Call to Order: Ms. Claudine Williams 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, Tammy Halsey, Jeana Rohrs, Tim Catron, Jack Owens, Barbara Rogers, Blake Mulder, John Little, Zachary Dillinger, and Ben Tirrell

Staff Present: Claudine Williams and Brandy Hatt

Agenda Approval: A motion was made by Commissioner Ross to approve the agenda for the January 7, 2020 meeting agenda as printed. Commissioner Catron supported. Motion carried.

Nominations and Elections of Board Chairperson, Vice Chairperson and Secretary:


Commissioner Ross assumed the responsibility of presiding over the meeting.


Commissioner Ross asked for nominations for Secretary. Commissioner Halsey nominated Commissioner Tirrell. Commissioner Rogers seconded. Commissioner Rogers moved nominations be closed and a unanimous ballot cast for Commissioner Owens. Commissioner Dillinger supported. Motion carried.

Commissioner Rogers moved to close elections. Commissioner Dillinger seconded. Motion carried.

Minutes Approval: A motion was made by Commissioner Halsey to approve the December 3, 2019 minutes as printed. Commissioner Rogers supported.

Discussion: Commissioner Rogers stated on page twenty of the meeting minutes, Eaton County Commissioner Brian Droscha is identified as Mr. Brian Droscha. Discussion was held. Commissioner Rogers moved to amend the December 3, 2019 minutes with an amendment to page twenty, to change Mr. Droscha to Eaton County Commissioner Brian Droscha. Commissioner Mulder support. Motion carried.

Commissioner Halsey moved to approve the December 3, 2019 minutes as amended. Commissioner Rogers supported. Motion carried.

Public Comments: None
CU-1-20-1: Request by Angela Evans and Joel Stanbery for a Conditional Use Permit to operate a Commercial Recreation Facility (wedding/event venue and rental cottages) as defined in Section 5.3.3 C of the Zoning Ordinance at 10810 Petrieville Highway, Section 26, Eaton Rapids Township.

Staff Report: Ms. Williams read the staff report and Site Plan Review Response from the Barry-Eaton District Health Department into record.

Applicant Statement: Ms. Angela Evans stated she has nothing to add to the staff report. Commissioner Mulder asked Ms. Evans if she is comfortable making the changes requested by the Barry-Eaton District Health Department. Ms. Evans said yes.

Commissioner Ross asked Ms. Evans if she has spoken to the Eaton County Road Commission. Ms. Evans said yes, she will be meeting with them in the next couple of weeks.

Commissioner Cattron asked Ms. Evans if she plans to have a sign for the business. Ms. Evans said yes. Commissioner Cattron stated the sign needs to be added to the site plan. Commissioner Halsey asked Ms. Evans if she is working on a new site plan to incorporate everything being asked for. Ms. Evans stated she would. Commissioner Halsey asked if the property is on an area of the river where people have access to kayaks or swimming. Ms. Evans stated people could come to the property to use kayaks or arrive by kayak either one. She noted there is more traffic on the river since the river development in Eaton Rapids.

Commissioner Mulder stated these types of businesses usually have issues with neighbors; he is pleased to see none of the neighbors have responded in writing.

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

Speakers in favor: Mr. Ron Goodnoe, 10618 Petrieville Highway, stated he property is located next to Ms. Evans. He stated this is a nice set up; they have put money into Eaton Rapids and have enhanced the area. Mr. Goodnoe stated this business is an asset for the community. He stated people could use the property to get in and out of the river; the banks are not high and a lot of people like to stop before the bridge. Mr. Goodnoe stated what worries him more than anything else is the number of rules in place. He stated in 1966 he asked to put in a tool and die shop; he is now on his fifty-fourth year of operation and has never had to lay off his employees. He stated they now have a decent president to bring businesses back. Mr. Goodnoe stated we should do anything to help small businesses start. He stated people going to college are having a hard time finding jobs. Mr. Goodnoe said the owners have put a lot of hard work into this property by putting a new roof on their building, painting and cleaning up the property. Mr. Goodnoe stated he hopes the Planning Commission would help the applicants by approving their application.

Mr. Scott Wilson, Eaton Rapids Township Supervisor, stated the Eaton Rapids Township Board supports the request. Mr. Wilson stated he reached out to multiple previous township supervisors and other past township officials, all agreed historically there have been two to three apartments in the building. He stated he is glad to hear the structure is now compliant with codes. Mr. Wilson stated provided they meet and comply with all requirements; the Township supports the application.

Commissioner Cattron asked Commissioner Ross if he could ask Mr. Wilson a question. Commissioner Ross said yes. Commissioner Cattron asked Mr. Wilson if the apartments were short term or long term rentals. Mr. Wilson stated the apartment were long-term rentals; at the time, there was also an apartment located in the house. He stated in the 70’s the apartments were loft style.

Speakers opposed: None
Public hearing closed: 7:30 p.m.
Commissioner Rogers stated in her visit to the property she was pleased to see the condition of the apartments. She stated this is going to be a very nice venue that can be rented for the weekend. She stated the rooms have a view of the river and are private.

Commissioner Ross stated he would like to have a new site plan. Commissioner Halsey agreed.

Commissioner Mulder stated from his experience with these venues, problem arise from the neighbors. He stated he would like the applicants to continue to work with the neighbors to address noise and traffic.

Commissioner Cattron stated he visited the site; the property is located in a bowl that goes down to the river. He stated because the property is in a bowl, there should not be much disturbance to the neighbors. Commissioner Cattron stated he agrees with the Road Commission and he would like a new site plan also.

Commissioner Halsey moved to approve CU-1-20-1 (Angela Evans and Joel Stanbery) for a Conditional Use Permit to operate a Commercial Recreation Facility (wedding/event venue and rental cottages) as defined in Section 5.3.3 C of the Zoning Ordinance at 10810 Petrieville Highway, Section 26, Eaton Rapids Township;

1. A new site plan shall be submitted to the Community Development Department for review. Said site plan shall meet the requirement of the Eaton County Road Commission and shall show the location of the proposed sign.
2. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Eaton Rapids Township, 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.
3. This Conditional Use Permit is granted to Angela Evans and Joel Stanbery for above described use only. It is not transferable per the Zoning Ordinance.

Commissioner Tirrell supported.

Discussion: Commissioner Tirrell stated he is concerned about the amount of changes that need to be made to the site plan and not having the Planning Commission review and approve it. Commissioner Halsey stated the site plan will need to have the approval of the Road Commission, she has no concerns as long as the new site plan is drawn and everything is met.

Commissioner Cattron asked if the motion could be amended to update the site plan and then come back to the Planning Commission for approval. Ms. Williams said a motion could be made to postpone the application to the February 4, 2020 Planning Commission Meeting. Commissioner Rogers asked if the Community Development Department could review the site plan rather than making them come back to the Planning Commission. Commissioner Ross stated that is how it has been done in the past. Commissioner Tirrell stated he is not trying to make it harder for the applicants, but procedurally, it is the job of the Planning Commission to review and approve the site plan.

Commissioner Halsey asked if the applicants need to do anything with the site plan for the Health Department. Ms. Hatt said no; the rental cottages have their own well, septic and drain field. She added the washing stations, and portable toilets will be rented and placed on the property for each event.

Commissioner Halsey moved to amend her motion to require a new site be submitted for review by the Planning Commission and to postpone CU-01-20-1 (Angela Evans and Joel Stanbery) to the February 4, 2020 Planning Commission meeting to be held at 7:00 p.m. in the Eaton County Courthouse located at 1045 Independence Blvd., Charlotte, MI.
A roll call was taken with nine (9) voting aye and none (0) voting nay. Motion carried.

Commissioner Mulder stated parking is an issue, if there are concerns they need to be addressed. Commissioner Halsey stated they need to make sure they do not go across their drain field. Commissioner Tirrell stated he does not want to inhibit a business, but does want to be diligent in making sure criteria is being met.

CU-1-20-2: Request by Aljan DeWaele and Allen DeWaele for a Conditional Use Permit to operate an Educational Institution (EMS Trade School) per Section 14.10 of the Zoning Ordinance at 115 N. Waverly Road, Section 1, Eaton Rapids Township.

Staff Report: Ms. Williams read the staff report and a letter from Mr. Aaron and Mrs. Heather Swank, neighboring property owners, into record.

Commissioner Cattron asked the year of the aerial photo due to the neighboring property owners concerns. Ms. Williams stated the aerial photos were taken in 2015.

Commissioner Mulder asked if the neighbors that wrote the letter are to the north or south of the applicant’s property. Ms. Hatt stated they are located to the north.

Applicant Statement: Mr. AJ DeWaele stated he is the owner of Emergency Response Training Center. He stated he has brought his Director of Public Relations, Mr. Camron Sedell with him. Mr. Sedell stated it is the intent of the business to educate, most programs in the area are eight weeks, AJ’s program is yearlong. He said this is a trade school that is needed in Michigan. Mr. Sedell stated they would like to officer classes to surrounding communities. Mr. DeWaele stated they are licensed by the State of Michigan and affiliated with the American Red Cross as a training center; they have been working with the Eaton Rapids Fire Department for a year now. He stated most of their program is hands on skills; there are no lights or sirens needed for the training. Mr. DeWaele stated the ambulances located on the property are in working order; they are stored there because they do not have anywhere to place them inside. Mr. Sedell stated they currently have the top ten for pass rate in the State of Michigan; they would like to continue the program in the community. He stated this is a perfect location for the training school because they can have agricultural trainings and wilderness training which requires more space and cannot be done in the city. Mr. DeWaele said he believes he can operate his training school without causing problems for the neighbors.

Commissioner Halsey stated the site plan shows a proposed drain field; she asked if there would also be a new well. Mr. DeWaele said yes, but the location will be determined by the Barry-Eaton District Health Department. He stated they have a very mature group of individuals in their classes. He added they are currently working with Davenport University to train nursing students. Mr. DeWaele stated they are not a fly by night operation, they have a good track record and are legitimate.

Commissioner Cattron asked Mr. DeWaele if he will respond to emergencies from this location. Mr. DeWaele stated they may consider being an ambulance service site in the future, but most likely would be a different location, if not he would apply for a change of conditions to this permit. He stated the main focus of this school is training. Mr. DeWaele said there will be no lights or sirens at this location. Mr. DeWaele stated they may have students in his class that need to respond to calls, but that would be no different than if they were to leave from their homes to respond to a call.

Commissioner Rogers asked Mr. DeWaele if the ambulances will be stored in the building once it is constructed. Mr. DeWaele said yes. Mr. Sedell added the ambulances are training vehicles; they are different makes and models to allow for the best training. Commissioner Rogers asked for confirmation that the ambulances will be stored indoors and used for training. Mr. DeWaele said yes.
Commissioner Ross asked Mr. DeWaele if he is willing to install buffering on his property if it is required by the Planning Commission. Mr. DeWaele stated he is willing to plant trees and install a privacy fence. He said they do not have people tearing in and out of the driveways; they come for class for four hours and leave. Mr. Sedell stated the classes are not back to back; they will be evenings and mornings on Tuesdays, Thursdays, and Saturdays, students will be on site at completely different times.

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

Speakers in favor: Mr. Ron Goodnoe, 10618 Petrieville Highway, stated he has been fortunate to work with Commissioner Rogers in the past to start both area fire departments. He said there is a school located next to the Hamlin Township Fire Department. Mr. Goodnoe stated he worked with Mr. DeWaele on several occasions and remembers a call when Mr. DeWaele saved a woman's life when she fell asleep at the wheel. Mr. Goodnoe said Mr. Dewaele trained him and added there are not enough people being trained. He noted the Eaton Rapids Township Fire Department leaves their property with their lights on and do not require approval to do so. Mr. Goodnoe stated he hopes the Planning commission approves the application because the amount of people that could be saved with the training is tremendous.

Mr. Scott Wilson, Eaton Rapids Township Supervisor, stated the Eaton Rapids Township Board is in support of the request. He stated Mr. DeWaele has worked with the Eaton Rapids Township Fire Department on trainings for the past three years and is currently using the Eaton Rapids Township Fire Department to hold his classes. He stated Mr. DeWaele offers unique trainings that others do not have. Mr. Wilson stated Mr. DeWaele has been an asset and his program saves communities in training monies.

Speakers opposed: Mr. Aaron Swank, 153 N. Waverly Road, stated he has respect for fire responders, however, when he purchased his house a few years ago he did not expect to have a business in his front yard. Mr. Swank explained the property runs on a slant. He said he has met Mr. DeWaele, he is a nice guy. He stated he too owns a business, but does not operate it from here; the property in this area should stay the way it is agricultural and residential. He stated he does not what any businesses in the area.

Public hearing closed: 8:10 p.m.

Commissioner Ross stated the site plan appears to be off, based on where the building is proposed to be constructed; the site plan is deceiving. Commissioner Tirrell stated the site plan is misleading; he asked if applicants could use google maps for their site plan in the future. Ms. Williams stated aerial photos are difficult to use for site plans because they do not scan in well.

Commissioner Mulder stated the pole barn is shown to be in line with the house; he asked how far the house is from the road. Ms. Hatt stated the measurement shown on Eaton County GIS Maps is approximately one-hundred fifty feet from the center of the road.

Commissioner Halsey stated she does not believe having the parking lot in the front of the building or in the rear of the building is going to make a difference. She stated the north property line should have a buffer installed. Commissioner Cattron stated the rear property does not need a buffer, there is nothing located behind the building. Commissioner Ross stated the north property line shown to be fine-hundred ninety-two feet should be the only property line that requires a buffer. Commissioner Cattron stated he has been by this property several times; he does not believe the proposed training school will have a big impact on the property or surrounding area. He said the buffering of the north property line is a good idea. Commissioner Cattron said he believes this property is a good fit for the proposed use. Commissioner Rogers stated if a landscape buffer and a fence were installed, you would not even know the training school was there. She stated Waverly is a good road for this
business, it is easy to get to. She added the training school is needed in the community; cars will only be there for classes and then they will be gone. **Commissioner Ross** stated he agrees with the requiring buffering to protect the neighbor, but he does not believe the entire north property line should be required to be buffered.

**Commissioner Cattron** moved to approve CU-1-20-2 (Aljan DeWaele and Allen DeWaele) for a Conditional Use Permit to operate an Educational Institution (EMS Trade School) per Section 14.10 of the Zoning Ordinance at 115 N. Waverly Road, Section 1, Eaton Rapids Township;

1. The north property line adjacent to the building shall have a bufferyard installed. The bufferyard shall begin at the front of the proposed building and extend to where the property line turns north.
2. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Ingham County Road Commission, Chester Township, 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.
3. This Conditional Use Permit is granted to Aljan DeWaele and Allen DeWaele for above described use only. It is not transferable per the Zoning Ordinance.

**Commissioner Little** supported.

**Discussion: Commissioner Halsey** asked if the bufferyard requirements should be specified in the motion. **Commissioner Cattron** stated it is his intent that the bufferyard meet the Ordinance requirements. Ms. Hatt stated the applicant will be required to comply with Article 17 of the Zoning Ordinance which specifies the type of materials that may be used for a bufferyard; in addition she will work with the applicants on the site plan for the bufferyard.

**Commissioner Tirrell** asked if the motion should include a stipulation that no lights and sirens are to be used in conjunction with the classes.

**Commissioner Cattron** moved to amend his motion approving CU-1-20-2 (Aljan DeWaele and Allen DeWaele) for a Conditional Use Permit to operate an Educational Institution (EMS Trade School) per Section 14.10 of the Zoning Ordinance at 115 N. Waverly Road, Section 1, Eaton Rapids Township;

1. The north property line adjacent to the building shall have a bufferyard installed compliant with Article 17 of the Zoning Ordinance. The bufferyard shall begin at the front of the proposed building and extend to where the property line turns north.
2. Lights and sirens for ambulances shall not be used during any trainings or classes.
3. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Ingham County Road Commission, Chester Township, 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.
4. This Conditional Use Permit is granted to Aljan DeWaele and Allen DeWaele for above described use only. It is not transferable per the Zoning Ordinance.

**Commissioner Little** supported.

**Discussion: Commissioner Mulder** asked if the parking area is sufficient for the business. Ms. Williams stated there are fifteen parking spaces shown on the site plan. **Commissioner Tirrell** asked if the parking area includes the ambulances. Ms. Williams stated the ambulances will be stored inside the building.

A roll call was taken with nine (9) voting aye and none (0) voting nay. Motion carried.
Other Business: Ms. Williams stated applications CU-11-19-4 for a Surface Mine and CU-12-19-8 for a Large Solar Energy System, both located in Benton Township, were postponed to this meeting. She explained Benton Township currently has zoning jurisdiction, however, it is being challenged and is still pending in the courts. She stated the Planning Commission may wish to postpone both applications until a judicial decision is made determining zoning jurisdiction.

Commissioner Ross asked if there is any down side for the applicants or the Planning Commission. Ms. Williams said no. Commissioner Mulder asked if the applications would remain on the Planning Commission’s Meeting Agenda until the matter is resolved. Ms. Williams said yes; she added there is a court date on the matter on January 21st, she stated she will give the Planning Commission an update at their February 4th meeting.

Commissioner Mulder moved to postpone CU-11-19-4 and CU-12-19-8 until a judicial decision has been made regarding zoning jurisdiction. Commissioner Rogers supported. A roll call was taken with nine (9) voting aye and none (0) voting nay. Motion carried.

Reports: Ms. Williams stated as directed by the Planning Commission, Ms. Hatt performed a surprise inspection at Sunny Crest Youth Ranch. Ms. Hatt stated Mr. Brain DeVos is present to answer any questions the Planning Commission may have. She stated she performed the surprise inspection on January 6th with two lieutenants from Michigan State Police and noted improvements have been made toward compliance. Ms. Hatt said she also attended the alarm system training at Sunny Crest Youth Ranch on December 26th; seven staff members were present and will train the rest of the staff. Ms. Hatt stated the alarm system and interior cameras are installed, but the system is currently being worked on by the security company. She said she will go back to Sunny Crest to inspect the system when all cameras and alarms have been installed to ensure compliance; she believes that will be complete in one to two weeks. Ms. Hatt stated Mr. DeVos is in the process of moving the children out of the original house into the new house; he does not plan to put children in the first house until staffing is addressed. Ms. Hatt stated most of the staff were wearing the required uniforms, but some were not. She stated as requested the Planning Commission has a written report from her November and December inspections as well as the Eaton County Central Dispatch Reports for October, November and December. Ms. Hatt stated there have been no calls made for the month of January. Commissioner Halsey stated the calls to Central Dispatch have been reduced. Commissioner Rohrs asked if there have been any complaints from the neighboring property owners. Ms. Hatt said no; she stated she did call the complainant from October to ask if there have been any further issues, the complainant informed her there have not. Commissioner Ross stated it is good to hear there have been improvements. Ms. Hatt stated currently Sunny Crest Youth Ranch is required to come before the Planning Commission in April for their six month review unless the Planning Commission requires a review sooner. Commissioner Ross stated he does not believe a review is needed in March; the Planning Commission agreed. Ms. Williams asked the Planning Commission if they are requiring any further surprise inspections. Commissioner Ross stated the inspections are at the discretion of Ms. Hatt. Ms. Hatt stated she would be preforming an inspection in the next week or so for the alarm system and cameras. Commissioner Halsey and Commissioner Ross thanked Mr. DeVos for taking the time to come to the Planning Commission Meeting.

Ms. Williams stated members of subcommittees of the Planning Commission need to be appointed for the new year. She explained subcommittees are appointed by the Chairperson with the approval of a majority of the members Planning Commission.

Commissioner Ross stated he would like to go through what he has in mind and encouraged Planning Commission Members to speak up if they would like to be appointed or if they would like a change to what he is suggesting.

Commissioner Ross stated he will remain be on the Zoning Ordinance Committee, but remove himself from the Administrative Committee; Commissioner Rohrs will remain on the Site Plan Review Committee; Commissioner Halsey will be appointed to the Administrative Committee; Commissioner
Dillinger will be appointed to the Administrative Committee; Commissioner Tirrell will be appointed to the Zoning Ordinance Committee and Administrative Committee; and Commissioner Cattron will be removed from the Administrative Committee, but remain on the Zoning Ordinance Committee and Site Plan Review Committee.

Commissioner Mulder moved to approve the appointments to the Planning Commission Subcommittees as stated by Commissioner Ross. Commissioner Dillinger supported. Motion carried.

Ms. Williams reported the Zoning Ordinance Committee met on December 18, 2019. She stated they discussed potential changes to the setbacks to road right-of-ways for properties in the Limited Agricultural Zoning District, setbacks to clear vision right-of-ways, migrant labor housing, and mobile home regulations. Ms. Williams stated there is a Zoning Ordinance Committee Meeting scheduled for Tuesday, January 14, 2020 at 3:00 p.m. She noted the Zoning Ordinance Committee may request their proposed changes result in a District Change Amendment Application to be heard by the Planning Commission at their March 3, 2020 meeting.

Ms. Williams informed the Planning Commission the Board of Appeals did not meet this evening due to lack of business.

Ms. Williams informed the Planning Commission they received communication from the City of Eaton Rapids regarding their draft Master Plan being available for review on their website.

Public Comment: Mr. Ron Goodnoe, stated he is concerned about the way property is being gobbled up by land divisions. He stated he has a plan he would like to discuss that could preserve farm land. Mr. Goodnoe said his plan includes making sure a right-of-way is installed every quarter mile; he would like to see several parcels created on a one-hundred fifty foot by three-hundred fifty foot parcel and then have the right-of-way between each of the developments. Mr. Goodnoe stated he just learned about flag lots recently when adjusting one of his parcels. Commissioner Ross stated changes have been made over the years and the Planning Commission continues to make changes. Ms. Hatt offered to have Mr. Goodnoe come into the office to go over the Zoning Ordinance Requirements and Land Division Act.

Ms. Angela Evans, asked the Planning Commission if they could approve her request pending obtaining the Road Commission approval. Commissioner Tirrell stated the Planning Commission really needs more clarification. Commissioner Ross stated he understands, but the Planning Commission needs to ensure all agencies have given approval.

Upcoming Cases: Ms. Williams informed the Planning Commission CU-1-20-1, postponed this evening, will be on the February 4, 2020 meeting agenda. She said there are no addition applications for this meeting. Commissioner Ross stated it would be a good time to hold a training if possible. Ms. Williams stated she would look into it.

Ms. Williams welcomed Commissioner Zachary Dillinger back to the Planning Commission. She stated Commissioner Dillinger sat on the Planning Commission previously.

A motion was made by Commissioner Rogers to adjourn the meeting. Commissioner Halsey supported. Motion carried.

The meeting adjourned at 8:48 p.m.