

SHIAWASSEE COUNTY PLANNING COMMISSION
PUBLIC HEARING – JANUARY 22, 2014

1. CALL TO ORDER/ROLL CALL: Chair Don Dickmann called the regularly scheduled monthly public hearing to order at 7:00 P.M. The hearing was held within the County Board of Commissioner’ Chambers, 201 N. Shiawassee Street, 1st Floor, in Corunna, MI.
Roll Call: Present: Henry W. Martin III, William Thelen, Robert Ebmeyer, Steve Andrews, and Don Dickmann. Absent: Bonnie Ott. Chair Dickmann welcomed newly appointed board member Steve Andrews to the board.

Also present: Community Development Director Peter J. Preston and Zoning Administrator Linda Gene Cordier.

- 1a. EXCUSED ABSENCES: Cordier informed the board that Bonnie Ott had contacted the office and stated she was unable to attend the hearing. Chair Dickmann excused Ott from the hearing.
2. PLEDGE OF ALLEGIANCE: Chair Dickmann led the Pledge of Allegiance.
3. PROOF OF PUBLICATION: Cordier informed the Chairman that the scheduled agenda for the evening’s public hearing was published within the Shiawassee County Independent on Sunday, January 5, 2014. Proof of publication was on file. Chair Dickmann declared the hearing legally advertised.
4. APPROVAL OF AGENDA: **Motion:** Ebmeyer moved to approve the agenda as printed. **Support:** Thelen. Motion carried: 5 ayes, 0 nays.
5. APPROVAL OF BOARD MINUTES: **Motion:** Ebmeyer moved to approve the November 13, 2013 board minutes as printed. **Support:** Thelen. Motion carried: 5 ayes, 0 nays.
6. BOARD OF COMMISSIONER COMMENTS: None.
7. CALL TO THE PUBLIC ON NON-AGENDA ITEMS: None.

8. OLD BUSINESS:

- 8a. Permit Number – PSPR13-006
Applicant/Jed Dingens, Dingens Architects, 1109 E. King St., Corunna, MI 48817
Property Owners – TCM Real Estate Investments, LLC, 11699 Fenner, Perry, MI
Site Location – 2111 West Lansing Road, Perry, MI 48872
Tax Identification – 78-014-10-400-009 & 78-014-10-400-009-02
Request – Amend approved Site Plan of November 13, 2013

Preston provided a staff report of the applicant’s request. The board approved the site plan this past November for a commercial truck terminal with conditions. The applicant is requesting approval to relocate the building. The plan also proposed changes to the structure. The plans have been changed to increase office space and add a loading dock to the southeastern end of the building. The site plan still does not identify the proposed mowed grass areas and parking island surface treatments. On page two of the amended site plan dated January 8, 2014, it states that “*protected*

trees with fencing in place, do not disturb or a \$10,000 fine will be imposed.”

Preston said he wanted to make it clear that this is not a part of the County Zoning Ordinance and it would not be enforced by staff. Preston suggested to the chairman that the board may want to consider having that removed or noted on the site plan that it is not enforced by the County.

Preston continued with the report and noted the southern portion of the property has now been identified on the plan. Information that pertains to the storage area and drive connecting the two, including a cross-section, should be provided on the plan. Also needed was information pertaining to the road connecting the northern portion with the southern portion as well. All lighting for the southern portion was not identified on the site plan and will need to be added. Proposed use of the small accessory building located on the southern end of the property needs to be identified. Preston asked if the proposed area was intended for overflow of truck parking. The plans reflect 38 parking spaces by the office building, which appears to meet the ordinance requirements. The proposed changes to the site plan reflected little change to the landscaping. If there are plans to store hazardous materials on site, the applicant and property owners will have to come back to this board for review and approvals. Preston stressed the fact that the details were still needed on the plan so verification that the ordinance requirements have been met in order to wrap this project up because he was sure the owners were probably anxious to move forward.

Chair Dickmann thanked Preston and opened the floor to the applicant (Jed Dingens).

Dingens thanked Preston for the presentation. The proposed building needed to be moved to the south approximately 55 feet in order to save more trees and the tree line. We realized that this was a big change and would need to come back before this board for approval, which is a good thing. It required us to be very thorough. The lighting design proposed now will be four-plex lighting within the truck parking area, which will allow the trucks to plug their trucks into. There will be one light pole located in the middle of the ten parking spaces located on the southern end with the ability to plug in as well. Dingens continued discussion as to the reason the wording was added to save the trees on site. The penalty for tree removal was patterned after information received from the State of Michigan on saving trees. We added it because we wanted to make it clear to the bidders what the consequences would be if trees were removed that were intended to be left on site.

Chair Dickmann questioned where the guidelines came from when he referenced the State of Michigan.

Dingens answered for example if one was doing work for MSU and cut even a four inch branch down, you would be fined. It was patterned after MSU guidelines.

Chair Dickmann answered that it needed to be clear that this was not a County regulation or requirement.

Board member Thelen stated it should clearly state that on the site plan that it is not a County regulation and will not be enforced by the County.

Chair Dickmann added that at the November hearing, one of the conditions of the approved permit was that a copy of the recorded Easement Agreement between the

property owner and the Fertilizer Dealership, as requested by Perry Township, be provided to the Community Development Office. Dickmann stated to his knowledge this had not been provided yet.

Dingens stated he believed it to be completed but that it was a very complicated matter between the two parties and added that he would see that staff received a copy.

Board Member Ebmeyer asked the chairman if Perry Township had been notified of the proposed changes that were being presented tonight.

Chair Dickmann stated yes and added the supervisor (Sid Grinnell) was present.

Dingens continued that if the Knapp's were to decide to haul or handle hazardous waste materials they realize they would have to come back before this board for review and approvals. Also an area would have to be created for just that, but the Knapp's had no intentions of handling any hazardous waste materials at this time.

Chair Dickmann asked Dingens what was the intended use for the building and parking area located on the southern end of the property.

Dingens answered that the plans were just changed this past Friday. Half of the building will be used for storage and the other half will be a welding shop with three (3) bathrooms added. Dingens questioned if the changes to the building would be associated with this site plan or would they be required to submit a separate permit and site plan for approval.

Preston noted that it definitely would be considered a Change of Use referring to the building; however, depending on the scope would regulate how it would be handled in terms of permits and inspections. Preston continued that it sounded like plans were to permit overnight parking of the trucks coming to the site with the capability of the trucks left idling. If this were true, where would the trucks park in relation to the surrounding properties? Preston said this could be of particular concern, especially if it was allowed along the southern end of the property where there are residential homes within close proximity to the site.

Dingens stated the trucks would have the capability of plugging into the light poles. Some of the trucks may arrive in the early morning prior to the office opening. Truckers are required to sleep or have down time before they are permitted back on the road. If they arrive late at night, this would give them a chance to rest.

Thelen noted that as he recalled from prior meetings, there was no mention of people staying overnight in their trucks.

Preston answered that the request was submitted as a Commercial Trucking Terminal with the ability to store trailers that may need minor repair and/or was waiting for approval to be repaired from an insurance agency. Nothing was said about overnight sleeping. This could become an issue as the business continues to grow.

Dingens noted that it was not uncommon for a semi to be equipped with sleeping quarters.

Preston questioned if the proposed parking spaces would accommodate the larger semi-trucks and trailers. He also asked if the trucks were parked overnight, would it change the areas proposed for trailers that were being stored on a temporary basis.

Dingens stated he wasn't sure. The plan reflected the capability of parking up to 90 semi's and trailers. Out of the 90, there probably would be only five or ten trucks at a time staying overnight at any one time.

Thelen responded that the plans were designed for truck storage and not for people spending the night. This could end up similar to a campground situation but only for semi trucks.

Dingens reminded the board that this would be a trucking terminal. Drivers may arrive and need to wait to load or unload. Knapp currently has 32 trucks and were looking to expand to 60 very soon.

Chair Dickmann asked about the ability of trucks plugging into the light poles.

Dingens answered that a lot of the trucks need electrical units to plug into such as engine warmers.

Thelen asked about the capability of trucks doing the same thing along the southern end of the property.

Dingens said it could be possible. The light fixture will be located within the middle of the ten parking spaces, which also will include an electrical hookup.

Martin asked what the reasoning was for increasing the size of the office building.

Dingens answered that it was more for aesthetics. Knapp's wanted a show room and conference room. They wanted it to be fancy.

Martin asked what the purpose was for a show room when it was a truck terminal.

Dingens noted he had visited some other trucking terminals in the state. They all had show rooms. A lot of the businesses had engines displayed in the show room.

Preston asked if it was the intent to just handle repairs on their own vehicles or would they advertised that they were open to the public to work on outside trucks or trailers that were in need of repairs or maintenance.

Dingens answered that it was anticipated that this would be a 24/7 trucking terminal. There is a trucking business located just to the north of here. They are interested in moving the trucks and trailers from M-52 to this site. Dingens also thought the Knapp's probably would advertise truck repairs or routine maintenance was available.

Preston noted that staff was aware of the business located on North M-52 which is located within Bennington Township. Now the board is hearing for this first time tonight that there would be the potential of truck and trailer repairs on site that were not necessarily associated with this terminal. Preston again asked if the truck repairs would be limited to just the trucks owned by Knapp. Preston said from the dialogue

being discussed tonight, it appears it is leaning towards truckers staying overnight in their trucks, the office building becoming more of a conference/showroom and not a warehouse; and truck repairs associated with semi-tractors and trailers not owned by the Knapp's being allowed as well.

Dingens answered that two-thirds of the building will be used for warehousing as reflected on the plans.

Discussion continued about the type and hours of operation. Dingens answered it would be a typical 8-hour day; however, trucks would be able to enter or exit the site 24/7. Chair Dickmann noted that a trucker pulling in around 3:00 A.M. in the morning would probably end up sleeping in his rig until the office opened. Dingens answered that was correct. Chair Dickmann informed Dingens that from this board's view, the proposed use and intent has now changed than what had been presented and approved back in November 2013. Now it raises the issue of where the trucks will be parked if left idling or parked overnight.

Preston asked if Dingens knew what type of construction schedule the Knapp's were looking at.

Dingens answered that they have started some earth grade and clearing but the cold and snow have slowed the project down. Plans are to start construction on the building hopefully in about five weeks.

Preston informed the board that unless they were opposed to what was presented with the use in general, the board could consider the amendment as presented tonight and allow staff to gather all outstanding information and detail.

Thelen answered he felt the site plan was still considered partially complete. Thelen said he felt it didn't have all the requested detail on it as requested in order for this board to approve tonight.

Chair Dickmann agreed and added that it appeared that every time a site plan was submitted it would be totally different the next day.

Sid Grinnell (Perry Township Supervisor) stated the township planning commission did review the proposed changes on the site plan at their meeting last Thursday. If a truck was setting on the property waiting for the office to open, the township didn't believe it would cause a problem. The township planning commission didn't feel it would look like a campground. The township board was very thorough; they even discussed potential changes to the site plan in the future. Grinnell added that the township did have concern about the use of the building and area along the southern end of the property. Also, Perry Township was working with the City of Perry to provide sewer and water to the site, which could possibly open the door for other businesses to come into the area.

Chair Dickmann informed everyone that this board wasn't opposed to the concept of a commercial trucking business, but it was important that the site plan show all relevant details. A whole new scenario has been presented to this board tonight. We have been informed that truckers would be parking and staying over; whole rigs may

be parked, trucks being able to plug in to an electrical outlet. We have no idea where the vehicles will be parking. No area has been designated for that type of activity.

Dingens answered that an entire rig could fit into a 12'x75' parking space. The site is intended to have 90 parking spaces available. Dingens added that he didn't believe there was anything in the zoning ordinance prohibiting them from doing that.

Chair Dickmann answered that the board would want that detail shown on the site plan. We need to be able to associate and verify that what is going on at the site has been reviewed and approved and that it remains in compliance.

Thelen agreed with the chairman. This board will not always maintain the same board members just as staff may change. Whoever looks at the site plan in the future would need to see all of the details for compliance. The Knapp's may not always be the owners of the property or business. The new owner would need to know what was approved or wasn't approved. There should be no questions or gray areas on the site plan.

Dingens continued with discussion on where the vehicles would be parked on site.

Thelen answered that was one of the reasons this board was concerned. We want to be assured that the trucks or trailers that are parked for repairs are fully licensed. This board, as well as the township board, did not want this to become a salvage yard.

Grinnell added that sometimes a damaged vehicle or trailer cannot be moved for repairs until the insurance company has released it. In some instances, that could take upwards of six (6) months.

Chair Dickmann again discussed the issue of trucks entering the site at any time; especially if they were to come in and left idling after office hours. Martin agreed, the parking area could be full and maybe all the trucks were left idling.

Discussion continued with review of the site plan and where the trucks would park. Dingens reiterated that the site plan reflects 90 parking spaces.

Preston responded that to his knowledge there wouldn't be anything in the ordinance that prohibited a truck to come in and wait for the business to open. Preston added he didn't believe there would be a large number on site waiting either; however, it could be an issue if a number of trucks were parked waiting. If that were to happen, then more screening and landscaping may be required. It could be an issue on the southern end of the property. Preston noted it was important to identify all uses on the site plan such as repair facility, the main entrance used to the site, type and location of lighting, parking base, and if the repair facility is strictly intended for minor repairs.

Ebmeyer asked Dingens when he visited other trucking facilities did he know if the facilities repaired just their own vehicles or did they repair privately owned trucks as well.

Dingens answered he didn't know, but believed the Knapp's didn't plan to operate that way. Mechanical repair would probably be limited to lube jobs and minor maintenance.

Ebmeyer asked if repairs then would relate only to the trucks owned by Knapp's or did he mean they would be advertising to the public as well.

Dingens informed the board that at the present time there would be only one mechanic on duty. The business on M-52 was intending to eliminate the trucking terminal but continue with truck repairs and maintenance at that site.

Preston stated he wanted to make it clear that the business Dingens was referring to was located within Bennington Township and that it is clearly in violation of the Zoning Ordinance. The property on M-52 is zoned A-2 (Agricultural/Residential). Staff will be meeting with the owner next week. The building was originally built by another owner for another use.

Andrews noted that the original use of the building by the previous owner was for the manufacturing of and distributing bagged ice.

Ebmeyer questioned Knapp's site being used as a repair facility. Preston noted that it would need to be discussed. The site plan may need to reflect a fenced area if there was open outdoor storage such as for tires or parts. Dingens said he didn't know as the owner wasn't here to ask.

Discussion on the repair facility and open storage continued. Thelen noted that a repair facility is a lot different than a fleet trucking business. The board voted on a the commercial transfleet trucking operation not a repair facility. Preston agreed, was this a full fledge trucking operation with minor repairs to their own vehicles or was this proposed operation open to the public allowing others to bring commercial vehicles in to drop off for repairs or routine maintenance. Grinnell discussed Alexander's trucking located down the road in comparison. Dingens stated he believed it to be just intended for Knapp's own vehicles right now; but couldn't say for sure as the owner wasn't here.

Mr. Jones, representative from the Economic Development Partnership, stated that they felt this was a good site and use for the proposed operation. It will be close to the I-69 corridor with easy access to and from the site.

Chair Dickmann agreed with Jones. This board has no problem with the concept or proposed project; however, the board was responsible for making sure that all of the requirements as outlined in the ordinance have been met or can be met. It is important that all of the required details are outlined or spelled out on the site plan.

Dingens discussed the lighting on the southern end. Originally they were going to make use of the existing lighting but have since decided to add to it.

Chair Dickmann called for a motion unless additional discussion was needed.

Motion: Robert Ebmeyer entered a motion that the Planning Commission approves amendment to SPR13-006, an application for site plan approval for a trucking terminal (including trailer storage, warehousing and office) to be located on property as legally described, based on the following reasoning and subject to the following conditions:

Reasoning: **1) Requirements** and standards set forth under Article 14 of the Ordinance have been or can be met subject to the conditions set forth below. **2) Any** additional reasoning as set forth by members of the Site Plan Review Committee.
Conditions: **1) Provide** information as outlined in Item 3, of the staff report), as it concerns informational requirements for site plan approval. **2) Resolve** issues as presented in Item 4, of the staff report, as required for site plan approval. **3) All** previous conditions of approval resulting from the Planning Commission's site plan approval on November 13, 2013, and **4) Any** additional conditions as set forth by the Planning Commission.

Friendly Amendment: Chair Dickmann added under Conditions: 4) Minor repairs to be limited to Transfleet Vehicles only and 5) Use of the existing road connecting the northern end to the southern end be identified on the site plan.

Discussion: The existing road way connecting the two parcels was discussed. Dingens noted it was just a dirt drive connecting the two. Preston noted if it was intended to be used; a cross section would be required on the site plan. Dingens stated there were no plans to use or drive on it at this time. Dingens added that the board may wish to mention that the \$10,000 fine for tree removal is added to the site plan and that enforcement involved of any tree removal be handled by the owner and not the county.

Support: William Thelen. Roll Call: (Ayes to Approve) – Henry W. Martin III, William Thelen, Steve Andrews, Robert Ebmeyer, and Don Dickmann. Nays: None. Motion carried: 5 ayes, 0 nays.

9. NEW BUSINESS:

9a. Application #PSUP13-02

Applicant/Property Owner – Consumers Energy, One Energy Plaza, Jackson, MI

Site Location – 12190 Warner Road, Laingsburg, MI

Tax Id. – 78-013-22-200-003-02, Section 22, Woodhull Township

Request – SUP/SITE PLAN for an Electric Substation

Ordinance Reference – Section 4.3.69 (Utility & Public Service Installations);

1999 Shiawassee County Zoning Ordinance

Chair Dickmann called for Ex-Parte Contact. Hearing none, he asked staff to provide the staff report.

Preston informed the board the proposed substation would be located on a 1.38 acre parcel of land on the west side of Warner Road within Section 22 of Woodhull Township. It will be approximately 1,116 feet south of the intersection of Bath Road and Warner Road. The property is undeveloped and has not been cultivated and has been used as open space. The parcel is located on a gravel road. If approved, a new substation will be constructed, which is allowed in the A-2 Zoning District. Land use surrounding the proposed site is smaller single-family parcels to the south and far north. A farm is located to the north and east of the site.

Preston noted that this application has been in the review stages for several months and the last site plan and staff review was completed last October. There could be additional changes since last fall. There are five (5) structures proposed with the maximum elevation being 38 feet. One structure exceeds the height limit by 3 feet

for that area; however, Section 5.6.1. of the Zoning Ordinance does permit height exceptions. Preston continued that the site would be visited by Consumers Energy periodically for maintenance. The board should discuss a vehicle turn around area provided on site for one vehicle located outside the fenced area. If lighting is anticipated, it will need to be identified on the site plan and comply with ordinance requirements. The plans did not show any type of landscaping. This will be left up to the board to determine if landscaping would be needed. For security purposes, Consumers may feel that landscaping could become an issue. Preston noted the proposed site would be fenced with barb wire set at an angle extending outward; however the ordinance requires barb wire to be slanted inward. The board will need to discuss this with the applicant too. Preston stated the request would otherwise comply with the standards outlined in Section 4.3.69. Preston added that he was recommending a turn around area for one vehicle outside the gated compound and that the issue of landscaping and buffering needed to be discussed with the applicant.

Preston informed the board that Woodhull Township had reviewed the request at a regular board meeting held on December 4, 2013, the Township Board voted 4 ayes, 1 abstain (Supervisor) to accept the recommendation by the Woodhull Township Planning Commission to approve the special use permit for Consumers Energy for a substation proposed on Warner Road.

Chair Dickmann thanked Preston and asked the applicant if they would like to proceed with their request.

Chris Thelen, Aaron Fisk and Matthew Good (representatives of Consumer Energy) were present. Fisk stated that Preston provided an excellent staff report of their pending request.

Good stated he was the Project Engineer responsible for this project. The company is responsible for reviewing such things as liability issues, power lines, tree limbs that need removing due to interference or if a line needed to be relocated. Studies were done to see what areas needed to be replaced. Good discussed existing substations and where they were located in the surrounding areas. The proposed new substation would be directed towards the Perry area freeing up that area. Colored coded maps were reviewed with the board.

Fisk discussed the recent power outage and noted that about 90% of the customers in the township were without power. No complaints were received about the new substation.

Chair Dickmann opened the floor for public comment in support of the request. Hearing none, Dickmann asked if anyone wished to speak in opposition of the request. Hearing none, Dickmann noted that Preston had provided township input. Dickmann closed the public hearing and called for board discussion.

Ebmeyer asked about #4.4 within the staff report pertaining to lighting.

Preston replied that it needed to reflect security lighting in detail on the site plan. The board would want to make sure there was no off-site glare involved to surrounding properties.

Ebmeyer discussed #4.5 as it related to the barb-wire slanting outward and not inward.

Preston responded that all Consumer Energy substations are fenced in for security purposes and commented on the ordinance regulations. Staff can visit other sites to verify the types of barb-wire and whether or not they slant outward if the board felt it necessary.

Martin asked what the reasoning behind slanting the barb-wire outward instead of inward was.

The board was informed that one of the reasons was not only to prevent people from entering the site; it was to prevent animals from jumping over the fence as well.

Chair Dickmann stated they could request staff to check surrounding substations for uniformity.

Ebmeyer asked about whether or not landscaping should be a requirement.

Good stated that one of the problems with landscaping was that trees and shrubbery attracts animals, as they grow they tend to get into overhead wiring, and for security reasons. They like to keep it visible. It is hard to keep a balance and still try to do what neighbors may want, but still do what is best for Consumers Energy. Fisk added that Consumers would like to keep it open as much as possible for security reasons within the fenced area. In this particular case, we really want people to know what is going on in there.

Ebmeyer wondered where the closest dwelling would be from the substation. Thelen responded that the site plan reflected a home to the south.

Board members continued their review of the site plan. Chair Dickmann noted that the proposed land for the substation was not being farmed. A cell tower is located nearby and there didn't appear to be any plans for future development at this time. In the future they may need to add some landscaping, but it doesn't appear to be an issue at this time. Dickmann called for the general standards of review unless the board had additional questions.

GENERAL STANDARDS OF REVIEW:

- 6.1. The special use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

Staff: The petitioned use and structure is proposed in an agricultural area with limited residential dwellings in the immediate area. Utility substations in the County are found in various zoning districts. The proposed use and structure are not anticipated to be outside of the parameters outlined in the Ordinance for such facilities.

Board Response: Concurred with all findings.

- 6.2. The special use shall not inappropriately change the essential character of the surrounding area.

Staff: The petitioned use and structure is proposed in an agricultural area with limited residential dwellings in the immediate area. Utility substations in the County are found in various zoning districts. The proposed use and structure are not anticipated to be outside of the parameters outlined in the Ordinance for such facilities.

Board Response: Concurred with all findings.

- 6.3. The special use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet also is in keeping with the natural character and environmental quality of the site.

Staff: The petitioned use and structure is proposed in an agricultural area with limited residential dwellings in the immediate area. Utility substations in the County are found in various zoning districts. The proposed use and structure are not anticipated to be outside of the parameters outlined in the Ordinance for such facilities.

Board Response: Concurred with all findings.

- 6.4. The special use shall not be hazardous to adjacent property or involve use, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, ground vibration, water runoff, fumes, light, or glare.

Staff: The petitioned facility is not anticipated to generate off-site impacts as described under this item. The provisions outlined in the Ordinance are intended to prevent such negative impacts.

Board Response: Concurred with all findings.

- 6.5. The special use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed special use shall be able to continually provide adequately for the services and facilities deemed essential to the special use under consideration.

Staff: No public facilities or services are anticipated, other than general services such as police, fire and emergency services.

Board Response: Concurred with all findings.

- 6.6. The special use shall not place demands on public services and facilities in excess of current capacity unless planned improvements have already been scheduled for completion.

Staff: No public facilities or services are anticipated, other than general

services such as police, fire and emergency services.

Board Response: Concurred with all findings.

- 6.7. The special use shall be consistent with the intent and purpose of this Ordinance and the objectives of the County Land Use Plan.

Staff: Subject to providing outstanding information, the petitioned facility appears to be consistent with the underlying intent/purpose of the Ordinance.

Board Response: Concurred with all findings.

- 6.8. For special uses in the A-1, A-1½, A-2 Districts, approval of a permit shall be

Further determined on the basis of the proposed land uses effect on a loss of prime agricultural land or on the right-to-farm of any adjacent farm.
Staff: The petitioned use and structure do not appear to impact the use of farmland.
Board Response: There will be a very limited amount of land taken out of production. The board concurred with all findings.

Chair Dickmann noted that all standards were met as outlined. Thelen discussed the property line to the south with the applicants.

Motion: Robert Ebmeyer stated that based upon the review of the submitted materials, including description of improvements and site plan drawings, he recommends **approval** of the special use permit and site plan for an electric substation as submitted by Consumers Energy to be located on the west side of Warner Road and as legally described in Section 22 of Woodhull Township (Parcel Id. 78-013-22-200-003) based on:

Reasoning: 1) Subject to the conditions provided below, it is found that the petitioned special use permit for a Utility and Public Service Installation, outlined in Article 4 of the Ordinance has been met. 2) Additional reasoning as presented by the Planning Commission. **Conditions:** 1) Compliance shall be determined by the Community Development Director prior to the issuing of permits or authorization of construction of the petitioned use. 2) Compliance with the provisions of the Zoning Ordinance shall be determined by the Community Development Director prior to the issuing of permits or authorization of construction of the petitioned use. 3) Additional conditions as required by the Planning Commission.

Discussion: Chair Dickmann questioned whether or not landscaping would be required. Preston answered it needed to be stated because of Ordinance requirements. Preston also reminded the board of the issue with the barb-wire slanting outward and a turn around area for one vehicle located just outside the fenced area.

Friendly amendment: Additional landscaping will not be required do to the area and surrounding properties, provide a turn around area for one vehicle outside the fenced substation; and, keeping with uniformity and security the barb-wire can slant outwards.

Support: William Thelen. Roll Call: Ayes to Approve: Steve Andrews, Henry W. Martin III, William Thelen, Robert Ebmeyer, and Don Dickmann. **Nays: None. Motion carried:** 5 ayes, 0 nays.

- 9b. Election of Officers: **Motion: Henry W. Martin III** moved to retain Don Dickmann as Chairman and William Thelen as Vice Chairman for 2014. **Support: Robert Ebmeyer. Motion carried:** 5 ayes, 0 nays.

10. COMMITTEE REPORTS: **Ordinance Revision:** Chair Martin stated the committee did not meet prior to the public hearing. Martin added that there was an opening as Junior Love was term-limited and had to step down. Love is now a member of the Zoning Board of Appeals. Martin asked Andrews if he would be willing to serve on the committee. Andrews stated he would let him know next month. **Future Planning:** Chair Dickmann stated Junior Love was chairman of this committee. Cordier noted the committee had not met. Dickmann noted there would be an opening on this committee as well. **Gravel Committee:** Thelen noted the committee had not met.

Parks and Recreation Representative: Chair Dickmann noted that Junior Love also served as a member on the Parks and Recreation Board and the Planning Commission would need to appoint a person to that board. Dickmann noted that Love was in the

audience and asked Love if he would give the board members a little insight as to what the Parks and Recreation Board did.

Love stated the board generally met 2-3 times a year. The next meeting would be in March or April. They oversee the parks in the County and assist in taking care of them. They generally hold a “clean-up” day. The board generally met on the 3rd floor of the Surbeck Building on a Tuesday evening at 6:30 P.M. Phil Heavilin, Superintendent of the Buildings and Grounds for the County, is a member of this board as well.

Chair Dickmann thanked Love and asked the board to think about it and they would appoint someone next month.

Zoning Board of Appeals Representative: Chair Dickmann stated he would reappoint Henry W. Martin III to continue to be the Planning Commission representative to the Zoning Board of Appeals.

11. COMMUNICATIONS RECEIVED: Cordier informed the board that staff received a letter from Clinton County stating their intent to update their Comprehensive Plan.
12. DIRECTOR’S COMMENTS: Chair Dickmann stated he would be unable to attend the February public hearing as he would be out of state. Cordier stated a special land use/site plan for a home-based business would be scheduled.
13. PUBLIC COMMENTS: None.
14. ADJOURNMENT: Motion: William Thelen moved to adjourn the public hearing. **Support: Henry W. Martin III. Motion carried:** 5 ayes, 0 nays. Hearing adjourned at approximately 8:50 P.M.

Recording Secretary – Linda Gene Cordier

William Thelen, Vice Chairman
Shiawassee County Planning Commission

February 26, 2014
Approval Date of Minutes