and down Stewart Road for their surface mine operation. Mr. Crittenden stated he has used the property that is now the park like he owned it because he has a contract with the Crandell Family to do so. He stated he is concerned about the fencing and making trails and what will be done to keep people off from his property. Mr. Crittenden said he would like to see the driveway, located only 25 feet from his house removed or relocated further away. He said he is very concerned about potential ball fields and parking located behind his barn. He stated everyone is talking about the lake, but he is concerned about what is going to happen to his house.

Mr. Tony Norton, 3100 Island Highway, stated he is concerned about trespassing on private property. He said he and his neighbors live close and are concerned about unscrupulous characters coming around. Mr. Norton stated a fence may be a possible solution. He asked if the lake will be a no wake lake or an all sports lake.

**Public hearing closed:** 7:34 p.m.

**Commissioner Ross** invited Mr. Clay Summers to address some of the concerns brought up during public comment.

Mr. Summers stated one of the reasons Eaton County is taking a slow approach to opening the property as a park is to address the concerns of the neighboring property owners. He stated the original development plan for the property will not occur. Mr. Summers stated the park is a passive park; the public will have a hand in the year long process to determine how the park may further be developed. He stated plans to develop the park will be very slow, deliberate and transparent. Mr. Summers stated Eaton County is not doing anything with the plan for the property that was developed seven years ago. Mr. Summers noted the driveway located off from Stewart Road will not be used as a public entrance; it will be used as a service driveway only. He stated moving the driveway may be a possibility and can be looked at as they move through the development process.

**Commissioner Ross** reminded the public this is not a question and answer session. He stated he asked Mr. Summers to speak to address some of the concerns that were brought up under public comment. **Commissioner Ross** stated he hopes the people who spoke or attended this evening will be invited and participate in the public planning process for the potential development of the park. Commissioner Ross asked Mr. Summers to be sure and get their addresses.

**Commissioner Owens** stated the Eaton County Parks Department has been holding meetings on the development of this park for several months already and noted public is welcome to attend those meetings as well. Mr. Summers encouraged everyone to please contact the Parks Department directly with any questions or comments as they have the most current and accurate information.

**Commissioner Rohrs** stated the gentleman who lives off from Island Highway brought up a concern about having people being on the trails and not knowing where the property boundaries are. She stated his concern should be addressed now. **Commissioner Stahl** agreed. She asked if there is a way to have signage placed on the property to differentiate between the park property and private property. **Commissioner Owens** asked how the problem is handled with the other parks. Mr. Summers stated the Eaton County Parks Department places boundary markers in all non-fenced areas; the markers are very clear. He stated the Eaton County Parks Department will also work with the property owners to install no trespassing signs at the expense of the Parks Department. **Commissioner Rohrs** asked if the boundary markers and no trespassing signs would be installed prior to opening day. Mr. Summers stated the Eaton County Parks Department has already ordered the markers and signs; they will be installed as soon as possible. He stated they were waiting on the approval of the Conditional Use Permit Application before placing any markers or signs.

**Commissioner Wilson** stated it is best to avoid the same situation that has occurred at places like Sherwood Forest Campground. **Commissioner Rohrs** agreed, she stated the fencing was a big issue for the neighboring property owners. **Commissioner Wilson** stated this is the birthing process of a new county park; he is comfortable with what he has heard this evening. **Commissioner Stahl** suggested the sign for the park be included in the motion.

**Commissioner Stahl moved to approve CU-2-17-2 (Eaton County Parks)** for operation of a Commercial Recreation Facility (walking trails and lake access for canoes and kayaks) as defined in Article 5 of the Ordinance, the permit application, site plans, all zoning requirements and the following conditions:

1. A ground sign no larger than thirty-two (32) square feet is permitted for the identification of the park. The sign must meet the requirements set forth in Article 11 of the Eaton County Zoning Ordinance.
2. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Barry-Eaton District Health Department, Eaton County Construction Code Department, Eaton County Central Dispatch, Eaton County Drain Commissioner and Michigan Department of Environmental Quality.
3. This Conditional Use Permit is granted to Eaton County for above described use only on property located at 3425 E. Clinton Trail only. It is non-transferable.

**Commissioner Owens** supported. A roll call was taken with eight (8) voting aye and one (1) voting nay. Motion carried.

**DCA-12-16-2:** Request by Eaton County Planning Commission for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance) to clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 5 Definitions and Interpretations (amend Sections 5.3.3 C & 5.3.18 R) and Article 6 General Provisions (amend Sections 6.2.10 C. & 6.5).

Ms. Williams informed the Planning Commission Public Work and Planning sent the District Change Amendment back to the Planning Commission for further consideration because they were concerned about the requirement of a permit for Temporary Housing of Family Members. **Commissioner Ross** asked Ms. Williams what course of action the Planning Commission needs to take. Ms. Williams said the Planning Commission could choose to do several things. She stated the Planning Commission could choose to remove the requirement of a permit for Temporary Housing of Family Members, leave the wording as is, but send someone to the Public Works and Planning Committee Meeting tomorrow morning to answer questions and further explain the reason for the permit or remove all language in the proposed amendment regarding Temporary Housing of Family Members and only proceed with the change from Temporary Housing for Medical Reasons. Ms. Williams stated the decision is the pleasure of the Planning Commission.

**Commissioner Ross** stated he does not want to remove the requirement of a permit for Temporary Housing of Family Members because there would be no start or end date for enforcement purposes. He stated he does not like the thirty days the Zoning Ordinance currently allows, but it is enforceable; removing the permit would make it hard to enforce.

**Commissioner Tirrell** stated the intent of the proposed text amendment was to make the Zoning Ordinance less restrictive. He suggested not changing the language, but possibly clarifying the intent for Public Works and Planning. **Commissioner Stahl** asked Ms. Williams if a permit is needed to use a camper on a property for thirty days. Ms. Williams said no.

**Commissioner Owens** stated he thought the text amendment was clear; he asked if anyone was able to attend the Public Works and Planning Committee Meeting tomorrow morning. Ms. Williams informed the Planning Commission Commissioner Rogers sits on the Public Works and Planning Committee. She asked Commissioner Rogers if there was something she would like to add to the conversation from the December Public Works and Planning Committee Meeting. **Commissioner Rogers** stated she left the December Public Works and Planning Committee Meeting early.

**Commissioner Ross** stated both Commissioner Rogers and Commissioner Barnes sit on the Public Works and Planning Committee; he suggested Commissioner Rogers and Commissioner Barnes attend the meeting to give clarification on behalf of the Planning Commission. **Commissioner Ross** asked Commissioner Rogers and Commissioner Barnes if they have any questions regarding the proposed text amendment. **Commissioner Barnes** said no, she believes she understands the request.

**Commissioner Ross** invited any speaker in favor or opposition to the request to make public comment.

**Speakers in favor:** None  
**Speakers in opposition:** None  
**Public hearing closed:** 7:53 p.m.

**Commissioner Tirrell** asked Ms. Williams what concerns Public Works and Planning had. Ms. Williams stated they were concerned about the requirement of a permit. **Commissioner Rogers** stated she tried to read the December Public Works and Planning Committee Meeting Minutes, but they were not clear; a reason for denial was not given in the minutes.

**Commissioner Owens moved to approve DCA-12-16-2 a Comprehensive Amendment** to the Eaton County Land Development Code (Zoning Ordinance) to clarify the intent, update language and improve comprehension; also the current regulations only allow for a recreational unit to be used on a property for thirty days. The proposed amendment is less restrictive and gives a way to track recreational units on personal property. Amendments are proposed to the following: Article 5 Definitions and Interpretations (amend Sections 5.3.3 C & 5.3.18 R) and Article 6 General Provisions (amend Sections 6.2.10 C. & 6.5) of the Eaton County Ordinance.

**Commissioner Barnes** supported. A roll call was taken with nine (9) voting aye and none (0) voting nay. Motion carried.

**Other Business: Commissioner Ross** stated the committee appointments will remain the same for 2017; however Commissioner Catron will now a full time Site Plan Review Committee Member rather than the alternate.

**Reports:** Ms. Williams informed the Planning Commission a solar energy company came into the office to discuss the possibility of installing a solar farm in Eaton County. Ms. Williams informed the Planning Commission solar farms are not specifically addressed in the Zoning Ordinance. She stated it is possible they may be considered a use similar to a Community Service Facility. Ms. Williams asked the Planning Commission if the Zoning Ordinance Committee would like to meeting to discuss further. All agreed the Zoning Ordinance Committee should meet.

**Upcoming Cases:** Ms. Williams informed the Planning Commission are no applications to be heard at their March 7, 2017 meeting.

**Public Comment:** none

A motion was made by **Commissioner Owens** to adjourn the meeting. **Commissioner Stahl** supported. The meeting adjourned at 8:00 p.m.