

**EATON COUNTY  
PLANNING COMMISSION  
October 5, 2021**

**Call to Order:** Brian Ross, Chair of the Eaton County Planning Commission called the meeting to order at 7:00 p.m.

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

**Roll Call:** Brian Ross, Barbara Rogers, Jim Mott, Zachary Dillinger, Tim Cattron, Bruce Porter, and Mike Hosey

**Absent:** Ben Tirrell and Lisa Lawitzke

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

**Agenda Approval:** A motion was made by **Commissioner Hosey** to approve the agenda as written for the October 5, 2021 meeting. **Commissioner Cattron** supported. Motion carried.

**Minutes Approval:** A motion was made by **Commissioner Cattron** to approve the September 13, 2021 meeting minutes as written. **Commissioner Rogers** supported. Motion carried.

**Public Comments:** None

**Public Hearings of Conditional Use Permit:**

**CU-10-21-8:** Request by Laura and Brian Jackson for a Conditional Use Permit to operate an Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township.

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

**Applicant Statement:** Ms. Ashley Stofer stated she is present to represent Mr. and Mrs. Jackson because they are home sick. She said there is very little manure waste from the farm, and what they have is spread around the property. **Commissioner Hosey** asked Ms. Stofer how many lessons are given at a time. Ms. Stofer stated lessons are given one at a time, but one lesson could contain a family.

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

**Speakers in favor:** Mr. Jeremy Whittum, Eaton County Commissioner for District 14, stated he would like the Planning Commission to approve the application. He added had it not been for the court issue, we would not have even known about the business. Commissioner Whittum stated he commends the property owners for obtaining all of their permits.

Sue Spagnuolo, Eaton Conservation District, stated their board approved the application, but made notes regarding the manure spreading. She said because of the floodplain and a creek in the area, she suggests the property owners have manure management plan in place to protect

themselves. She explained one horse produces eight to nine pounds of manure a day and the residents own five horses of their own, in addition to their boarded horses.

**Speakers opposed:** none

**Public hearing closed:** 7:10 p.m.

**Commissioner Hosey** moved to approve **CU-10-21-8** a request by **Laura and Brian Jackson** for a Conditional Use Permit to operate an Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township, with the following conditions:

1. 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, Michigan Department of Environment, Great Lakes and Energy, Eaton County Construction Code Department, Eaton County Central Dispatch, and Eaton County Drain Commissioner.
2. This Conditional Use Permit is granted to Laura and Brain Jackson for the above-described use only. It is not transferable per the Zoning Ordinance.

**Commissioner Mott** supported. A roll call was taken with seven (7) voting aye and none (0) voting nay. Motion carried.

**Commissioner Ross** asked for the property owners to be made aware of the manure management plan. Ms. Hatt stated the property owners are aware.

**CU-10-21-9:** Request by Troy and Tracy Miller for a Conditional Use Permit to operate a Construction Contractors Establishment and Storage of Heavy Equipment (waterproofing/foundation repair company) per Section 14.29 of the Zoning Ordinance at 4532 Whittum Road, Section 5, Hamlin Township.

**Commissioner Porter** requested to be rescued because the application involves property he owns. **Commissioner Dillinger** moved to rescue Commissioner Porter from hearing application CU-10-21-9. **Commissioner Rogers** supported. Motion carried.

**Staff Report:** Ms. Williams read the staff report and Site Plan Review responses from the Eaton Conservation District and Eaton County Road Commission into record.

**Applicant Statement:** Mr. Troy Miller stated he has been in the construction industry since he was fifteen. He stated he enjoys the business because he enjoys helping people. Mr. Miller stated he grew up in Eaton Rapids, his family is still located in Eaton Rapids and he would like to see his business grow in Eaton Rapids. **Commissioner Hosey** asked Mr. Miller if he would have a sign for the business. Mr. Miller said yes, the sign would be to code.

**Commissioner Cattron** asked Mr. Miller if he has any concerns about the Eaton County Drain Commissioners comments. Mr. Miller said no, he is aware he needs to follow the rules.

**Commissioner Cattron** stated he asked because of the location of the drain. Mr. Miller stated he knows where the drain is located and will comply with any rules.

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

**Speakers in favor:** Mr. Jeremy Whittum, Eaton County Commissioner for District 14, stated no one has contacted him with any concerns regarding the business; he would ask the Planning Commission to approve the application. Mr. Whittum said additionally, from a neighboring property owner perspective, he would like to see the business approved. He said they will not have gravel trains and the equipment will be stored inside. Mr. Whittum noted Mr. Miller has stated he will comply with the requirements of the Eaton County Road Commission and Eaton County Drain Commissioners Office. He stated there was an issue with the Wiseman Drain, but the cause of those issues are now gone. **Commissioner Hosey** asked Mr. Whittum if he thought the existing and proposed buffering on the site is appropriate. Mr. Whittum said yes, the nearest neighbor is five-hundred feet to the south. Mr. Whittum stated the signage on the property is fine too.

Mr. Phil Bombrys, Hamlin Township Supervisor, stated he would like the Planning Commission to approve the application. He apologized to the applicants for having to apply because not everyone has too. Mr. Bombrys stated issues with the signage came up at the township meeting; they do not want a neon sign or a flashing sign. He noted there are several small signs all over in the road right-of-ways that should not be there. Mr. Bombrys wished the applicants luck with their business.

**Speakers opposed:** none

**Public hearing closed:** 7:28 p.m.

**Commissioner Ross** stated he agrees with the concerns regarding the signage. Ms. Hatt stated she was unaware of the potential sign violations; she explained the provisions of Zoning Ordinance Article 11 in reference to signs.

**Commissioner Cattron** moved to approve **CU-10-21-9** a request by Troy and Tracy Miller for a Conditional Use Permit to operate a Construction Contractors Establishment and Storage of Heavy Equipment (waterproofing/foundation repair company) per Section 14.29 of the Zoning Ordinance at 4532 Whittum Road, Section 5, Hamlin Township, with the following conditions:

1. 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, Michigan Department of Environment, Great Lakes and Energy, Eaton County Construction Code Department, Eaton County Central Dispatch, and Eaton County Drain Commissioner.
2. This Conditional Use Permit is granted to Troy and Tracy Miller for the above-described use only. It is not transferable per the Zoning Ordinance.

**Commissioner Rogers** supported. A roll call was taken with six (6) voting aye and none (0) voting nay. Motion carried.

**Commissioner Dillinger** asked about compliance with the signage requirements. **Commissioner Hosey** stated the motion made requires the applicants to be compliant with the Zoning Ordinance requirements.

**Other Business:** None

**Reports:** Ms. Williams stated the Zoning Ordinance Committee met on September 30<sup>th</sup>. She said they continue to work on regulations for Wind and other smaller items throughout the Zoning Ordinance. Ms. Williams stated once the Zoning Ordinance Committee has completed

the wind regulations, they will begin working on marihuana language. She stated the Committee hopes to have a District Change Amendment Application for the Planning Commission to review at their December 7<sup>th</sup> meeting.

Ms. Williams stated the Zoning Board of Appeals did not meet this evening due to lack of business.

**Public Comment:** Mr. Phil Bombrys, Hamlin Township Supervisor, asked about the temporary housing for four to six months. He said staff would be at the Hamlin Township Meeting next week. He added the Hamlin Township Board is concerned about public safety. **Commissioner Ross** stated staff would inform Mr. Bombrys of when the next Zoning Ordinance Committee Meeting is scheduled. Mr. Bombrys was informed the next Committee meeting is scheduled for October 27<sup>th</sup>.

A motion was made by **Commissioner Hosey** to adjourn the meeting. **Commissioner Mott** supported. Motion carried.

The meeting adjourned at 7:38 p.m.