

EATON COUNTY PLANNING COMMISSION

NOTICE OF MEETING:

DATE: November 7, 2023

TIME: 7:00 p.m.

PLACE: Eaton County Courthouse, Board of Commissioner's Room,
1045 Independence Blvd., Charlotte, MI 48813

AGENDA:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Notice Requirement
5. Approval of Agenda ***November 7, 2023***
6. Approval of Minutes ***August 22, October 3 and October 24, 2023***
7. Public Comments
8. Public Hearings of Conditional Use Permit and District Change Amendment Applications:

Postponed from the October 3, 2023 meeting:

CU-10-23-6: Request by Walton Township for a Conditional Use Permit to operate a Government Facility (township hall) per Section 14.10 of the Zoning Ordinance and Open Air Storage (residential transfer station) per Section 14.33 of the Zoning Ordinance at 6966 S. Stine Road, Section 16, Walton Township.

9. Farmland Preservation (PA 116) Applications: None
10. Other Business:
 - a. Master Plan Open Houses November 7th, 8th and 9th
11. Reports:
 - a. Community Development Department
 - b. Zoning Ordinance Committee; next meeting November 21, 2023
 - c. Board of Appeals
12. Public Comments
13. Upcoming Case(s): There are two applications for the December 5, 2023 meeting
14. Adjournment

This meeting will be available via Zoom for viewing and listening purposes only at

<https://us02web.zoom.us/j/85285167760>

The meeting will also be available via YouTube for viewing and listening purposes only, by using the following link <https://www.youtube.com/@EatonCounty1837-mi/live>

**EATON COUNTY
PLANNING COMMISSION SPECIAL MEETING MINUTES
August 22, 2023**

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission called the special meeting to order at 6:00 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, Tim Cattron, Michael Hosey, Frank Holmes, Ben Tirrell, Scott Hansen, Bruce Porter and Lisa Lawitzke

Staff Present: Brandy Miller, Chris Garrison, Claudine Williams, and Tammy Alger.

Agenda Approval: A motion was made by **Commissioner Hosey** to approve the agenda for the August 22, 2023 meeting. **Commissioner Lawitzke** supported. Motion carried.

Minutes Approval: **Commissioner Lawitzke** mentioned there was a spelling error in the July 11, 2023 meeting minutes and asked for that to be corrected. A motion was made by **Commissioner Cattron** to approve the July 11, 2023 minutes. **Commissioner Hosey** supported. Motion carried.

Master Plan Presentation: Mr. Jason Ball summarized what he would be discussing today, particularly the land use plan. Mr. Ball summarized what was discussed at the last meeting as well. He asked if there has been an associated increase in new housing building permits. Ms. Miller and Mr. Garrison stated they would run a report for Mr. Ball. Mr. Ball continued with his presentation by going over the various charts in his presentation.

Commissioner Cattron stated that he believes the figures in the presentation would be easier to interpret with a space between them, rather than the dashes. He thinks the table could be modified for easier reading. Mr. Ball said he could look into doing something differently to make it easier.

Mr. Ball continued with his presentation. He asked what would be the purpose of the proposed secondary agricultural district. Ms. Miller stated it was to allow for transitional future land use plan. It would allow some flex for the Planning Commission when a request comes in for a zoning district. She stated that the Planning Commission knew the intent, but it is not written down clearly. Now is a time for the Planning Commission to voice what they really need as the intent in the Master Plan.

Commissioner Tirrell asked that the intent was for secondary agricultural, but that never developed? Ms. Miller stated secondary agricultural was for something that allowed for growth outside of the city and villages, but not strictly commercial or residential. It would provide flexibility depending on where a parcel was located. Potentially commercial or residential.

Commissioner Tirrell asked if that was never decided in the master plan. Ms. Miller stated it was never discussed as it should have been. Mr. Garrison stated the intent was to be able to change the property to commercial or residential. He stated the Planning Commission would need to rework the naming of that.

Commissioner Cattron stated that it seems the use makes good sense, but it wouldn't be clear to anybody how it was being used or what it's being used for. He suggested to change the name and create a zone for it, or delete it. He stated he wasn't sure which way would be the best way to go. Mr. Ball stated if the intent is to make the parcel accessible to different uses, the overarching goal was preservation of land for agricultural. Mr. Ball stated that Eaton County doesn't feel consistent with that overarching goal. The Planning Commission needs to hone in on where those potential multi-use areas are. Mr. Ball gave the example of the City of Charlotte. Mr. Ball stated there is a lot in that area designated as formal secondary ag, but seeing it converted into higher residential zones is not consistent with their goal. Mr. Ball asked where on the land use map does future land use classification for flexible zoning apply?

Commissioner Hosey stated that he would think the Planning Commission would want to reduce the flexible zoning, as property value would potentially go up. He stated a good portion of what's converted may be taken for granted as commercial property. Mr. Ball stated the Planning Commission would need to assign the land use carefully on the correct areas. The transitional area should be suitable for commercial or higher density housing development because it's along a higher traffic corridor. Not just that it's adjacent to a municipality.

Commissioner Ross stated that it does make sense to do something like that when determining the proper areas for secondary agricultural. He stated that it is pretty broad around the cities and villages. He does not think that is the direction the Planning Commission wants to go in with the master plan.

Commissioner Cattron stated when the township officials are met with, there will be a range of things to consider. He asked if it would be a good idea to let the various township officials know if those areas fall on prime soils or farmland. He asked if a prime farm land map could be provided. Mr. Ball stated that the whole county is essential farmland, but sections of it could be portioned off. Ms. Miller stated that the area Mr. Ball was showing is called the five corners, and she agrees that the transitional phase should not be near Five Point Hwy, but should show it as South of that. She stated if the Planning Commission sticks to the points of the major corridors and access to existing facilities, farmland versus prime farmland wouldn't be a part of that at all. The Planning Commission should be looking at the major corridors into the cities and villages.

Commissioner Cattron stated that he was just making a point that it's another item to consider, the prime corridors and such. Mr. Ball stated again that for the transitional zone, it shouldn't be on the prime farmland areas.

Commissioner Lawitzke stated that it might be helpful for the meetings with the township officials to have a map with various overlays that show the difference in zoning. She stated having multiple maps makes it hard to follow. Mr. Ball stated he could work on something like that. He asked how the internet in the township halls is. Ms. Miller stated that she is going to reach out to the townships tomorrow to discuss where they would like to meet. If they want to meet at the Eaton County Board of Commissioners Room, then the maps can be displayed on the computer screens here. Otherwise, the maps may have to be printed which will be cumbersome.

Commissioner Lawitzke stated Bellevue Township has internet capacity if the county has the technological capacity. Ms. Miller stated that the county does have portable internet and she can bring it with her. Mr. Ball stated he can use the portable internet too.

Commissioner Ross asked if the Planning Commission is giving any kind of control in decision making to the townships or that the townships can just make recommendations? Ms. Miller stated the townships would be able to make recommendations. Mr. Garrison stated that the Planning Commission would show the townships what they're working on and then give us recommendations.

Commissioner Ross stated that was his concern. He stated previously they had followed what a township had recommended, but it ultimately wasn't in the best interest for the county. He stated that the Planning Commission will therefore take recommendations from the townships and take them seriously, but ultimately the Planning Commission will have the final say. Ms. Miller added that there weren't any big issues at the last master plan update, and the townships are very receptive. She stated the townships were more appreciative to be brought into the conversation.

Commissioner Ross stated that there may be some township supervisors who are not agreeable to the proposed secondary agricultural, which may be problematic. Mr. Ball asked if the Planning Commission does want to hone in on the previously discussed areas for the transitional zone, does the Planning Commission want to decide that before they see the townships, or have that discussion with the townships and then bring it back to the Planning Commission?

Commissioner Lawitzke stated that speaking to the townships first and getting their input might be more helpful. She stated they can "self-narrow" down the areas they see as potential secondary agricultural. Ms. Miller asked if the Planning Commission was ok with going with the parameters put forth and not necessarily having the specific maps for the township discussions?

Commissioner Lawitzke stated that having everything within a half a mile is problematic. She stated the townships would know better which areas are problematic or potentially agreeable to the flexible zoning. The townships have internal knowledge to make decisions on those areas that the Planning Commission might not be able to look at and say definitively.

Commissioner Ross stated he would be ok with going to the townships first for their input. He stated he had one other question, that Hamlin Township should be out of there as well? Mr. Ball stated that was correct.

Mr. Ball continued with his presentation. He stated that the next steps would be to discuss the descriptions of future land use, which could be changed to agricultural preservation. He asked if those land uses make sense to the Planning Commission? Mr. Ball stated they could also add general language about renewable energy.

Commissioner Cattron stated he thought agricultural preservation made good sense.

Mr. Ball asked if there were any other comments on agricultural preservation? There were none. Mr. Ball went on to ask about including industrial as part of the flexible commercial and residential zoning areas. Does the Planning Commission want to include industrial?

Commissioner Lawitzke stated that she personally would think it would have to be a really limited industrial because there are some industrial uses that are not appropriate in a transitional zone. She stated the Planning Commission would have to be careful with how they write the wording so that it is not too difficult to fit the Planning Commission's goal. Mr. Ball stated that on future land use, the Planning Commission would be leaving an option for future zoning. They cannot necessarily limit industrial zoning.

Commissioner Ross stated he is more familiar with Eaton Rapids, but there are some industrial areas on the border. He asked if the Planning Commission would want that transition area around the existing industrial parks? Mr. Ball stated that if the Planning Commission gave that a different designation, it would make the map look quite different. Could transition from one zoning use to another, as seen in the Composite Future Land Use Map. Ms. Miller stated that she is familiar with both areas. She stated the industrial park is accessible to many, it's mixed with a lot of other types of zoning. She stated that the questions to ask regarding these areas are; is there public city services? Can their public services go out into the townships without annexing into the city? Mr. Ball added that it is about making land available today that wasn't available in the appropriate places. Mr. Ball stated again that the Planning Commission needs to hone in on where those areas are that are most appropriate for that type of growth.

Commissioner Tirrell stated that he would agree that the Planning Commission has some room to consolidate in that regard. He asked if secondary ag would be the most effective way to plan for rural residential districts. He stated the county has very large but not very organized agricultural areas. Mr. Ball stated one of the options is to consider being a little more restrictive, or requiring larger lots in the limited agricultural districts. Mr.

Ball stated there are a lot of limited agricultural districts that go as high as ten acres, which would also limit the splits. Being restrictive with lot size would also limit land splits. Mr. Ball stated the easiest thing to do would be to up the minimum lot size on limited agricultural properties. This could also impact how agricultural land is sold down the road.

Commissioner Tirrell stated the new classification could bring in growth. Mr. Ball agreed. **Commissioner Tirrell** asked if there were any other tools people could use in the transitional areas. Possibly lot size? Mr. Ball stated that lot size is one of the more common options to drive growth, possibly density in those areas. Mr. Ball stated the Planning Commission should point to those needs in the master plan.

Mr. Ball turned to discussing the recommended zoning ordinance amendments. He stated more doors could be opened with the secondary agricultural zoning. He asked the Planning Commission what the process would be to drive that growth to go? Mr. Ball stated he thinks the Planning Commission has some pretty clear direction. To get ahold of townships and making discussion with the township officials. Mr. Ball said they could bring it back around to the end of next month. Ms. Miller stated the Planning Commission would not be able to give an answer yet, but they can let them know by the September 5, 2023 Planning Commission meeting when they have the meetings with the townships scheduled.

Commissioner Cattron asked if it would be useful to ask a city or village and its township at the same time? Mr. Ball stated he thinks the Planning Commission can. He stated that the townships should be treated as consulting clients in a way. Mr. Ball stated the Planning Commission could start with the townships, and then go back to the city or village to confirm.

Commissioner Cattron asked about the possibility of getting city services in an area outside of the city, but what if the city says no? Ms. Miller stated the city services cannot be taken into the townships without getting annexed into the city or village.

Commissioner Tirrell stated he had a question regarding recommendation number five. Mr. Ball stated he just wanted to be sure those provisions currently fit. It gives a clearer sort of guidance. Mr. Ball stated the Planning Commission may evaluate them and determine if they are needed or not.

Commissioner Tirrell stated the Planning Commission just adopted those, so he does not believe it would be appropriate to re-evaluate now.

Commissioner Ross stated that he agreed. Mr. Ball said the Planning Commission can strike that then. **Commissioner Ross** suggested that the commissioners may want to go to the meetings at the townships. Ms. Miller suggested they could invite the members of the zoning committee as the meetings become available. **Commissioner Ross** said he would be fine with that.

Mr. Ball added there are other portions of the chapter, such as guidance on how to conduct the five year review and whether or not it's appropriate to make an update or not to the master plan. Mr. Ball stated that there is a note about the annual report that is required. Mr. Ball stated that would have these things to discuss for next month. Mr. Ball asked if there were any other questions.

Commissioner Lawitzke asked if 2008 can be swapped for 2021 in Figure 12-1. Mr. Ball said yes.

Commissioner Ross asked why there is more acreage total in 2001 than 2008. Mr. Ball said that there isn't a definitive reason, it was the number that was calculated with the data that was available at those times. Ms. Miller stated that is was because Assessing and Zoning do not always go hand in hand. Ms. Miller stated that over the last ten years, closer to five years, more assessors found properties that weren't currently being assessed. That is why there is more acreage now versus 2008. Mr. Ball stated that number can be fluid.

Commissioner Ross asked is there was anything else to discuss. Mr. Ball said there was not.

Commissioner Ross asked for public comment at 6:59 p.m. There was none.

Commissioner Ross asked if Ms. Miller had anything else to add. Ms. Miller stated there is a meeting on September 5, 2023 to hear the CUP for Crandell Trucking.

Commissioner Porter moved to adjourn the meeting. **Commissioner Lawitzke** supported. Motion carried.

The meeting adjourned at 7:00 p.m.

**EATON COUNTY
PLANNING COMMISSION
October 3, 2023**

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission 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: Scott Hansen, Lisa Lawitzke, Bruce Porter, Michael Hosey, Tim Cattron, Zachary Dillinger, Frank Holmes, and Brian Ross

Absent: Ben Tirrell

Staff Present: Brandy Miller, Chris Garrison, and Tamara Alger

Agenda Approval: A motion was made by **Commissioner Hosey** to approve the agenda for the October 3, 2023 meeting. **Commissioner Cattron** supported. Motion carried.

Minutes Approval: A motion was made by **Commissioner Lawitzke** to approve the September 5, 2023 minutes as printed. **Commissioner Hosey** supported. Motion carried.

Public Comments: None

Public Hearings of Conditional Use Permit and District Change Amendment Applications:

CU-4-16-5: Request by Michael Middaugh and Katie Baum for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a Construction Contractors Establishment and Storage of Heavy Equipment (tree service) per Section 14.29 of the Zoning Ordinance at 2355 S. Royston Road, Section 30, Eaton Rapids Township. Specifically, the request is to reconstruct a larger pole building than previously approved.

Staff Report: Ms. Miller read the staff report and the site plan review responses from the Eaton County Drain Commissioner's Office and the Eaton County Road Commission into record.

Commissioner Ross asked if there were any questions for staff.

Commissioner Hosey asked if the applicant had submitted to the Eaton County Drain Commissioner's office. Ms. Miller stated the Eaton County Drain Commissioner's office reviews at time of application for the building permit.

Applicant Statement: Mr. Middaugh did not have anything to add. He asked if the Planning Commissioners had any questions for him.

Commissioner Ross asked if the size was going to be larger but in the same area as the previous barn. Mr. Middaugh confirmed he would be making the barn a little larger and it would be going in the same place as before.

Commissioner Hosey asked if there would be additional buffering. Mr. Middaugh said there would not be.

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

Speakers in favor: None

Speakers Opposed: None

Public Hearing Closed: 7:08 p.m.

Commissioner Cattron stated his only concern might be the lack of additional buffering.

Commissioner Ross stated that the barn was situated in an area where runoff would not be detrimental to any of the surrounding neighbors.

Commissioner Cattron stated he had no additional concerns.

Commissioner Hosey moved to approve **CU-4-16-5** a request by Michael Middaugh and Katie Baum for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a Construction Contractors Establishment and Storage of Heavy Equipment (tree service) per Section 14.29 of the Zoning Ordinance at 2355 S. Royston Road, Section 30, Eaton Rapids Township. Specifically, the request is to reconstruct a larger pole building than previously approved, 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 Michael Middaugh and Katie Baum for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Cattron supported the motion. A roll call was taken with eight (8) voting aye and none (0) voting nay. Motion carried.

CU-10-23-5: Request by Brookfield Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance at 8037 Brookfield Road, Section 28, Brookfield Township. Specifically, the request is to allow for adjustment of the property lines and an addition on to the existing Brookfield Township Hall.

Staff Report: Ms. Miller read the staff report and site plan review responses from the Eaton Conservation District and Eaton County Road Commission into record.

Commissioner Ross asked for questions from the staff. There were none.

Applicant Statement: Ms. Larson, Brookfield Township Treasurer, stated she agreed with the staff report.

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

Speakers in favor: None

Speakers opposed: None

Public hearing closed: 7:18 p.m.

Commissioner Catron moved to approve CU-10-23-7 a request by Brookfield Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance at 8037 Brookfield Road, Section 28, Brookfield Township. Specifically, the request is to allow for adjustment of the property lines and an addition on to the existing Brookfield Township Hall, 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 Brookfield Township for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Holmes supported the motion. A roll call was taken with eight (8) voting aye and none (0) voting nay. Motion carried.

CU10-23-7: Request by Thomas and Tina Cassidy for a Conditional Use Permit to operate a Park and Recreational Facility (private campground) as defined in Section 5.3.16 P of the Zoning Ordinance at 11066 W St. Joe Hwy., Section 18, Sunfield Township.

Staff Report: Ms. Miller read the staff report, Site Plan Review response from the Eaton Conservation District into record. Ms. Miller also read an email from the applicant and seven written responses from the public into record.

Commissioner Ross inquired about the maximum number of sites the applicant desires to have and the number of people staying on site. Ms. Miller stated he may want to clarify that with the applicant. Ms. Miller stated she believes the applicant would like to have two to three sites. One for the applicant's mother and two for friends.

Applicant Statement: Mr. Cassidy stated he wanted the campground for friends and family to enjoy the lake and the surrounding state land that is adjoined to his property. He stated he would have no more than three campers on site.

Commissioner Cattron stated that the site plan shows four outbuildings even though only two are included in the application. He asked what the use of the additional two outbuildings are that are not included on the site plan. Mr. Cassidy stated that one is for storage and equipment, and the other is a former bait shop that is used for storage of his kayaks.

Commissioner Cattron asked if the unit that the applicants mother stays in is permanent. Mr. Cassidy stated that it is a permanent unit. The other two campers would come and go.

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

Speakers in favor: Mike Trowbridge, 9724 Round Lake Rd, Vermontville, stated he own's property within 300 feet of Mr. Cassidy's. He stated that before the property was purchased by Mr. Cassidy and it was a public campground, there was a lot of vandalism and theft. Since Mr. Cassidy purchased the property, all of the previous issues have been resolved and it is now peaceful. He stated that no one he knows within 300 feet of Mr. Cassidy's property has a problem with the private campground.

Speakers opposed: Drew Marks, 11459 Carlton Center Rd, Lake Odessa, stated that he opposes Mr. Cassidy's CUP application for three reasons: The Eaton County Zoning Ordinance, the application itself, and the enforcement on the property. Mr. Marks referred to the definition of parks and recreational facilities in the zoning ordinance and read the ordinance. Mr. Marks stated that if the CUP is approved, Mr. Cassidy's residence will become a recreational facility per the ordinance regarding parks and recreational facilities. Mr. Marks then read a section from the Eaton County Zoning Ordinance on the intent and purpose for R1 zoning, quoting, "maximum density in the R1 district shall not exceed three units per acre". Mr. Marks stated that Mr. Cassidy has a unit, a permanent trailer, and the permanent residence. Mr. Marks stated that R1 also states that a property may only have concealed storage of one unoccupied trailer on the property, but Mr. Cassidy is requesting to have three unoccupied trailers. Mr. Marks referred to a planning commission meeting from two years ago, in which the planning commissioners had discussed travel trailers and their placement on private property. Mr. Marks stated that the result of that previous discussion was a vote to approve adding to the ordinance that someone could apply for a temporary housing permit to place a recreational unit on RC or LA zoned property. Mr. Marks stated that he believes W St. Joe Hwy is in fact a private Rd, and after 2008 the private road document needs to be updated with the addition of lots. Mr. Marks stated that Mr. Cassidy's parcel is in the one hundred year floodplain, but no EGLE permits have been acquired. Mr. Marks stated he had a problem with the application itself being unclear as to what additional storage will be had, as it states "etc.". He would like to know what the "etc." part of the application is. Mr. Marks went on to review previous violations on the property.

Commissioner Ross asked if there were anyone else would like to speak regarding the application.

Public hearing closed: 7:46 p.m.

Commissioner Hosey stated that he does not see any current violations on the property. He believes the property is also in compliance with the Barry Eaton Health Department, as there no evidence stating otherwise.

Commissioner Ross stated that he also did not see any evidence that the Barry Eaton Health Department was opposed to the request. He stated that he would like to see a firm number of three approved for campers or sites, whatever would be best.

Commissioner Cattron stated he didn't see anything from EGLE approving the request.

Commissioner Ross asked Ms. Miller if she visited the site with EGLE and Environmental Health. Ms. Miller said yes, she met with Mr. Minh-huy Radics of EGLE, Wynn Barry with Environmental Health, and Chris Griffith the Eaton County building inspector at the site. Ms. Miller stated that the lake is an inland lake, and nothing is required from those departments.

Commissioner Hosey asked that if the request was for more than three lots would EGLE intervene then? Ms. Miller said yes, there is a separate section of EGLE that states if more than three campers are being used, the property would have to become a state licensed campground. Ms. Miller also clarified that Mr. Cassidy's property is not on a private road. She stated that Matt Hannahs, the lead engineer for the Eaton County Road Commission, confirmed that the Road Commission certifies the public road almost to the end of the pavement, which is beyond Mr. and Mrs. Cassidy's property.

Commissioner Dillinger asked if there were any concern with the parking on site. Ms. Miller said parking is shown on the site plan, but the size of the spaces are not. Ms. Miller said the applicant can revise their site plan to include the information if the commissioners would like.

Commissioner Hosey moved to approve **CUP-10-23-7** a request by Thomas and Tina Cassidy for a Conditional Use Permit to operate a Park and Recreational Facility (private campground) as defined in Section 5.3.16 P of the Zoning Ordinance at 11066 W St. Joe Hwy., Section 18, Sunfield Township, with the following conditions:

1. No more than three campers shall be located on the site.
2. The site plan shall be revised to include the size of the parking spaces.
3. 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.

4. This Conditional Use Permit is granted to Thomas and Tina Cassidy for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Cattron supported the motion. A roll call was taken with eight (8) voting aye and none (0) voting nay. Motion carried.

CUP10-23-6: Request by Walton Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance and Open Air Storage per Section 14.33 of the Zoning Ordinance at 6966 S Stine. Road, Section 16, Walton Township.

Staff Report: Ms. Miller read the staff report and fifteen written responses from the public into record.

Applicant Statement: Matt Kuschel, representative of Walton Township, stated that the request is essentially and ultimately for a government facility. The transfer station is a group of eight to ten dumpsters where household trash can be deposited. To use the transfer station, a resident of Walton Township would be able to purchase a punch permit. Mr. Kuschel stated that one hundred and eighty nine of those have been purchased so far this year. This service is an option for those who do not wish to use traditional curb side pickup. Mr. Kuschel re-iterated the phases of the project, with the new township hall being part of the final phase three. Mr. Kuschel stated that the new building and transfer station would be just three miles from the current location, so no huge change there. He stated there would also be no huge change to the characteristics of the use. Mr. Kuschel also stated there would be no hazardous materials or hazardous waste on site or being dumped. EGLE has not come back with any concerns either. Mr. Kuschel stated there is already good screening on both sides of the new property. He stated the new township hall would also provide additional screening of the transfer site, and there will be additional fencing. Mr. Kuschel continued to review Walton Township's CUP request. Mr. Kuschel stated there are no plans at present to install a sign, but if it is decided a sign is necessary than the appropriate permits would be applied for at that time. Mr. Kuschel stated the site is already well served by existing public facilities such as the streets, water and septic. He stated that the traffic would not be much increased at the new location. Mr. Kuschel stated the existing water and septic on the property is fine, but if they need to upgrade those systems they will. Mr. Kuschel stated that property value would not be impacted significantly. He cited a study from Penn. State from 2005. A twenty percent increase at worst. He stated there at present is no odor from the transfer station nor were there any rodents. Those conditions would continue at the new location. There will be an operator on site to collect any sort of trash that may escape from the dumpsters. Mr. Kuschel stated the dumpsters would be emptied once a week, just as a personal curb service would be. He does not believe that there will be significant run off from the dumpsters, as they close and seal shut, and do not leak. He stated that run-off from I-69 far exceeds whatever runoff might come from the dumpsters. Mr. Kuschel stated that the

intersection at the site would slow traffic as people make their turn onto the next street. He stated that the traffic would not change as the new station is on the same street in the same area. Mr. Kuschel finished his statement by stating that EGLE has no objections, there are no supported allegations of contamination, and this is at the bottom a governmental facility for township hall operations with the added bonus of a community transfer station.

Commissioner Hosey asked if there was a unanimous vote from the township. Mr. Kuschel stated that he was not aware of a vote to submit the conditional use permit. He is aware this is the boards first step in the process. Mr. Kuschel stated that whether or how to bring the dumpsters over would be subject to continuing action and decision by the board.

Commissioner Hosey asked if there had been any prior public meetings. Mr. Kuschel stated there had been several, once of which he personally attended to address citizen concerns.

Commissioner Hosey asked if Mr. Kuschel was sure there were other meetings. Mr. Kuschel said it was discussed at prior board meetings with significant response from the public, which was why he had been asked to attend one meeting to provide more information.

Commissioner Holmes asked what the township board finds negative about their current location. Mr. Kuschel stated it is because the property is owned by another entity. At the new site, the hall and the transfer site would be strictly under township ownership.

Commissioner Holmes asked how the waste and material would be managed from the transfer station; would it be at a county level. Mr. Kuschel stated the waste at the transfer station would be managed by Granger Trash Services.

Commissioner Catron asked if there would be pavement under the dumpsters or a curb around them; would the township have any objection to that. Mr. Kuschel stated there is at present some concrete that some of the dumpsters would be able to sit on, but not all. At present there are no plans for curbing, but they would be willing to work with EGLE and use best practices to meet requirements for the dumpsters.

Commissioner Porter asked where the current location is. Mr. Kuschel stated it was on Butterfield Hwy, at the edge of the township.

Commissioner Hansen asked if Mr. Kuschel had been hired by the township, and if he were being paid by the taxpayers. Mr. Kuschel stated that yes, he had been hired by the township.

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

Speakers in favor: Art Williams, 4995 W Butterfield Hwy, Olivet, stated that he resides directly next to the current transfer station. Mr. Williams stated he was the former operator and current caretaker of the transfer station. He stated that he has not had any adverse effects to his health, no odor, and no rodents. In regards to the wetland, he said it is currently sitting in the middle of a wetland. He stated there is also no EGLE with where the transfer station currently sits. Mr. Williams did add that the road is more dangerous where the transfer station sits right now, and he believes it would be safer in new location.

Speakers Opposed: Robert Judy, 1269 Miller Hwy, Olivet, stated that the new site would not be worth investing in. He stated the gravel alone would cost too much. He believes a vote should have been held that allowed township residents to have a say whether the new site had been purchased or not. Mr. Judy doesn't believe that any of the township residents had been made aware of the land purchase.

Dale Barr, 2960 Miller Hwy, Olivet, stated that he is a former Eaton County Commissioner and a representative of Walton Township. Mr. Barr stated there had only been one meeting in regard to the new transfer station and township hall. Mr. Barr asked of the commissioners if section 14.10 could be approved without approving section 14.33 of the zoning ordinance? Ms. Miller stated yes, the request can be approved separately. Mr. Barr stated that the new township hall is not the issue, but the transfer station is. He stated that there are other townships that use the transfer station illegally. Mr. Barr also stated that the 5-way intersection near the new transfer station is hazardous, even with stop signs.

Frank Cologero, 6521 McDonald Rd, Olivet, stated that he is a chemist. He provided a list of questions that he gave to each planning commissioner. He asked that the planning commission respond to the questions before making a decision. Mr. Cologero read through his questions.

Melissa Leckie, 6130 S. Stine Rd, Olivet, stated that she walks twice a day by the current transfer station. She walks from Stine to Marshall. Her concern is that people speed around the corner and slam their breaks to stop. Ms. Leckie stated that the roads are just simply too hazardous for that location. She states that questions have been presented to the board at meetings, and the answer has always been "we don't know". Ms. Leckie expressed concern the transfer station will not be profitable as only 20% of the township might use the new station. She stated that there are in fact holes in the dumpsters that do leak. Ms. Leckie also stated that this area is a residential area and nothing more. Ms. Leckie asked for clarification about why the move is being made as there is no problem with the current dump site.

Duston Twichell, 5818 S Stine Rd, Olivet, stated per public act 110 of 2006, a Michigan Zoning Enabling Act, under article five section 125.3504 subsection 4 A, the public was not given the necessary notification or say in this request. He stated the township made held special meetings with limited public notice of 18 hours. Mr. Twichell stated that no one on Walton Township's board lives less than three miles away, so they will not be

affected the way the residents within those three miles will be. Mr. Twichell also stated the while the dumpsters have lids, they are seldom closed. Leachate is always coming out of the dumpsters. Mr. Twichell said the transfer station is an environmental problem, and other townships will be illegally using the dumpsters.

Tim Ball, 6332 S Cochran Rd, Charlotte, stated the new transfer station should not go in, and the existing township hall should be rebuilt. Mr. Ball stated that a vote should be held for the township to determine where they would like the new location to be. He stated that a transfer station shouldn't be built at all and the township would either have to get curb service or find a way to get rid of trash themselves. Mr. Ball stated that he also believes the transfer station is an environmental hazard.

Richard Boughner, 2917 Miller Hwy, Olivet, stated that per section 9.3.6, Basis of Planning Commission Decision, section E, the whole project goes against what that section says. Mr. Boughner read the section for the planning commission and public.

Charles Sharp, 6910 S Stine Rd, Olivet, stated that he is concerned that Walton Township is not acting in the best interest of the township residents. Mr. Sharp stated this project is not going to help him, or the township residents. He stated that it will cause smell and health complications.

Kathy Carpenter, 3288 Baker Hwy, Olivet, stated that her other concern, in addition to the concerns previously stated by other residents, is the potential of trash not being picked up weekly. She stated this was during shutdown. Ms. Carpenter also stated the new township hall should be put on a ballot and be voted for, as the township residents will be paying for it.

Kevin Tillotson, 6684 Marshall Rd, Olivet, stated that he is originally from Flint. Mr. Tillotson expressed concern that the new transfer station will create a similar environmental hazard to that of Flint's water. Mr. Tillotson believes that the environmental hazard may be enough to cause serious harm to human life and animal life.

Barb Platzer, 6920 S Stine Rd, Olivet, stated that she counted residences and businesses within a mile radius of the new transfer station and found 82 houses and 3 businesses. Ms. Platzer stated that the transfer station will be affecting an entire community, not just a few people.

Jacob Wildenhaus, 6963 S Stine Rd, Olivet, stated that he is directly across the street from the proposed station. His main concern is the traffic in that area. Mr. Wildenhaus stated that people drive over the speed limit and make turns blindly in that area.

Dewain Vallie, 212 Kalamo St, Olivet, stated that the township residents have no idea what the cost of this project is going to be. He stated that they do not need a new township hall and the residents will be paying for services the majority don't use. Mr. Vallie is concerned the fees will keep being imposed with the new site.

Tami Briskie, 6800 Marshall Rd, Olivet, stated that at a township meeting, Mr. Kuschel did not inform the planning commission that the reason for moving the transfer station was because of possible contamination and they needed to move before there was a lawsuit. Ms. Briskie stated that a new site would only face the same problems as the previous.

Scott Byam, 2877 Cameron Dr, Olivet, stated that he suspects the new site property was purchased secretly without any public notice. He also stated that parking will be just as problematic during elections as it is now at the current site. The new site will not improve that.

Doug Norton, 5540 Elm Rd, Olivet, stated that he doesn't understand the need to move to a new site if there truly were no lawsuits on the current. He stated if there is the potential for a lawsuit on the current, then the new site would face the same issues again.

Mr. Kuschel asked Chair Ross if he could address some of the concerns.

Commissioner Ross said yes. Mr. Kuschel stated that at state campgrounds there are groups of dumpsters for the patrons to utilize. Mr. Kuschel stated that is no different than what Walton Township is going to be doing. He stated there is no toxic or hazardous waste or industrial waste at the transfer station. Mr. Kuschel stated the concerns about contamination are strictly about the current location, which comes from activity that predates the township. Not the future eight dumpsters to be managed by Granger. Mr. Kuschel stated the dumpsters are only to be used for household waste. He stated that what this is, is a zoning question, it is not a decision on paying for government services. That would be a decision for Walton Township. Mr. Kuschel stated that they are here to see whether the use complies with the zoning ordinance, and he believes it does.

Nick Vasilion, 204 W Butterfield Hwy, Olivet, stated that his issue with the new transfer station is that the new site is residential, or limited agricultural. Mr. Vasilion doesn't believe they have the right to charge the residents to use the dumpsters as it is not a commercial property.

Public hearing closed: 9:43 p.m.

Commissioner Ross stated that he is concerned about the proposed buffering. He stated that he believes there should be a more substantial buffer, such as a faster growing pine tree. **Commissioner Hosey** asked what sort of trees would be better. **Commissioner Ross** stated something that is larger and faster growing and would provide more cover, such as a pine tree.

Commissioner Lawitzke referred to section E under Requirements for approval. She stated that she believes the proposed is detrimental to the surrounding residents and may become more so if the request is approved. She stated that toxic waste is already

at the current site and thus will affect the new proposed site as well. **Commissioner Lawitzke** stated that she does not believe the proposed request is compatible or harmonious with the surrounding area.

Commissioner Holmes stated that a negative of the proposed is the traffic in the area being close to the intersection. His other concern is that EGLE had not responded to the request. He stated that a majority of what the public came forward with are concerns that need to be addressed to Walton Township itself.

Commissioner Ross stated that the Eaton County Road Commission did approve the request with conditions. He stated that EGLE will have to respond to the request as they're one of the agencies that have to provide approval.

Commissioner Cattron stated that he is concerned about the ground water, but he is going to rely on the facts that have been presented. He stated that he also believes the screening around the transfer station should be strengthened in a more solid fashion.

Commissioner Porter stated that he believes the township should explain their need of the new location further.

Commissioner Ross stated that is not something for the planning commission to decide. The need of the location is for the township to discuss.

Commissioner Porter stated that he did not think the provided site plan is acceptable. **Commissioner Cattron** stated that the planning commission could ask for a revised site plan if they thought it necessary.

Commissioner Hosey stated that he would like to know what measures could be taken by the township to prevent potential toxic waste. **Commissioner Ross** stated that they could make a condition in their motion to address the methods for the prevention of toxic waste. **Commissioner Hosey** agreed that he would like to include a motion regarding the potential toxic waste and its prevention.

Commission Dillinger stated that he is not convinced condition E is met fully. He stated that he believes the other four conditions are sufficient. He stated that the transfer station and the township hall are really two different projects. He suggested that they might be able to approve a portion of the request and deny another, as the township hall does meet all five conditions for approval.

Commissioner Ross stated that they may need to add a motion for there to be a solid surface with curb to contain waste. He suggested that the planning commission table the meeting.

Commissioner Cattron asked if **Commissioner Dillinger** was concerned about the wetlands. **Commissioner Dillinger** stated that he was concerned about ground water

contamination and damage to wetlands. He stated that at a minimum the planning commission needs to address that.

Commissioner Lawitzke asked if they could table the request in order to get EGLE to further investigate the request in regards to section E.

Commissioner Cattron stated that the site plan revision and EGLE approval be included together as a decision to table the decision. **Commissioner Hosey** added that vermin control should be addressed as well. **Commissioner Cattron** asked what would need to be updated in the site plan. **Commissioner Porter** stated that the site plan does not show widths, where the driveways are going to be. He stated he is also concerned about the traffic and the intersection being hazardous. **Commissioner Ross** stated the Eaton County Road Commission did say they could make updates to the driveway but would need to turn it into a commercial driveway. He added that he would like the site plan updated and more legible.

Commissioner Cattron inquired if the size of the site plan is what was provided. Ms. Miller stated that it was, and per Article 8 it was accepted by staff as presentable. Ms. Miller stated the applicant may wish to hear that a larger site plan is needed.

Commissioner Cattron moved to table **CU-10-23-6** a request by Walton Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance and Open Air Storage per Section 14.33 of the Zoning Ordinance at 6966 S Stine. Road, Section 16, Walton Township. With the stipulations: a wetland determination to find extent of wetland, a site plan that is more clear and easier to see, something at least double the size of what is provided, that the driveway be clearly delineated, to consider extending the northern buffer and consider using multiple species like pine and arborvitae together. To have a solid surface and curb and gutter where the dumpsters are going to go.

Commissioner Ross clarified that the Planning Commission would further consider the application at the November 7, 2023 meeting. **Commissioner Hosey** supported. A roll call vote was taken with eight (8) voting aye and none (0) voting nay. Motion carried.

Commissioner Ross asked for other business. Ms. Miller stated the special master plan meeting will be on October 24, 2023. The 2024 meeting schedule has been determined. The only one that is not the first Tuesday of the month is January 2024 due to Board of Commissioners schedule.

Commissioner Ross asked for a vote to approve the 2024 meeting schedule next month. All in favor.

Reports: Ms. Miller stated the September Zoning Ordinance Committee Meeting was canceled due to illness. The next Zoning Ordinance Committee Meeting is scheduled for October 17, 2023 at 3:00 p.m. to discuss potential marihuana regulations, lot line

adjustment and lot combinations regulations at a minimum. She stated the Zoning Board of Appeals did not meet this evening due to lack of business.

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

The meeting adjourned at 10:22 p.m.

**EATON COUNTY
PLANNING COMMISSION SPECIAL MEETING MINUTES
October 24, 2023**

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission called the meeting to order at 6:00 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: Ben Tirrell, Scott Hansen, Lisa Lewitzke, Bruce Porter, Mike Hosey, Tim Cattron, Brian Ross

Staff Present: Brandy Miller

Agenda Approval: A motion was made by **Commissioner Hosey** to approve the agenda for the October 24, 2023 meeting. **Commissioner Cattron** supported. Motion carried.

Commissioner Ross asked if notices have been posted and sent. Miller stated yes.

Mr. Jason Ball reviewed the maps and their updates in the 2023 master plan update packet. Ms. Miller spoke on the meetings held with the individual townships. Some townships opted to make changes, a majority didn't. She stated the townships did appreciate being included in the process.

Mr. Ball continued reviewing the map changes in the packet. Mr. Ball asked if anyone had any questions.

Ms. Miller wanted to add that the individual township maps will be included in the master plan.

Commissioner Cattron stated that the maps do look much better. He is happy with the work that was done with them.

Mr. Ball then discussed the draft of the master plan, specifically the future land use chapters. He stated they did add the analysis regarding building permits that have been issued. The number of permits issued has been trending upward for new residential dwelling permits. The analysis gives an idea where the most construction is happening in the county, excluding areas not within Eaton Counties jurisdiction. Mr. Ball also stated that clarifications have been to the future land use in the plan, and a new classification was created for the mixed-use transitional zone. Mr. Ball stated he did also update and provide clarity around recommended zoning changes, which are to establish the mixed-use transition zoning district. Mr. Ball stated that the last two new chapters in the plan

are solely for information purposes; they are regarding transportation chapter 8 and public services chapter 9. Mr. Ball discussed each chapter.

Commissioner Lawitzke inquired about figure 8-3 on page 8-2, in chapter 8 regarding transportation. She stated that it would be beneficial to have some indication of what the ratings are, whether 1 is the best or 4 is the best on a scale of 1-4. Mr. Ball clarified the ratings.

Commissioner Cattron asked if pacer rating could also be defined in chapter 8 regarding transportation. Jason stated that pacer rating is used to rate the quality of pavement and its status. Jason stated he can provide a definition for that.

Commissioner Lawitzke stated on page 9-1 of chapter 9, Olivet College needs to be amended as a university. It is no longer a college. She stated on page 9-3, regarding the recycling, there is a recycling site in Olivet and Bellevue that are not listed.

Commissioner Cattron stated that Eaton Rapids no longer has a recycling site. Ms. Miller stated that because Eaton Rapids has listed the change as temporary, she did not have Mr. Ball change that. She stated they are hoping to readdress the recycling site in the future. Mr. Ball stated that Hospital Names may need a revision as well.

Mr. Ball continued his presentation, stating that the next step is to continue with open houses on the master plan, scheduled for the 7th, 8th, and 9th of November. Locations and times for the meetings were discussed. The final master plan meeting was also discussed. The planning commission decided on December 5th at the monthly planning commission meeting as the final master plan update meeting as well.

Commissioner Ross asked if staff had any questions. There were none.

Commissioner Ross asked Ms. Miller if any of the planning commission members should be present for the open houses. Ms. Miller stated that it would be beneficial for planning commission members to attend, as the public would appreciate seeing them in attendance.

Public Comment:

Barb Vandermolen of Eaton Township stated that the zoning regulations are putting some people in a difficult position. She stated that she and her husband live in Eaton Township. Ms. Vandermolen stated that many people she knows who have lost their spouses have had to sell their family homes, but then have no where to go. She stated they cannot afford a \$300,000.00 condo, nor want a condo where a washer and dryer are in the basement. Ms. Vandermolen stated the widows and widowers also do not want to spend \$1,500.00 or more renting an apartment, yet they make too much money to qualify for rent assistance or subsidized housing. Ms. Vandermolen proposed building several \$220,000.00 duplex homes that she would call four W; widow, widowers, walkers, and wheelchairs. Each unit would have 900 square feet on a crawlspace with one bedroom. The homes would be handicap accessible. The homes would also

include an attached garage and a front covered porch. Ms. Vandermolen stated there would be some type of homeowners' association that would take care of the lawn work and home repairs. Ms. Vandermolen appealed to the planning commission to make affordable duplex homes for senior citizens allowable in Limited Agricultural zoned areas in Eaton County. She stated that these duplex homes would not be high density housing, especially at one duplex per parcel. Ms. Vandermolen said these homes could even be an allowable variance. Ms. Vandermolen provided a copy of a floorplan for the proposed duplexes to the planning commission, and she reviewed the floor plan for them.

Commissioner Ross asked for any other comments. There were none.

The meeting adjourned at 6:34 p.m.



EATON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
1045 INDEPENDENCE BLVD.
CHARLOTTE, MI 48813
(517) 543-3689 Fax: (517) 543-9924

MEMORANDUM

TO: Eaton County Planning Commission

FROM: Brandy Miller, Planning and Zoning Administrator

DATE: October 31, 2023

RE: **CU-10-23-6:** Request by Walton Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance and Open Air Storage per Section 14.33 of the Zoning Ordinance at 6966 S. Stine Road, Section 16, Walton Township.

The following is attached for the Planning Commission to continue discussions of CU-10-23-6 at their November 7, 2023 meeting:

- Email from Ms. Claire Watts of EGLE regarding wetland delineation.
- Memo from Walton Township removing the request for Open Air Storage from their Conditional Use Permit Application.
- A new attachment for the Conditional Use Permit Application giving updated responses for the application.
- A new site plan.
- Staff Report and application that was included in the October 3, 2023 Planning Commission Meeting Packet.

Walton Township still plans to use the existing home for storage and office space during elections. In addition, they still wish to construct a new township hall.

As with any application or communication, please feel free reach out with any questions.

Brandy Miller

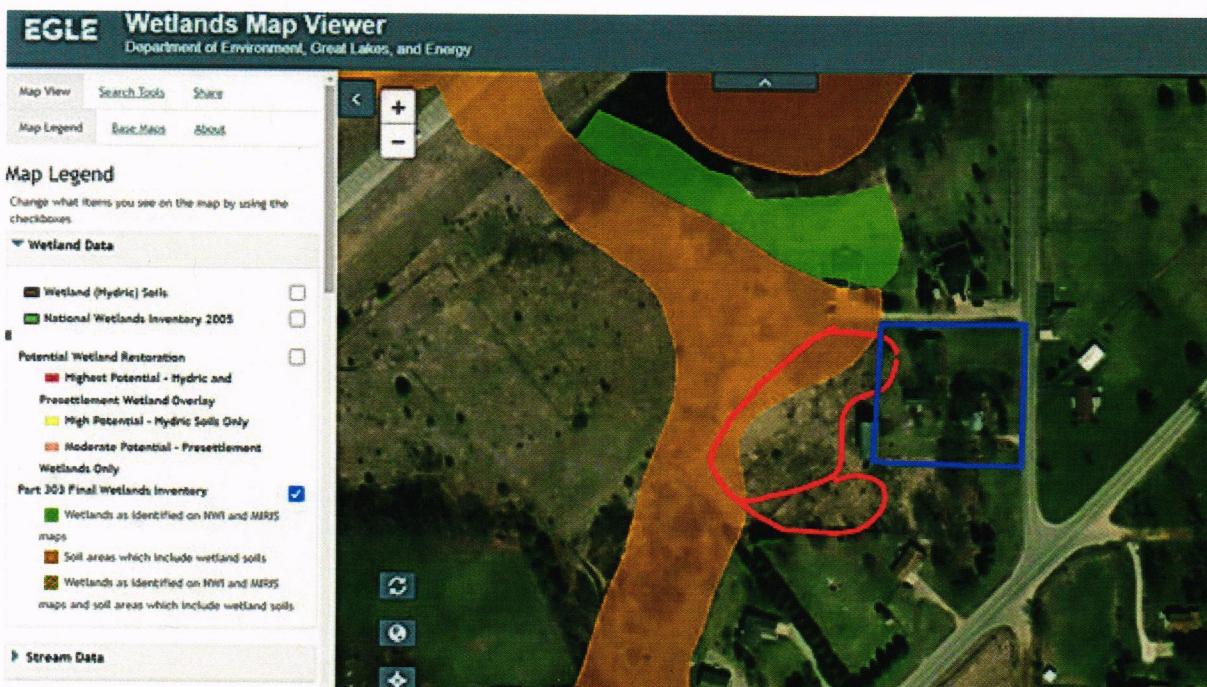
From: Watts, Claire (EGLE) <WattsC5@michigan.gov>
Sent: Friday, October 6, 2023 3:43 PM
To: Brandy Miller
Subject: RE: Site Plan Review for CU-10-23-6, Walton Township (6966 S Stine St, Olivet)

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Brandy,

Thank for touching base with me yesterday.

I do not have concerns with the previously discussed usage of the property in terms of wetland or lake/stream impacts, but do have some conditions that would need to be considered for the project. A wetland delineation would be needed for the red area around the barn and silo, and would likely need a permit to conduct any work in this area. However, if the entire project were to: be kept on the north eastern mowed corner of the property marked in blue, would not expand into the tall grass/meadow area, and would for the most part be confined to the building footprints present, it would not need a wetland delineation.



I hope this information was helpful. Please let me know if I need to clarify anything or if any questions/concerns arise from my comments.

Thank you,

Claire Watts
Environmental Quality Analyst
Water Resources Division, Lansing District Office
P: (517)-388-6686 | E: WattsC5@michigan.gov

From: Brandy Miller <BHatt@eatoncounty.org>
Sent: Thursday, October 5, 2023 10:00 AM
To: Watts, Claire (EGLE) <WattsC5@michigan.gov>
Subject: FW: Site Plan Review for CU-10-23-6, Walton Township
Importance: High

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

This message was sent securely using Zix®

From: Brandy Miller
Sent: Thursday, September 14, 2023 7:12 AM
To: Watts, Claire (EGLE) <WattsC5@michigan.gov>
Subject: FW: Site Plan Review for CU-10-23-6, Walton Township
Importance: High

Good morning,

Please see the email below sent on August 24, 2023. We are getting ready to write the "staff report" for the Planning Commission. The staff report includes comments, concerns, proposed regulations and conditions and/or approvals from other agencies that may have regulations for the property or proposed use.

We are interested in comments from EGLE regarding and concerns related to the proposed use of the property as a residential trash transfer station. If there are no concerns, but conditions EGLE would like to have in place for the use, we would like to know that as well.

We thank you for your time and consideration.

Regards,

Brandy Miller
Planning and Zoning Administrator/Code Enforcement Officer
Eaton County Department of Construction Codes & Planning and Zoning
517-543-3004

From: Brandy Miller
Sent: Thursday, August 24, 2023 7:36 AM
To: Scott Hansen <SHansen@eatoncounty.org>; walton.clerk@gmail.com; Bob Starkweather <waltontwpsupervisor@gmail.com>; karanaA@michigan.gov; Radics, Minh-Huy (EGLE) <RadicsM@michigan.gov>; Watts, Claire (EGLE) <WattsC5@michigan.gov>; Deborah Penfield <DPenfield@eatoncounty.org>; jcollins801@hotmail.com; Christopher Garrison <CGarrison@eatoncounty.org>; Deb Fuller <DFuller@bedhd.org>; Eaton Conservation District <eatoncd@macd.org>; Francis Dhuyvetter <FDhuyvetter@eatoncounty.org>; Larry Thelen - MDOT <thelenL3@michigan.gov>; mhannahs@eatoncountyroad.com; Richard Wagner <rwagner@eatoncounty.org>; Ruthann

Clarke <RClarke@eatoncounty.org>; Tim cattron <tim.cattron@gmail.com>; Zachary Dillinger <zacharydillinger@gmail.com>

Subject: Site Plan Review for CU-10-23-6, Walton Township

Importance: High

Good morning,

Attached is a Conditional Use Permit Application submitted to this office by Walton Township. Walton Township is requesting to operate a Government Facility per Section 14.10 Educational Institutional and Government Facility of the Zoning Ordinance and an Open Air Storage (residential transfer station) per Section 14.33 Open Air Business and Storage of the Zoning Ordinance from a property located at 6966 S. Stine Road, Section 16, Walton Township. The 10.16 acre parcel is zoned Limited Agricultural (LA).

Specifically, Walton Township would like to utilize the property for construction of their future township hall within the next eight to ten years. Additionally, they would like to relocate their residential transfer station to this property. Please review the attached application and supporting documents for more information regarding the request.

Eaton County Zoning Ordinance Sections 14.10 and 14.33 are attached for your review.

The Eaton County Planning Commission will consider this application at their October 3, 2023 meeting. The Eaton County Planning Commission Meetings are held at 7:00 p.m. in the Eaton County Board of Commissioners Room located at 1045 Independence Blvd., Charlotte, Michigan 48813.

As always, please do not hesitate to reach out with any questions regarding this application.

Regards,

Brandy Miller
Planning and Zoning Administrator/Code Enforcement Officer
Eaton County Department of Construction Codes & Planning and Zoning
517-543-3004

This email, including any attachment(s) to it are intended solely for the use of the individual or entity to which it is addressed. If you have received this email in error please notify Eaton County or the Barry Eaton District Health Department (BEDHD) by replying to the original email and deleting any email(s) or attachment(s) that you have received. Both Eaton County & BEDHD screen all outgoing email and attachment(s) for viruses; however, Eaton County or BEDHD cannot accept liability for any damage caused by any virus transmitted by this email. The recipient should check this email and any attachment(s) for the presence of viruses.

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Walton Township

Memorandum

To: Brandy Miller

From: Erin Cummings, Walton Township Clerk

Subject-Conditional Use Permit CU-10-23-6

On October 10, 2023, at the regularly scheduled board meeting of Walton Township. The Board approved the withdraw of 14.33 Open Air Business and Storage from the previously submitted conditional use permit CU-10-23-6. Please see the updated site plan and supporting documents updated to reflect the change.

Conditional Use Application Questions

(Answers to Question 2) Walton Township has recently acquired property at 6966 S Stine Rd, Olivet for the purposes of a new Township Hall within 10 years. Improvements planned are phased below:

Phase 1 (October 2023- October 2024)

1. Demo of what is labeled on the map as a shed (A1)
2. Upgrading existing driveway to comply with Eaton County Road Commission Commercial Driveway Standards.

Phase 2 (November 2024-November 2025)

1. Demo of barn (Hip Roof)

Phase 3 (2025-2035)

1. Construction of a new Township Hall-offices, meeting space and election site.

(Answers to Question 3) Employees

House will be used for storage and office space during elections 2-5 people would be present from 5:30am-11:00pm: pending Health Department approval. When the Township Hall is constructed, hours would be no more than 40 hours per week, not including elections.

(Answers to Question 4) Buildings that we plan to utilize-

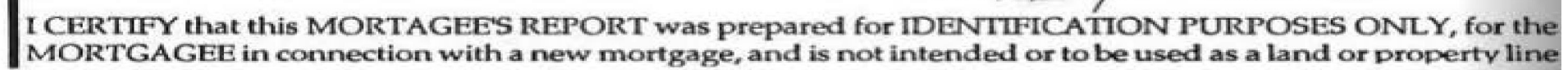
The block building will be used for storage of township and cemetery equipment as needed. The house will be used for storage and office space for election personnel during elections, pending Health Department Approval.

(Answers to Question 15) What equipment, vehicles, materials, etc will be stored at the site.

The block building will be used for storage of township and cemetery equipment as needed. The house will be used for storage and office space for election personnel during elections, pending Health Department Approval.

(Answer to Question 17) The Township purchased this property to allow for necessary upgrades, that will be phased over the next 10 years. The Township will thrive to keep the property within the same characteristics that are currently existing on the property as well as the neighboring properties; we have no intentions of negatively impacting the residents of this area. Upgrades to the driveway will be necessary to conform with Eaton County Road Commission Standards and provide for adequate ingress and egress. This property allows for growth of our township facilities, as we continue to see a fair amount of growth.

SHEET 1 OF 2



A7-Future location of Walton Township Hall. Size will be approximately 90x50.

 -Well
 = Drain field

 Driveway

 IIIII -Parking spaces 9x20

 Existing privacy fence on neighboring property.

STAFF REPORT CU-10-23-6

TO: EATON COUNTY PLANNING COMMISSION
WALTON TOWNSHIP - APPLICANT

FROM: EATON COUNTY COMMUNITY DEVELOPMENT DEPT.

RE: **CU-10-23-6:** Request by Walton Township for a Conditional Use Permit to operate a Government Facility per Section 14.10 of the Zoning Ordinance and Open Air Storage per Section 14.33 of the Zoning Ordinance at 6966 S. Stine Road, Section 16, Walton Township.

HEARING DATE: October 3, 2023 at 7:00 p.m.

SUBJECT PARCEL: 6966 S. Stine Road, Olivet, Michigan 49076

PARCEL CODE(S): 140-016-400-120-00

SITE DATA: **ON-SITE**

Size: 10.16 acres

Zoning: Limited Agricultural (LA)

Land Use: Vacant residence

Site Use History: Residence

Soil Class: Essential & Non-Essential

Road Class: S. Stine Road **is not** a major road

SURROUNDING

Limited Agricultural (LA), Local Business (C-1) & Industrial (I) Residential, Agricultural, Walton Township Hall and cemetery Residential and Agricultural Essential & Non-essential n/a

APPLICANT'S STATEMENT: PLEASE SEE ATTACHED APPLICATION AND STATEMENT.

The applicant, Walton Township, requests a Conditional Use Permit (CUP) to operate a Government Facility and Open Air Storage. They state, "Walton Township has recently acquired property at 6966 S Stine Rd, Olivet for the purposes of a new Township Hall within 10 years and relocation of the residential transfer station. The transfer station is a low cost benefit to the residents of Walton Township to dispose of household trash. Improvements planned are phased below:

Phase 1 (October 2023- October 2024)

1. Demo of what is labeled on the map as a shed (A1), shed is within the proposed fenced area.
2. Relocation of the transfer station, including installation of fence. Fence will be 6 foot in height and 2 gates with screen will connect the fencing at the entrance of the transfer station. Please note fencing is not required.
3. Upgrading existing driveway to comply with Eaton County Road Commission Commercial Driveway Standards.
4. Installation of 5 parking spaces.
5. Landscape- Arborvitaes will be planted 15 foot apart total of 14 trees.

Phase 2 (November 2024-November 2025)

1. Demo of barn

Phase 3 (2025-2035)

Construction of a new Township Hall-offices, meeting space and election site. Post frame construction 90' x 50' (4,500 sq. ft.)."

In response to hours of operation and employees, Walton Township states, "The relocation of the transfer station to this property would be on Tuesdays 3:00pm-to 5:30pm and Saturdays 7:00am-11:00am with one employee present. The trash containers would be dumped weekly on Fridays. The cardboard and scrap metal bin are only emptied upon our request. The house will be used for storage and office space during elections 2-5 people would be present from 5:30am-11:00pm; pending Health Department approval. When the Township Hall is constructed, hours would be no more than 40 hours per week, not including elections."

Walton Township states, "The block building will be used for storage of township and cemetery equipment as needed. The house will be used for storage and office space for election personnel during elections, pending Health Department Approval."

Per the application, the property is located within five-hundred (500) feet of a pond. Walton Township states, "Phase 1 and Phase 2 do not require a Soil Erosion and Sedimentation Control Permit as we are not within the requirements. Phase 3 may require a permit if construction is over 1 acre of earth disturbance."

The applicant states, "The septic and water sources are existing and were inspected upon the purchase of the property. Trash containers will be emptied every Friday. The Township has no plans to make changes to the current well and septic for any changes planned for Phase 1."

Anticipated traffic to the site is thirty to forty (30-40) vehicles on Tuesdays and forty to eighty (40-80) vehicles on Saturdays. Per the application, parking for five (5) vehicles is proposed for the Open Air Storage; the parking area will not be lit or paved. Per the site plan, parking for twelve (12) vehicles is proposed for the Government Facility.

Walton Township states the request should be granted because, "The township purchased this property to allow for necessary upgrades, that will be phased over the next 10 years. The Township will thrive to keep the property within the same characteristics that are currently existing on the property as well as the neighboring properties; we have no intentions of negatively impacting the residents of this area. Upgrades to the driveway will be necessary to conform with Eaton County Road Commission Standards and provide for adequate ingress and egress. This property allows for growth of our township facilities, as we continue to see a fair amount of growth."

Site Plan Review			
Approved	Denied	Approved	Denied
☐ Drain Commissioner	☐	☐ Tim Catron	☐
☐ Road Commission ©	☐	☐ Zachary Dillinger	☐
☐ Building Official	☐	☐ Vicinity Mbr, S. Hansen	☐
☐ Olivet Fire Dept.	☐	☐ Walton Township	☐
☒ BEDHD	☐	☐ Eaton Conservation District ©	☐
☐ EGLE	☐		
MAILING: Ten (10) surrounding property owners were notified. Two (2) written responses were received.			

SITE REVIEW COMMITTEE COMMENTS:

Road Commission comment: "I've reviewed the above mentioned CUP. I agree with item 3 under Phase 1 of the questionnaire, the proposed driveway to the site should be improved to meet the commercial driveway standards in the Eaton County Road Commission Permit Policy. With that comment, I have no objection to the CUP."

Eaton Conservation District comment: "The Eaton Conservation District Board of Directors has expressed no concerns about this application."

Laura Johnson, 7030 Marshall Road, comment: "I am requesting the arborvitae trees be planted on the south side of the property to the east of my privacy fence to the edge of the Stine Road Right-of-Way. Also, I am asking that all the grapevines along my fence property line that butts up to your property line be left alone and not removed. Due to medical reasons, I am unable to attend the meeting tonight."

Michael Woodbury, 6700 S. Stine Road, comment: "Reading the Conditional Use Permit Application for property at 6966 S. Sine Road, Olivet, Michigan, Case CU-10-23-6, I am concerned with the answer given to question 17 by Walton Township. The statement, "We have no intention of negatively impacting the residents of this area", in my opinion is a false statement. At the township hall

meetings, the board has heard from many area residents who oppose the transfer station. There are several homes literally a stones throw from the planned site. It will negatively impact the residents of the area. Noise, odor, traffic and home values are just some of the impact it will have. The board knows this, but choose to ignore the facts. There is no support for their plan in this neighborhood. That is why myself and others would hope the permit will be denied."

SPECIFIC REGULATIONS: EATON COUNTY LAND DEVELOPMENT CODE

SECTION 14.10 EDUCATIONAL INSTITUTIONAL AND GOVERNMENT FACILITY

14.10.1 Definitions:

- A. Educational Institution: A public or private accredited kindergarten through twelfth grade school, college, trade, or business school, nursery school, pre-school, or day care facility, and/or related administrative offices, excluding maintenance garage.
- B. Government Facility: A facility under the operational control of a governmental unit, specifically a Township, City, Village, County, State, the United States Government, or some combination of governmental units, including, but not limited to, offices, libraries, museums, town halls, post offices, courts, and civic centers; excluding, vehicle and equipment maintenance and correctional institutions.

14.10.2 Regulations and Conditions:

- A. No building shall be closer than fifty (50) feet to any property or street right-of-way line. Family and group day care homes are exempt from this requirement, but must meet the required setbacks for the zoning district they are located in.
- B. Group day care homes must meet the requirements in section MCL 125.3206 of PA 110 of 2006.
- C. No more than twenty-five (25%) percent of the gross site area shall be covered by buildings.
- D. All signs shall comply with *Article 11* of this Ordinance.
- E. All off-street parking shall comply with *Article 10* of this Ordinance.

SECTION 14.33 OPEN AIR BUSINESS AND STORAGE

14.33.1 Definitions: For the purposes of this Ordinance, the follow definitions shall apply:

- A. Open Air Business shall include retail wholesale businesses that store, display, exhibit and demonstrate products outdoors.
- B. Open Air Storage shall include the storage of any raw material, components, new or used equipment, product, by-product, waste or other material as a primary use, an accessory use or an incidental activity associated with a legal use under this Ordinance.
- C. Hazardous Materials shall include any substance or material that, by reason of its flammable, explosive, corrosive, caustic, toxic, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health or safety of persons, property or the environment.

14.33.2 Regulations and Conditions:

- A. The minimum lot size for an Open Air Business shall be one (1) acre and the minimum lot width for an Open Air Business shall be two hundred (200) feet.
- B. Except in the Limited Agriculture (LA) district, Open Air Businesses and Open Air Storage shall be enclosed with a six (6) foot solid fence along the rear and sides of the lot, which the fence shall be capable of containing debris, trash and other blowing objects.

- C. The lot area used for display, storage and/or parking for an Open Air Business shall have a permanent, durable and dustless surface and shall be graded and drained to dispose of all surface water.
- D. All exterior lighting of an Open Air Business or Open Air Storage shall be shielded from adjacent residential areas.
- E. Open Air Businesses and Open Air Storage shall include landscape buffer areas as provided in *Article 17* of this Ordinance.
- F. Materials may not be stored or exhibited within ten (10) feet of any road right-of-way or property lines.
- G. An Open Air Business or Open Air Storage which involves hazardous materials shall comply with the following requirements, in addition to the foregoing:
 - 1. No Open Air Business involving hazardous materials shall be permitted under the terms of this Ordinance until documentation is provided that all required Federal, State and Local licensing requirements have been fulfilled.
 - 2. An Open Air Business involving hazardous materials shall be located on an all-season paved State Highway or an all-season paved County Primary Road.
 - 3. No Hazardous Materials or containers for hazardous materials shall be located within one hundred (100) feet from any lot line.

GENERAL REQUIREMENTS FOR APPROVAL (Applicant must satisfy items A-E):

9.3.6 Basis of Planning Commission Decisions: The Planning Commission's decision will be based on compliance with the specific requirements contained elsewhere in this Ordinance, and the general standards listed below: **Items A-E**

- ☐ A. Compliance with the applicable Land Use Policies in the Eaton County Master Plan:
Staff: This area is designated as **Secondary Agricultural** in the Eaton County Master Plan; therefore, the policies applicable are as follows:

The intent of the Secondary Agricultural land use designation is to provide land for rural residential development with a predominantly agricultural landscape. Lands in the Secondary Agriculture designation may range from current farmlands to areas bordering development. The primary goal of this designation is to create a buffer between emerging growth and farming operations, while maintaining a somewhat rural lifestyle. Farmland preservation and continued agricultural activities in these areas are the preferred land use. This land use designation would enable farmers to continue agricultural operations while permitting the efficient development of single-family housing. A new zoning district should be implemented to coincide with this future land use classification.

- B. Essential public facilities are adequately provided to the project, including, but not limited do, highways, streets, police and fire protection, emergency medical care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.
 - ☐ 1. Existing roads ☐ 4. Fire protection ☐ 7. Public transportation
 - ☐ 2. Schools ☐ 5. Police ☐ 8. Public recreation
 - ☐ 3. Storm water drainage ☐ 6. Emergency medical care
- C. Location and design of driveways providing vehicular ingress and egress, and automobile parking areas for the project are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The level of traffic generated by the project will not significantly or adversely impact the adjacent road system.

D. On-site sanitation facilities, if any, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs

- | | |
|--|---|
| ☐ sewage disposal | ☐ potable water supply |
| ☐ storm water | ☐ solid waste disposal |

E. The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

- | | | |
|--|---|-----------------------------------|
| ☐ prime agricultural soil | ☐ major forests | ☐ wildlife |
| ☐ water recharge areas | ☐ wetlands | |
| ☐ lakes, rivers, or streams
deposits | ☐ major sand, gravel, or mineral | |

9.3.7 Statements of Conclusion: The Planning Commission shall specify in writing the conclusions and findings on each request in terms of the general standards listed above in Section 9.3.6 of this Ordinance.

9.3.8 Required approval by Planning Commission: The Planning Commission shall approve a request for Conditional Use Permit for any applicant which fully meets the general standards and specific standards contained in this Ordinance.

9.3.9 Conditions of Approval: The Planning Commission may require reasonable conditions in conjunction with the approval of a Conditional Use Permit. Such conditions shall include conditions necessary to ensure that public services and facilities affected will be capable of accommodating increased service and facility loads caused by the proposed land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in socially and economically desirable manner. The conditions imposed shall be recorded in the minutes of the Planning Commission and on the Conditional Use Permit. These conditions shall remain unchanged unless a written request is submitted to the Planning Commission for change of conditions.

A request for change of conditions shall be scheduled for a public hearing before the Planning Commission. Prior to the hearing the request shall be reviewed under the appropriate Site Plan Review process. The recommendations from the Site Plan Review process shall be reported during the hearing. A public notice shall be mailed to all property owners within 300 feet of the Conditional Use Permit site. Approval of the change of conditions shall be granted only upon an affirmative vote of the majority of the Planning Commission. All changes shall be recorded in the minutes of the meeting and on the Conditional Use Permit.

COMMUNITY DEVELOPMENT STAFF COMMENTS

A Government Facility and Open Air Storage are uses permitted in a Limited Agricultural (LA) Zoning District with a Conditional Use Permit.

Per the site plan, the proposed location of the future Walton Township Hall meets the setback requirement of fifty (50) feet to the property lines and Stine Road Right-of-Way.

Walton Township is requesting to operate an Open Air Storage Business; they are not requesting to operate an Open Air Business or Hazardous Materials Business. Therefore, Zoning Ordinance Items 14.33.2 A., C. and G. do not apply to this application. Zoning Ordinance Item 14.33.2 B. also does not apply because the property is zoned Limited Agricultural; however, Walton Township is proposing to install a six (6) foot fence around the perimeter of their proposed 100' x 70' Open Air Storage area with a screened gate. The Planning Commission may wish to ask Walton Township what type of fence is proposed, chain link, site proof, etc.

Per Zoning Ordinance Item 14.33.2 D. any exterior lighting shall be shielded from adjacent residential areas. One light is shown on the site plan; the Planning Commission may wish to ask Walton Township if the light will be shielded from adjacent residential areas.

An Open Air Storage is required to have a landscape buffer per Zoning Ordinance Item 14.33.2 E and as provided for in Article 17. The Planning Commission may wish to discuss if the proposed landscape buffer shown on the site plan meets zoning Ordinance requirements and determine if any additional buffering is needed. The Planning Commission may also wish to discuss the request of neighboring property owner, Ms. Laura Johnson regarding the addition of arborvitae trees along her property line which is shared with the Walton Township property. Per Zoning Ordinance Item 14.33.2 F., materials may not be stored or exhibited within ten (10) feet of any road right-of-way or property lines. Per the site plan Walton Township appears to meet this requirement.

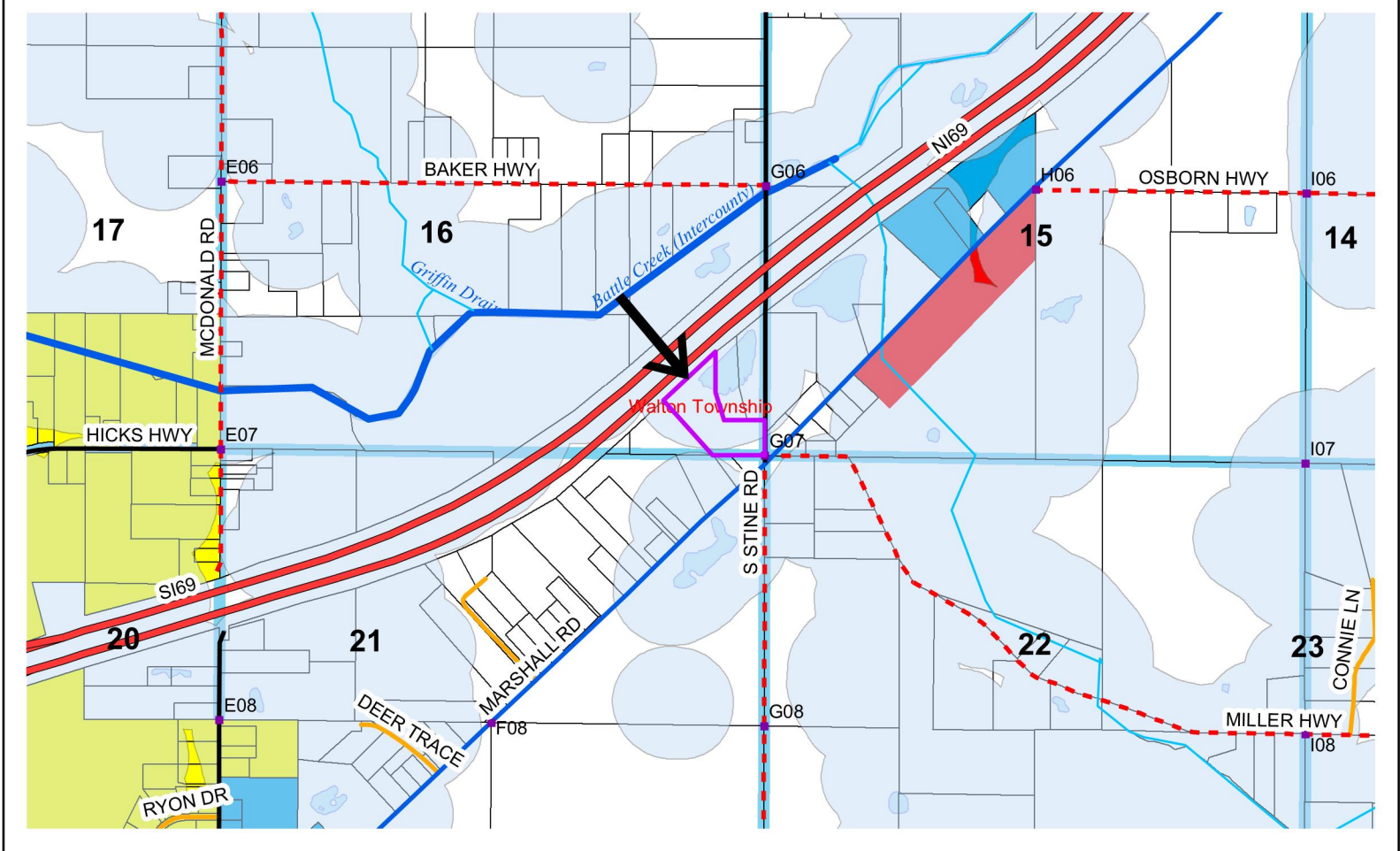
Parking requirements per the Zoning Ordinance for a Government Facility and Open Air Storage are as follows:

Government Facility are one (1) space for each 400 square feet of floor area OR one (1) space for each four (4) persons permitted to occupy the building by law, whichever is greater. The Walton Township Hall is proposed to be 90' x 50' (4,500 sq. ft) feet which would require eleven (11) parking spaces. Occupancy of the building would be determined by the City of Olivet Fire Department and would not be determined until the building is constructed.

Open Air Storage are four (4) plus one (1) for each employee not to include spaces designated for the outdoor storage of equipment, vehicles, trailers or materials associated with the operation of the business. Both proposed businesses appear to meet parking requirements.

A sign is not shown on the site plan, per staff's conversation with Walton Township, only one sign will be used for both the Government Facility and Open Air Storage. Per the Zoning Ordinance, a Government Facility may have one ground sign no larger than thirty-two (32) square feet, with a maximum height of eight (8) feet or a wall sign with a display area no larger than 10% of the wall area of the establishment, not to exceed in height above the upper wall line. All signs must be located a minimum of ten (10) feet from the road right-of-way. Sign requirements are not specifically listed for an Open Air Storage. The Planning Commission may wish to ask Walton Township where they intend to place their proposed sign and require the site plan to be updated.

The Planning Commission may use Sections 9.3.6, 14.10 and 14.33 to determine if this request meets ordinance requirements and what, if any, conditions may be required.



Legend

Parcels

<all other values>

Zoning Code

- LA
- R1
- R2
- C1
- C2
- I
- RC
- SESC 500ft Buffer of Lakes>1acre, streams, and NWI Wetlands
- Lakes/Ponds

All Streams & Drains

<all other values>

Type

- ARTIFICIAL PATH
- OPEN
- PVT TILE
- RIVER
- Storm Sewer
- TILE



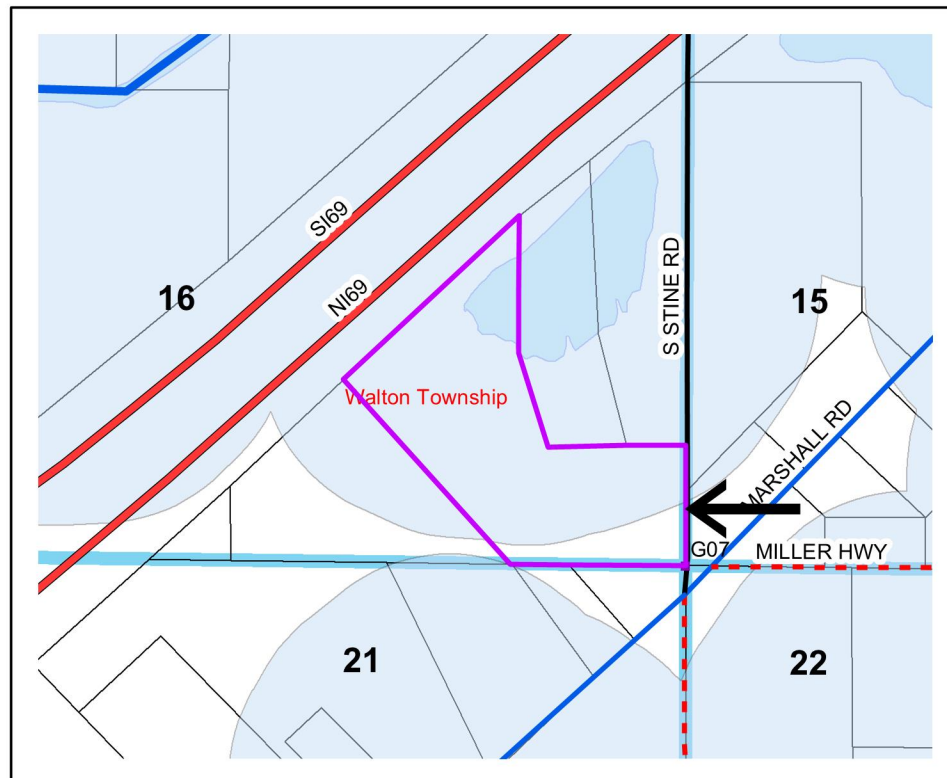
Eaton County Department of Construction Codes & Planning and Zoning

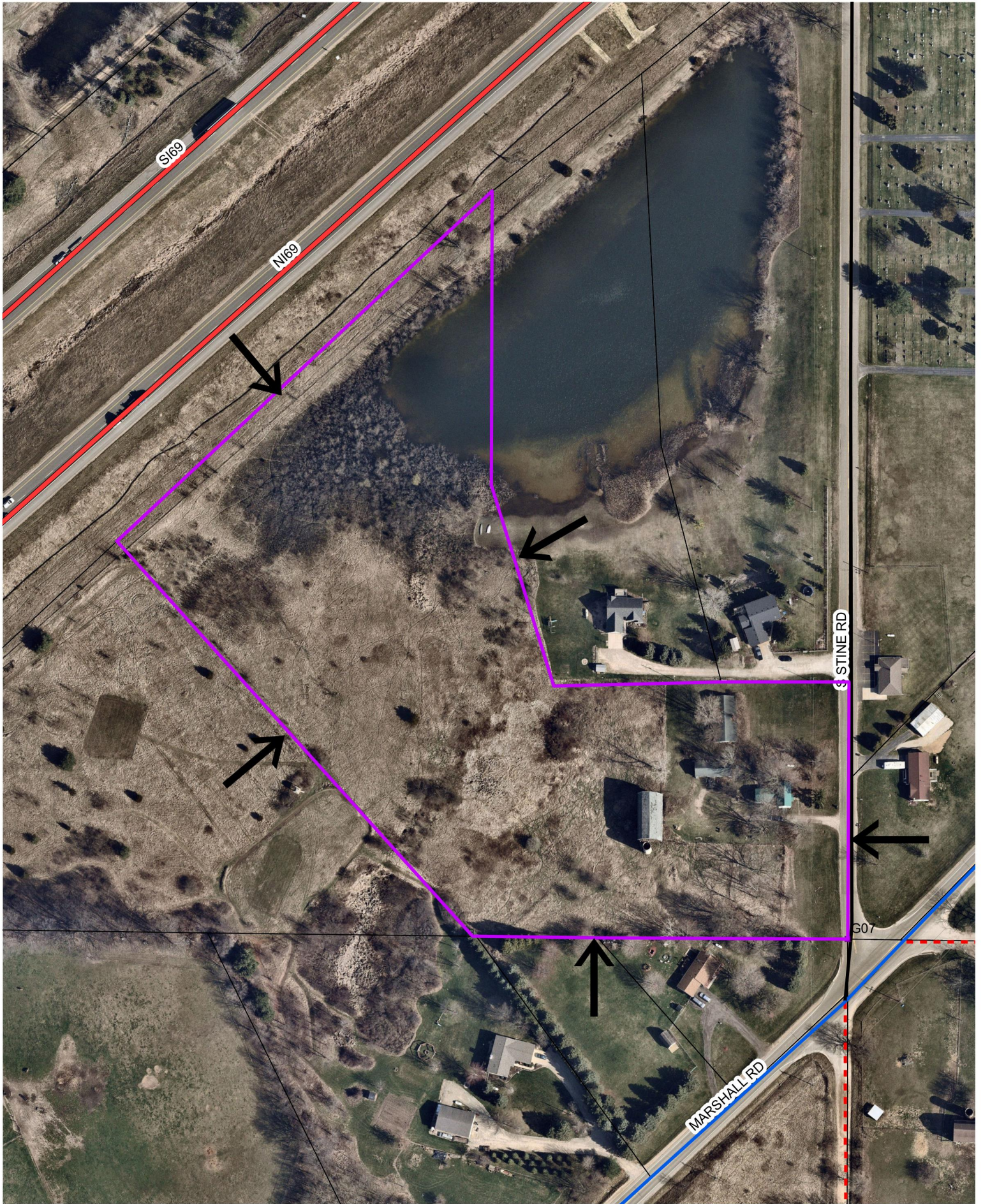
Permit: CU-10-26-6

Township: Walton

Parcel Number: 140-016-400-120-00

Parcel Zoning: Limited Agricultural (LA)





CU-10-23-6, Walton Township
Parcel: 140-016-400-120-00
2023 Aerial Photo

CONDITIONAL USE PERMIT APPLICATION
EATON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689 FAX 517-543-9924

Applicant Name(s): Walton Township Circle one Property Owner Representative (must have proof of ownership/owner permission) Mailing Address: Street PO Box 306 City, Olivet State, MI zip 49076 Phone(s): 269-317-2101 Property Address: (if different than above) Street 6966 S Stine Rd Olivet MI 49076 Property Code: 140 - 016 - 400 - 120 - 00 Township: Walton Township	Office Use Staff will complete Case No.: Cu-10-23-6 Fee \$400 check <u>2421</u> cash _____ Date received: 8/18/23 Eaton County Planning Commission Hearing Date: 10/3/23 Decision: Approved Denied Decision date: Site Plan Review Committee Committee meeting date: Decision: Approved Denied
---	--

SITE DEVELOPMENT PLANS

1. Where in the Ordinance is the proposed land use specified?

14.10 Government Facility and 14.33 Open Air Storage

2. Please describe the business proposed for this site. (attach additional sheet if needed)

See Attached

3. EMPLOYEES

See Attached

What Days will the business be in operation? _____ what hours each day? _____

How many employees will be on the site? _____

During what hours will they be on site? _____

4. BUILDINGS

The proposed conditional use permitted must comply with all applicable fire safety and emergency vehicle access requirements as well as other requirements of the State Construction Code, local Fire Code and the Eaton County Construction Code Department.

Will you construct or install any new building(s) or additions to existing structures?

What are their dimensions (Width, Length, Height) 90'x50'

Construction Type Post Frame Building

Proposed Completion Date: 8-10 years (Phase 3)

Will any existing building(s) be used for the business? See Attached

Please provide the dimensions (Width, Length, Height) _____

Year Built _____ Construction Type _____

Describe the areas in the building and how they will be used.

PROPERTY INFORMATION

5. Current zoning of the property (Circle one) *Information available from Community Development Dept.:*

☒ Limited Agriculture (LA)

☐ Residential (R1, R2, R3)

☐ Commercial (C1, C2)

☐ Industrial

☐ Resource Conservation

6. Is the property enrolled in Public Act 116- the Farmland Preservation Act? Yes ☐ No ☒

7. Please list all persons and/or firms with legal or equitable interest in this parcel

Walton Township

8. Is the property located within 500 ft. of a stream, drain, lake, pond, or seasonally flooded wetland? ☒ Yes ☐ No (if yes, explain)

Phase 1 and Phase 2 do not require a Soil Erosion and Sedimentation Control Permit as we are not within the requirements. Phase 3 may require a permit if construction is over 1 acre of earth disturbance.

9. Does the property lie within a designated 100 year flood plain? (If yes, the applicant should contact the MI Dept. of Environmental Quality for state permit requirements.) Yes ☐ No ☒

10. Do you plan to construct or upgrade access drive(s) to the site that will cross a flood plain, seasonally flooded wetland, county drain, or stream? Yes ☐ No ☒ (if yes, explain)

11. Current Use(s) of the applicant property (Please indicate if used as residence, agricultural, commercial, etc.):

Vacant Home and Accessory Buildings

12. Current Use(s) of other area properties: (Indicate if residential, agricultural, commercial, etc.)

Residential, Agriculture, Township Hall and Township Cemetery

13. PLEASE ATTACH A LEGAL DESCRIPTION OF THE PROPERTY

A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

14. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)

A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

- a) **Property dimensions** (measurements of all property boundaries, including road frontage).
- b) **Any easements or public right of way**, including utility easements or ingress/egress.

- c) Location(s) of existing and proposed driveways.
- d) All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.
- e) Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).
- f) Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).
- g) Location of water supply and location and design of waste water systems.
- h) All existing and proposed signs.

15. PUBLIC HEALTH AND SAFETY

Proposed businesses must comply with all applicable requirements of the Barry-Eaton District Health Department and the State of Michigan

Describe the water and septic source(s) employees and/or clients will use.

Septic and water sources are existing and were inspected upon the purchase of the property.

Describe how the proposed business will comply with requirements for the use of public water, sanitary sewage, and solid waste removal.

Trash containers will be emptied every Friday. The Township has no plans to make changes to the current well and septic for any changes planned for Phase 1.

What equipment, vehicles, materials, etc. will be stored at the site? Please describe.

See Attached

16. TRANSPORTATION

The proposed land use must fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and the Eaton County Road Commission.

Entrance/Exits to the Site:

Number of current entrances (driveways) from a public street 1

Will any additional entrances or exits to the site be created/used? Yes ☐ No ☒

Are driveways paved? Yes ☐ No ☒

Do driveways have curb and gutter? Yes ☐ No ☒

What is the anticipated traffic in and out of the site? Please estimate the number and types of vehicles. Tuesday 30-40 Vehicles Saturday 40-80 vehicles

Proposed parking on site for 5 vehicles will be provided.

Is parking area lighted? Yes ☐ No ☒

Is parking area paved? Yes ☐ No ☒

How are supplies delivered/brought to the site?

Semi Trucks ☒ Light Delivery Trucks ☐ Other(explain) See Attached

17. PLANNING COMMISSION DECISIONS

The Planning Commission's decision will be based upon compliance with the specific requirements of the Eaton County Land Development Code (Zoning Ordinance), and the general standards listed below:

The project complies with the applicable land use policies in the Eaton County Comprehensive Development Plan, and promotes the intent and purpose of the Eaton County Land Development Code, and other County ordinances, standards, and requirements.

Essential public facilities are adequately provided to the project, including, streets, police and fire protection, emergency care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

Location and design of driveways providing vehicular ingress/ egress, and parking areas are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The traffic generated by the project will not significantly or adversely impact the adjacent road system.

On-site sanitation facilities, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs.

The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

Have you requested or received a variance or other Conditional Use Permit for this property?

Yes ☐ No ☒ (If yes, please explain) _____

Were you notified of a violation of the Eaton County Building Code or Zoning Ordinance?

Yes ☐ No ☒ (If yes, please explain) _____

Explain why this request should be granted. Describe how it will affect the surrounding area. Respond to the Planning Commission's standards listed above. (Attach additional sheet if needed.)

See attached

AFFIDAVIT

I acknowledge that if a permit is granted that the decision does not relieve me from compliance with all other federal, state and local laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within six months.

Bob Stender
Applicant(s) Signature(s)

8-18-23
Date

Applicant(s) Signature(s)

Date

Conditional Use Application Questions

(Answers to Question 2) Walton Township has recently acquired property at 6966 S Stine Rd, Olivet for the purposes of a new Township Hall within 10 years and relocation of the residential transfer station. The transfer station is a low cost benefit to the residents of Walton Township to dispose of household trash. Improvements planned are phased below:

Phase 1 (October 2023- October 2024)

1. Demo of what is labeled on the map as a shed (A1), shed is within the proposed fenced area.
2. Relocation of the transfer station, including installation of fence. Fence will be 6 foot in height and 2 gates with screen will connect the fencing at the entrance of the transfer station. Please note fencing is not required.
3. Upgrading existing driveway to comply with Eaton County Road Commission Commercial Driveway Standards.
4. Installation of 5 parking spaces.
5. Landscape- Arborvitaes will be planted 15 foot apart total of 14 trees.

Phase 2 (November 2024-November 2025)

1. Demo of barn

Phase 3 (2025-2035)

1. Construction of a new Township Hall-offices, meeting space and election site.

(Answers to Question 3) Employees

The relocation of the transfer station to this property would be on Tuesdays 3:00pm-to 5:30pm and Saturdays 7:00am-11:00am with one employee present. The trash containers would be dumped weekly on Fridays. The cardboard and scrap metal bin are only emptied upon our request.

(Answers to Question 3) Employees

House will be used for storage and office space during elections 2-5 people would be present from 5:30am-11:00pm; pending Health Department approval. When the Township Hall is constructed, hours would be no more than 40 hours per week, not including elections.

(Answers to Question 4) Buildings that we plan to utilize-

The block building will be used for storage of township and cemetery equipment as needed. The house will be used for storage and office space for election personnel during elections, pending Health Department Approval.

(Answers to Question 15) What equipment, vehicles, materials, etc will be stored at the site.

The block building will be used for storage of township and cemetery equipment as needed. The house will be used for storage and office space for election personnel during elections, pending Health Department Approval.

(Answer to Question 17) The Township purchased this property to allow for necessary upgrades, that will be phased over the next 10 years. The Township will thrive to keep the property within the same characteristics that are currently existing on the property as well as the neighboring properties; we have no intentions of negatively impacting the residents of this area. Upgrades to the driveway will be necessary to conform with Eaton County Road Commission Standards and provide for adequate ingress and egress. This property allows for growth of our township facilities, as we continue to see a fair amount of growth.

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

08/18/2023 11:38 AM

Parcel:	140-016-400-120-00	Current Class:	401.RESIDENTIAL-IMPROVED
Owner's Name:	WALTON TOWNSHIP	Previous Class:	401.RESIDENTIAL-IMPROVED
Property Address:	6966 S STINE RD OLIVET, MI 49076	Taxable Status	TAXABLE
Liber/Page:	3049/0374	Prev. Taxable Stat	TAXABLE
Split:	/ /	Gov. Unit:	140 140,WALTON TOWNSHIP
Public Impr.:	None	SUB	
Topography:	None	School:	23080 OLIVET COMMUNITY SCHOOLS
		Neighborhood:	
Mailing Address:	Description:		
WALTON TOWNSHIP	COM SE COR SEC. 16, N 350 FT, W 400 FT, N 14DEG 50MIN 04SEC W 233.19 FT, N 04DEG 00MIN 20SEC E 442.47 FT TO		
CUMMINGS, ERIN	SELY R/W HWY I-69, S 48DEG 01MIN 55SEC W ALONG R/W 740.82 FT, S 42DEG 27MIN 09SEC E 705.76 FT TO SEC LINE, E		
6933 S STINE RD	505 FT TO BEG. SEC. 16, T1N,R5W, WALTON TWP 1995		
OLIVET MI 49076			

Most Recent Sale Information

Sold on 05/11/2023 for 223,500 by BARKER, PATRICIA A.

Terms of Sale: 13-GOVERNMENT **Liber/Page:** 3049/0374

Most Recent Permit Information

None Found

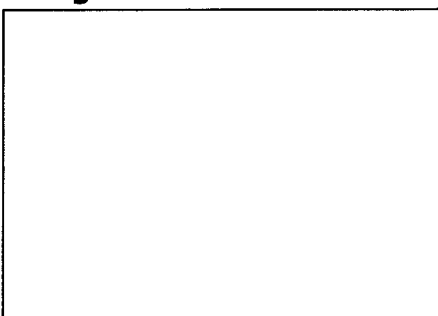
Physical Property Characteristics

2024 S.E.V.:	72,553	2024 Taxable:	0	Lot Dimensions:	
2023 S.E.V.:	0	2023 Taxable:	0	Acreage:	10.16
Zoning:	LA	Land Value:	0	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

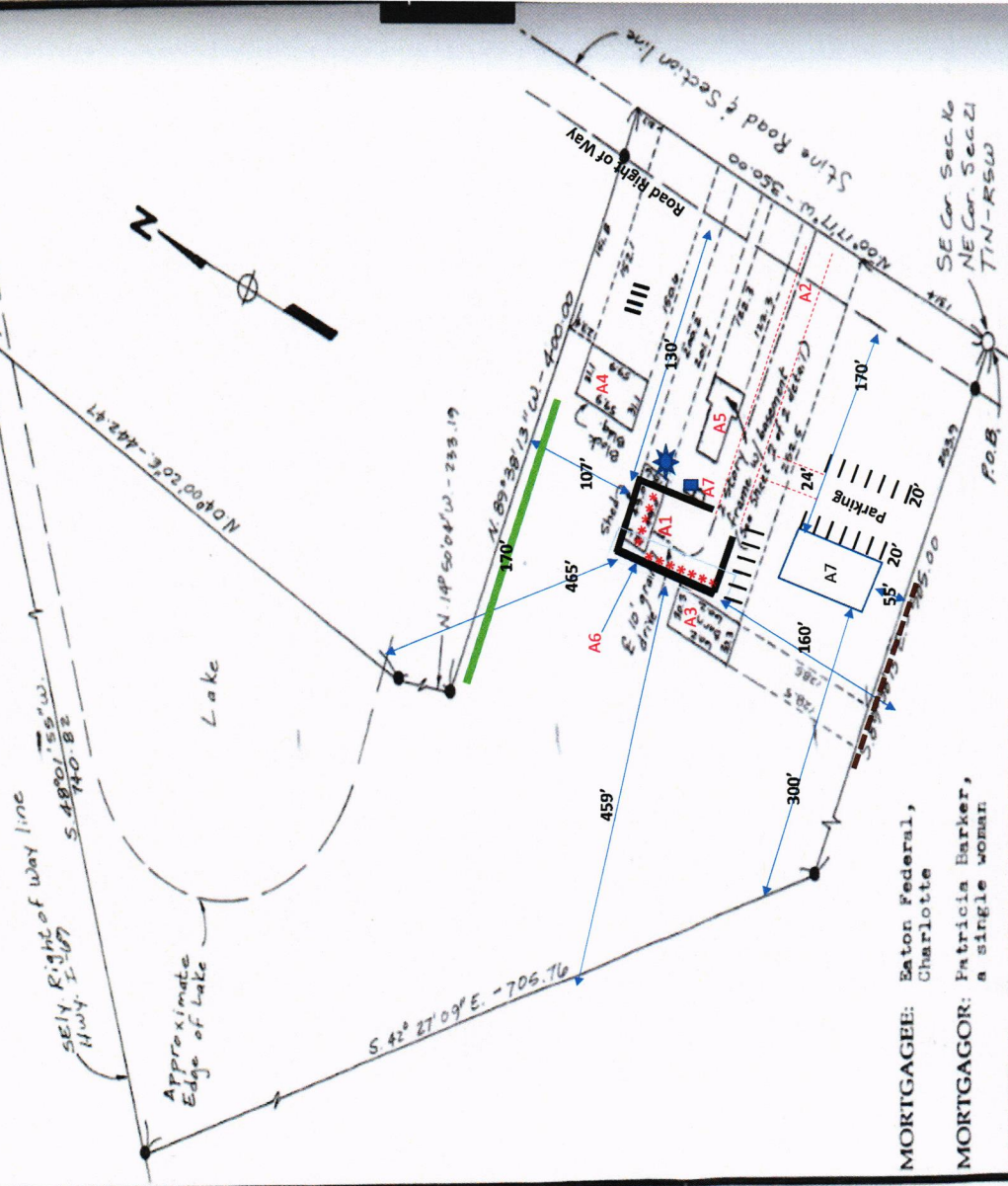
Improvement Data

None

Image



SHEET 1 OF 2



MORTGAGOR: Patricia Barker,
a single woman

I CERTIFY that this MORTGAGEE'S REPORT was prepared for IDENTIFICATION PURPOSES ONLY, for the MORTGAGEE in connection with a new mortgage, and is not intended or to be used as a land or property line

-  - 6' Fence
-  - Well
- = Drain field
-  -Light (Solar)
- ||||| -Parking spaces 9x20
-  - Existing privacy fence on neighboring property.
-  - Arborvitae planted 15 foot apart total of 14 trees.
- * - 10-8 yard containers, 1 scrap roll off and 1 cardboard roll off.
-  - Driveway