

ISABELLA COUNTY  
PLANNING COMMISSION

May 09, 2013

A Regular Meeting of the Isabella County Planning Commission was held on May 09, 2013 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Gordon Gilchrist, Jim Horton, Evelyn Kent, Jerry Neyer, Heather Turner, Christine Alwood, Cheryl Jindeel

MEMBERS ABSENT: Kelly Bean

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director  
Lisa Hoisington, Recording Secretary

The meeting was called to order by Chairperson Neyer at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

A motion was made by Heather Turner, supported by Cheryl Jindeel, to approve the agenda as submitted.

Ayes: 6

Nays: 0

Motion carried.

PREVIOUS MINUTES

Minutes of the April 11, 2013 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Cheryl Jindeel, supported by Heather Turner to approve the minutes as submitted.

Ayes: 6

Nays: 0

Motion carried.

LIAISON REPORTS

**Zoning Board of Appeals** – Mr. Gilchrist reported that there was an interpretation request on multiple uses. Mr. Nieporte stated they could discuss that further during the site plan review.

**Parks & Recreation** – Ms. Alwood stated that the Parks & Recreation Commission did not meet and therefore there was no report.

**Board of Commissioners** – Mr. Horton reported that he was to introduce the new planning commission member that was appointed, Mr. John Dinse, however Mr. Dinse declined the position as he was not aware that he had applied.

Mr. Horton explained that the Sheriff's department was going to apply for a COPS Grant, where a township would put in 25% of the funding and a deputy would be assigned strictly to that township. He further stated that the only township that was interested in the offer was Union Township. He explained that Union Township was also interested in adding a second deputy at 100% of the cost. It is all contingent on getting the initial grant. The grant would be for 3 years and after that time there was talk of it going to the voters to see if they wanted to continue with the program.

Mr. Horton reported that the Dive Team has combined with the local fire departments to create one large dive team.

Mr. Horton stated that the Board appointed a Road Commissioner, his name is Miklos Ferber.

Mr. Horton explained that Chairman Green noted that of the nine townships we do zoning for no one from those townships applied for the spot on the Planning Commission.

Mr. Horton stated that the ad hoc committee to look at eliminating zoning will begin meeting again. He explained that currently he is the Chair of that committee and Mr. Green will be sitting on that committee also. He stated he has no idea who the other members will be yet and they have not set any dates to meet.

Mr. Horton reported that he does not know anything about the Gratiot County attorney that was mentioned in the Morning Sun other than there may be some issues with her background and she is one of the attorneys on record in the County's lawsuit against Union Township.

Ms. Alwood stated that she has been working on documentation for her doctorate program at CMU, on the proposed elimination of zoning if Mr. Horton would be interested in reading it.

Mr. Horton indicated that there is a proposal for Union Twp. to contract with the Isabella County Sheriff Department to provide two deputies, if Union Twp receives a federal grant. The Township would pay the grant match requirement. The grant would pay 75% of the total cost. If the grant is not approved there is not a commitment to fund deputies by Union Twp.

## 6. TOWNSHIP CONCERNS

Jackie Curtis/Denver Township - none presented  
Bob Neeland/Isabella Township – none presented  
Tom Gibb/Gilmore Township – none presented

## 7. PUBLIC COMMENT

None heard.

## 8. Site Plan Reviews

### SPR #13-04 FRED SPONSELLER/FAN-C FIREWORKS

Tim Nieporte explained that Fred Sponseller is proposing to establish a temporary retail sales tent for fireworks at the existing mini-storage location on North Mission Road just north of Jordan Road in section 27 of Isabella Township. The property is zoned C-1 General Commercial and allows for retail sales. The proposed use is permitted in the district as retail sales and all requirements of the ordinance shall be met. The application appears to be in compliance, therefore staff would recommend approval based on the fact the applicant meets all provisions of the ordinance. There was a concern that this proposed use caused conflict with Section 3.21 Principal Use. The ZBA provided clarification so that if you are located in a C-1 Zoning District and have two or more uses that are allowed in the district both can be located on a single lot.

This request tonight is for one year only, if it successful the applicant will consider building a permanent building on the site. The applicant was advised that if or when he wants to pursue a permanent building, that he will new a new site plan approval. The tent he will be erecting will be for only four months, he will be bringing a fireworks storage container on the site. The storage structure is required by the State and ATFE and is a fire-proof / bomb-proof type of structure.

If Site plan approval is granted it should be subject to the following conditions:

1. The approval is for a temporary use and if the applicant desires to establish a permanent use at this location he will need to come back to the Planning Commission for a revised Site Plan approval.
2. All State of Michigan and Federal rules and regulations for the sale and storage of fireworks are complied with.

Nieporte reviewed the Site Plan Review “Check List” for the commissioners that was included in the meeting packet.

Ms Alwood asked what a cake was referred to in the application.

Mr. Sponseller explained that a cake was a firework display with 9 to 12 shell packaged together.

Discussion followed on the State of Michigan law allowing for the sale of fireworks and that the local units of government have very little control over the location of these types of facilities and the location of this facility related to any residential dwellings. It was pointed out that the Zoning

Ordinance did not deal with the setting off of fireworks that would be covered by Township noise or nuisance ordinances.

A motion was made by Christine Alwood, supported by Cheryl Jindeel to approve the site plan review as submitted including the following:

To approve the Site Plan subject to:

1. Mr. Sponseller adequately deals with the restroom issue to the requirements of the Isabella County Health Dept.
2. That gravel parking surface will meet the ordinance requirements at this location.
3. A Single access driveway is approved
4. That the operations fully comply with any and all State and or Federal requirements regarding the sale and or storage of fireworks.
5. This approval is for the temporary type of tent operation proposed and if the applicant proposes a permanent structure he will need to return to the Planning Commission for a revision or a new Site Plan approval.

Nieporte clarified that the approval is for one year only, if the applicant proposes to erect a tent next summer he will need to come back to the Planning for another approval.

Ayes: 6

Nays: 0

Motion carried.

#### 9. REVIEW AND APPROVAL OF CAPITAL IMPROVEMENTS FOR 2013

Mr. Nieporte explained that the Michigan Planning Enabling Act requires that the Planning Commission prepare and submit annually a Capital Improvement Plan to the Isabella County Board of Commissioners. Mr. Nieporte explained his timeline for the preparation of the document and that he had contacted eight Isabella county department heads and asked them for a list of proposed projects to be included in the Capital Improvement Plan, only three departments provided information, Road Commission, Parks and Recreation and Medical Care Facility.

Mr. Nieporte went through the Capital Improvement Plan and noted the changes made to each page. Some general questions followed.

Turner questioned why only three county Departments or Agencies replied? Most of the activities in the plan are clustered in the first three years of the plan which indicates a lack of any real long term planning taking place.

Nr, Nieporte explained that this is really only the fourth year of the document and each year it gets better as the value of the planning process is understood. Perhaps a goal for 2013/14 should be for the Planning Staff to meet one on one with all County Departments and Agencies to help them better understand the importance of capital Planning. He also suggested the Planning Commission invite each Department or Agency to attend a Planning Commission meeting to discuss proposed Capital Projects.

Discussion followed on approval and content submitted for the plan.

Mr. Nieporte was asked to re contact all Departments and Agencies that have not provided information and bring back revisions in June 2013 for approval.

#### 10. DISCUSSION REGARDING ORDINANCE LANGUAGE "SWIMMING POOLS"

Mr. Nieporte reviewed and discussed language in the current ordinance as it applies to swimming pools. Mr. Nieporte's concern with the current language is the requirement for a four foot fence regardless of the fact that the Building code allows the above ground pool wall to be utilized as the safety barrier and the zoning ordinance would still require a fence. The inconsistency is what we are trying to clear up.

After further discussion, the commission reviewed the pool language that was proposed in the 2005 ordinance rewrite and agreed to utilize language for amendment.

Staff was requested to prepare language for amendment.

#### PUBLIC COMMENT

Jackie Curtis requested that Mr. Thompsons name be removed from the back of the agenda. Ms. Curtis also questioned the Capital Improvement of Deerfield Road from Crawford to Mission Road being in Denver Township.

#### STAFF COMMENTS

Staff had no additional comments.

#### PLANNING COMMISSIONER COMMENTS

Ms Alwood commented that she was going to visit Coe Township on May 13<sup>th</sup> as a networking activity and to provide them with the Planning Commission Annual Report, Capital Improvement Plan, etc.

Mr Nieporte said he would have packets of information available to pick up on Monday.

Mr. Neyer said he would like to focus our networking on the nine townships under county zoning first.

Ms Jindeel asked if anyone was planning to attend the Place Making seminar in Lansing.

#### ADJOURNMENT

The meeting was adjourned by the call of the Chairperson at 8:12 p.m.

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A handwritten signature in cursive script that reads "Christine Alwood". The signature is written in black ink and is positioned above a horizontal line.

Christine Alwood, Secretary

Lisa Hoisington, Recording Secretary