

**EATON COUNTY
PLANNING COMMISSION
December 3, 2024**

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, Ben Tirrell, Lisa Lawitzke, Ray Whitaker, Ed Kemp, Tim Catron, Zachary Dillinger, Frank Holmes, and Brian Ross

Staff Present: Brandy Miller and Tammy Alger.

Agenda Approval: A motion was made by **Commissioner Tirrell** to approve the agenda for the December 3, 2024 meeting. **Commissioner Lawitzke** supported. Motion carried.

Minutes Approval: A motion was made by **Commissioner Dillinger** to approve the October 1, 2024 minutes. **Commissioner Hansen** supported. Motion carried.

Public Comments: None

Public comment closed: 7:01 p.m.

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

CU-10-15-25: Request by Jeff and Karri Wills for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a Commercial Recreation Facility (campground) as defined in Article 5 of the Zoning Ordinance and a Construction Contractors Establishment and Storage of Heavy Equipment (property management business) per Section 14.29 of the Zoning Ordinance for the purpose of adding additional resort cabins, outdoor storage of equipment for campground and allowing for a rental home on the property located at 8240 Campground Drive, Section 30, Walton Township.

Staff Report: Ms. Miller read the staff report and site plan review responses from the Eaton County Drain Commissioner, Walton Township, the Barry Eaton District Health Department, and one written response from a member of the public, Ms. Diane Miller, into record.

Applicants Statement: Mr. Jeff Wills stated items 1 through 11 of the application might be easier to approve one at a time with the Planning Commission. Mr. Wills stated the proposed resort cabins are for future construction, not to be built immediately. He stated he is aware that approvals and permits from the Barry Eaton District Health Department will be necessary before moving forward with the resort cabins. Mr. Wills stated he would like to try to use the existing well and septic system and improve it as much as possible for the proposed resort cabins but will put in new systems if deemed necessary by the Health Department.

Commissioner Tirrell asked how many septic systems are currently on the property. Mr. Wills Stated there are 4 septic tanks currently and the drain field is designed for manufactured homes.

Commissioner Tirrell stated the location of all the proposed resort cabins could pose a problem with the current systems in place. He stated granting any flexibility with proposed locations is not

feasible. Mr. Wills stated there could be unforeseeable issues such as tree roots, rocks, etc., which may require the systems to move to accommodate.

Commissioner Ross stated there are current violations in the application that cannot be remedied unless the CUP is approved. He asked why on the other items the permits were not obtained. Mr. Wills stated he cannot obtain permits until he gets approval from the Planning Commission. He stated if they cannot get approved, they will need to be removed. Ms. Miller asked if **Commissioner Ross** was referring to the plumbing permits for the camp store. **Commissioner Ross** stated that was correct. Ms. Miller stated the work was completed without permits or any inspections and a permit has not yet been pulled.

Commissioner Ross asked Mr. Wills if that was also why he was meeting with the Planning Commission, to become compliant with everything. Mr. Wills stated he met with Ms. Miller, Mr. Garrison, and Mr. Comeau in office. He stated that Mr. Garrison said when the sites are put in, he would allow the inspection then, as the lines would be attached to the tank. Mr. Wills stated he pulled permits through the Health Department to have the tank put in. Mr. Wills stated he trusted the contractor to pull all the appropriate permits and that he was not aware the plumbing permit was required through Eaton County. He stated if the inspections cannot take place at the time of installation, the work would have to be dug up so the plumbing inspector could see it, but if adding to already approved sites, the work will be inspected at that time and permits pulled prior.

Commissioner Ross asked for clarification of what Mr. Garrison had said. Ms. Miller stated that Mr. Garrison had communicated with Mr. Wills that plumbing permits are required prior to work starting. She stated that as property owner, Mr. Wills is responsible for ensuring all appropriate permits are pulled. Ms. Miller stated Mr. Wills had explained during their meeting that he hired a contractor, and conversation regarding Mr. Wills being a licensed builder himself. Ms. Miller stated the permits are required and inspections are required.

Mr. Wills stated he has no issue with having the contractor's plumber make that request for permits and inspections. He stated his understanding was the inspections would take place at the time of installation so nothing would have to be dug up.

Commissioner Whitaker asked if Mr. Wills was trying to avoid the job being dug up twice. Mr. Wills stated to inspect what has been hooked up, it would have to be dug up and also dug up to look at any new improvements that were installed. Mr. Wills stated the Health Department did issue a permit and inspect it. He stated he did not know any additional permits were needed. He stated he intends to follow through with whatever the Planning Commission determines.

Commissioner Ross stated he would like to hear back from Walton Township and surrounding property owners before a decision was made.

Commissioner Cattron stated he didn't know what would happen if the Planning Commission approved something that Walton Township objects to.

Commissioner Dillinger asked how they can ensure the proposed resort cabins are not used as long-term rental homes. He asked Mr. Wills if a rental timeline could be proposed. Mr. Wills stated the cabins are only intended for the camping season between April and October. Mr. Wills stated he had no objection with including the camping season as the rental time frame.

Commissioner Cattron asked if a patron could stay in the cabins for the whole season. Mr. Wills stated that was not likely, campers usually stay a week at a time. He stated if a seasonal camper

wanted a cabin for the whole season, then that would meet a proposed timeline for the camping season between April and October. Mr. Wills stated the resort cabins would not be rented out annually due to the plumbing being shut down off season.

Commissioner Tirrell asked if there was a way to simplify the items in the application. He asked if starting from the beginning on the site plan would clear any possible confusion for the applicant and the Planning Commission. Mr. Wills stated the issues were from needing different engineers and EGLE approval, but the plumbing permits could not be issued because a CUP is needed. **Commissioner Tirrell** stated the understanding per the last meeting was cabins were to be rustic, but now a portion of those cabins are to be resort cabins with water and septic.

Mr. Wills stated rustic sites are approved by EGLE but placed in the summary. He stated resort cabins have been discussed at all prior meetings. Mr. Wills stated his discussion with Walton Township also included the definition of rustic versus resort cabins.

Commissioner Tirrell stated that a site plan had been approved the last time Mr. Wills was before the Planning Commission. He stated the resort cabins were not present on that site plan. Mr. Wills stated the resort cabins were not voted on, but they were in the summary. **Commissioner Tirrell** asked if EGLE was trying to reclassify the cabins. Mr. Wills stated the confusion is that the resort cabins had been previously discussed but not approved. He stated the purpose of this meeting was to clarify precisely what he would like approved. **Commissioner Tirrell** stated the presented site plan is what would either be approved or denied, so all information in question needs to be presented on the site plan.

Commissioner Dillinger asked how the Planning Commission could distinguish from equipment for the campground and the campground used for the other business if Construction Codes needs to visit the site. Mr. Wills stated the Zoning Ordinance says heavy equipment can be stored outside in a fenced in area, so the request is to store various campground equipment during the camping season at the campground. He stated in the winter some equipment would be brought onto the personal property for storage to prevent theft. Mr. Wills stated the storage would not be visible on his private property and would meet the ordinance requirements.

Commissioner Whitaker asked if sites 1 and 3 were currently resort cabins. Mr. Wills stated they are proposed resort cabins and do not currently have plumbing in them.

Commissioner Cattron asked if the Health Department would require new septic systems for each new resort cabin. Mr. Wills stated that suggestion was made by the Health Department, but he would like to add one resort cabin on the existing system, possibly more. He stated he would like approval of 11 potential resort cabins.

Commissioner Whitaker asked if EGLE was concerned with a septic system near the pond. Mr. Wills stated EGLE was not concerned with that and it is not part of the current planning, but potentially a new septic system could go by the pond.

Commissioner Cattron asked where the residence was located. Mr. Wills stated the house was located straight under item D on the site plan.

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

Speakers in favor: None

Speakers opposed: None

Public Comment: Mr. David Comeau, Environmental Health Supervisor at the Eaton Barry Health Department, stated he has been working with Mr. Wills on this project for a couple of months now. Mr. Comeau stated he issued the septic permits for sites 1 and 3 and is working on the new proposed hook ups for the new resort cabin sites. Mr. Comeau stated his predecessor previously worked on the project. He stated the drain field has been evaluated and engineers have looked at the current system. Mr. Comeau stated a larger system will be needed for what is proposed based on current standards.

Commissioner Tirrell stated the site plan shows additional proposed drain fields. He asked if there were any concerns with those. Mr. Comeau stated the site plan shows a reserve system in case the current system fails. He stated the proposed does meet setbacks per previous reviews.

Public hearing closed: 8:06 p.m.

Commissioner Ross stated he would like to know Walton Townships opinion on the proposed resort cabins. He stated he was concerned with the amount of resort cabins proposed and the potential for a high residency area within a Limited Ag parcel. **Commissioner Dillinger** agreed, stating the townships input would be essential for the Planning Commission's decision.

Commissioner Ross stated if the decision was tabled for a future meeting, he would ask that the site plan be made clearer and have the applicant apply for permits that can be applied for now.

Commissioner Lawitzke stated she would also agree that permits would need to come first and then inspections, specifically, the plumbing permit for the camp store.

Ms. Miller stated a permit and subsequent inspections can be obtained for the camp store only, but the building permit and plumbing permits for the already installed restrooms cannot be obtained without approval from the Planning Commission. She stated Mr. Wills is aware of this.

Commissioner Tirrell stated he did not agree with the proposed flexibility on the site plan. He stated the site plan should have concrete locations for any proposed structure and asked for a revised site plan that also included terminology and a clearer numbering of items.

Commissioner Lawitzke stated from a township official perspective, obtaining the townships opinion on the proposed CUP would be appreciated and beneficial for the Planning Commission.

Ms. Miller stated Walton Township's next meeting is December 10, 2024. She asked if the Planning Commission would like to have a revised site plan for that meeting.

Commissioner Ross stated more information relayed on the site plan is better. He stated the site plan should include clearer definitions and labels of all the proposed and existing structures.

Commissioner Dillinger asked if an approval can be voted on for one item out of the 11 and include a stipulation. Ms. Miller stated there is an open enforcement on the items built without approval. She stated the decisions of the Planning Commission will be complied with by the applicant. Ms. Miller stated there is no further action on the enforcements until the Planning Commission makes their decision.

Commissioner Whitaker stated that once the site plan is approved, there is no flexibility in structure location after that.

Commissioner Holmes stated the campground would be beneficial for the community overall, but he agreed the site plan does need to be revised.

Commissioner Ross stated the site plan should be revised to include definitions on the site plan and clearer labeling so there is no question in future hearings.

Commissioner Tirrell stated the function of the township meeting is for the applicant to present the application, but no decisions are made there. He suggested the applicant also bring full size site plans to the township meeting as well. **Commissioner Tirrell** stated reconvening on January 14, 2025, would be acceptable.

Mr. Wills stated what is currently on the site plan is exactly where the structures will go. He stated for site 11, the Health Department determined bathrooms were not allowed due to isolation of the wells, therefore the area would need to be split. Mr. Wills stated the suggestion was to build 1000 square feet on the north of the pavilion and 400 square feet for full bathrooms on the south side of the pavilion. Mr. Wills stated the portable bathrooms function similarly to a camper with water and septic connections. He stated that Construction Codes required the structures to be permanent, therefore he will connect permanent PVC plumbing. Mr. Wills stated the previous meeting was to discuss moving four sites. He stated he would like to prevent having to move things around again. Mr. Wills stated the only flexibility would be in case the Health Department needed more room for their systems or there was an obstacle. He stated that the labels on the site plan are described in the staff report. Mr. Wills stated there is a definition from EGLE on what a resort and rustic cabin are.

Commissioner Tirrell stated there were still areas on the site plan that were ambiguous. He stated that clearer labeling would be helpful. Mr. Wills stated he could blow up certain sections of the site plan for clarity. **Commissioner Tirrell** stated that would be helpful.

Commissioner Lawitzke stated relabeling would help as well, as the pavilion is not clearly labeled on the site plan. Mr. Wills stated the pavilion is on the site plan and showed the Planning Commission where it is located. He stated dotted areas are proposed for future expansion. Further clarification was made on the location of the pavilion.

Commissioner Dillinger stated leader lines connecting the description and structure would be helpful.

Ms. Miller asked if a detailed legend describing what is proposed and what has been approved would be helpful.

Commissioner Tirrell stated work needs to be done on the site plan besides the legend to clean up the site plan itself. Mr. Wills stated he can revise the site plan and include magnified sections of certain hard to read areas. **Commissioner Tirrell** stated that would be sufficient for what he is asking.

Commissioner Whitaker asked for clarity on what resort cabins are proposed.

Commissioner Dillinger stated it would be helpful to have labels that tied directly to items 1 through 11 on the staff report.

Ms. Miller asked if Mr. Wills could have a revised site plan prepared for the Walton Township meeting on December 10, 2024. Mr. Wills stated he would make every effort to have one prepared.

Commissioner Ross asked if the lots proposed for resort cabins are large enough for septic. Mr. Wills stated the lots are between 30 and 70 feet. **Commissioner Ross** asked if the drain field would have to go to a common area. Mr. Comeau stated that is correct. Mr. Wills stated if the Health Department determines not all 11 sites can be approved for septic systems, then they will comply with what is determined. He stated their maximum goal would be 11. Mr. Wills stated he would like to try adding the resort cabins to the existing septic systems if possible.

Commissioner Whitaker asked what the proposed square footage is of the resort cabins at sites 107-114. Mr. Wills stated 1000 square feet to accommodate amenities required by the plumbing code.

Commissioner Tirrell moved to table **CU-10-15-25** a request by Jeff and Karri Wills for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a Commercial Recreation Facility (campground) as defined in Article 5 of the Zoning Ordinance and a Construction Contractors Establishment and Storage of Heavy Equipment (property management business) per Section 14.29 of the Zoning Ordinance for the purpose of adding additional resort cabins, outdoor storage of equipment for campground and allowing for a rental home on the property located at 8240 Campground Drive, Section 30, Walton Township, with the stipulations:

1. The applicant presents their proposal to Walton Township.
2. The site plan be revised with clearer labeling, locations, definitions, and magnified sections.

Commissioner Cattron supported the motion. All in favor. Motion carried.

PA 116 Applications: Ms. Miller stated there were no applications to hear today, but there will be 14 applications next month.

Other Business: None

Reports: Ms. Miller stated the Public Works and Planning Report was included with the meeting package. Ms. Miller stated the Zoning Board of Appeals met this evening and approved the variance request. Ms. Miller stated the Zoning Ordinance Committee will be meeting in January to discuss future DCA applications.

Public Comments: None

Upcoming Cases: Ms. Miller stated the CUP for Mr. and Ms. Wills will be heard again at the January meeting. She stated the annual report will also be reviewed to be presented to the Board of Commissioners at their February meeting.

A motion was made by **Commissioner Dillinger** to adjourn the meeting. **Commissioner Cattron** supported. Motion carried.

The meeting adjourned at 8:43 p.m.