

**Barry County Planning Commission
Meeting Minutes
February 26, 2024**

The meeting was called to order at 7:00 p.m. by Joyce Snow in the Community Room of the Tyden Center located at 121 South Church Street in Hastings. The Planning Commission members in attendance included: Joyce Snow, Jack Nadwornik, Dave Hatfield, Juli Sala and Jack Miner. John LaForge was absent. Those also in attendance included: Gary Schenk, Steve Pennington, Kerri Morris, Frank Snell, Jim McManus, and other interested people.

The Planning Commission reviewed the Agenda. Motion by Miner to approve the agenda as presented, Support by Hatfield. All ayes – motion carried.

The Planning Commission reviewed the minutes from January 22, 2024. Motion by Hatfield to approve the minutes. Support by Sala.
All ayes - motion carried.

BUSINESS

Snow explained the procedures of a public hearing.

Special Use

Case No. SP-01-2024

**Rieth-Riley construction Co, Inc
(Applicant)
JMK Realty, LLC (Property Owner)**

Snow opened the public hearing and asked Rieth-Riley to present their request.

Gary Schenk, an attorney representing Rieth-Riley, noted the plan for the site has already been approved. Rieth-Riley would like to transfer the special use for the gravel pit, and they will assume all obligations authorized under the original permit. He noted Rieth-Riley owns other pits in Michigan and has enough resources to ensure the objectives will be achieved.

Snow asked if anyone wished to speak in favor of the request. Rodney Dye was in favor.

Snow asked if anyone wished to speak in opposition. There was no response.

McManus noted Glenn and Karen Hayward had sent a letter of support for the transfer.

Snow closed the public hearing and reconvened the Planning Commission.

Sala asked if there would be any changes to the plan. Schenk said no.

Nadwornik verified the transfer of property had happened. Schenk agreed.

Motion by Nadwornik to approve Case #SP-01-2024, subject to all of the original stipulations. Support by Hatfield. Roll call vote taken: 5 ayes – 0 nays. Motion carried. Special Use transfer approved.

Case No. SP-02-2024

**Mikelle Lucas/Kerri Morris
(Applicant/Property Owner)**

Snow recessed the Planning Commission, opened the public hearing and asked Lucas to present the request.

Jack Taylor, representing Lucas, noted they would like to operate an auto care service business. He said they would work on brakes and steering, and he has certifications for each. He said they would be a no wait shop, so customers would drop off their car for services. He noted they hope the business will add to the foot traffic in Hickory Corners.

Taylor said the hours of operation would be 8:00 am – 6:00 pm M – F and 8:00 am to 4:00 pm on Saturday. He noted they will have a large gate for the entrance to the shop, but there will be three parking spaces in front of the gate. He said they have contacted companies about recycling tires, used oil, and metal. He noted there would be two bays in the shop.

Snow asked if anyone wished to speak in favor of the request.

Rodney Dye, a neighboring property owner, said this could take the place of an old garage. He noted there is limited parking in the area, but he was excited for the new business.

Steve Curtis said other repair shops have closed, so a new one is needed.

Snow asked if anyone was opposed. There was no response.

McManus read a letter of opposition from Tammy Payne.

Morris rebutted and noted the other properties mentioned are not their issue. She noted they will have 3 paved parking spaces to use.

Taylor noted the vehicles in the parking spaces will only be there a short time. Morris said parking will not be an issue.

Snow closed the public hearing and reconvened the Planning Commission.

Sala asked if there were any variance issues. McManus said no and noted the buildings are existing.

Sala asked about fencing. Taylor said they would install some along the property line, and it will be gated.

Sala asked if fencing was mandatory. McManus said no.

Sala asked if they would have a sign. Morris said yes.

Hatfield noted they had a good plan, and the Planning Commission can't presume things will go bad.

Nadwornik asked what would be repaired. Taylor said anything to do with steering, brakes, shocks and struts, as well as oil changes and tires.

Nadwornik asked if any body work would be done. Taylor said no.

Nadwornik asked about fluid storage. Taylor said it will be stored in 55 gallon drums.

Snow asked if any semi-trucks would be repaired. Morris said no, just cars.

Snow asked if there would be any office space. Morris said no. She noted the other building will be for their personal storage.

Snow asked if there would be any other employees. Taylor said no.

Sala asked about the 55 gallon drums. Morris said they will be stored on pallets inside the building. She noted they have a cement floor.

Sala asked if there would be any outdoor storage. Morris said not for long periods of time. Morris said parts will be delivered by standard vans.

Motion by Hatfield to approve Case No SP-02-2024 pursuant to Section 2302 parts 1-7 of the Barry County Zoning Ordinance. Support by Sala. Roll call vote taken.
5 ayes – 0 nays – motion carried. Special Use approved.

Case No: SP-03-2024

**Lavender Valley Vineyard and Winery LLC
(Applicant)
Frank E Snell III (Property Owner)**

Snow recessed the Planning Commission, opened the public hearing and asked Snell to present his request.

Snell noted he originally bought the property to build houses, but he had a change of heart. He said he obtained a degree in Agronomy, and he has planted lavender and grapes on his farm.

Snell said he has a 1 acre vineyard, and he hopes to produce 1,000 gallons of wine per year.

Snell said he would start to sell at Farmer's Market, but he would like to open a tasting room in two years. Snell said he also has 4 – 5 acres of lavender, and he produces oil. He said odors and noise will not be an issue.

Snow asked if anyone wished to speak in favor of the request.

Rodney Dye spoke in favor.

Snow asked if anyone was opposed. There was no response.

Snow closed the public hearing and reconvened the Planning commission.

Hatfield suggested Snell contact the Gilmore Car Museum.

Snow asked if the tasting room would have a restroom. Snell said yes.

Motion by Hatfield to approve Case #SP-03-2024 pursuant to Section 2302 parts 1-7 of the Barry County Zoning Ordinance. Support by Nadwornik. Roll call vote taken.
5 ayes – 0 nays – motion carried. Special Use approved.

Case No. SP-11-2023

**Steve & Danielle Pennington
(Applicant/Property Owner)**

Snow recessed the Planning Commission, opened the public hearing, and asked Pennington to present his request.

Pennington said he wanted to divide a parcel to build a new house. He said he built one across from the proposed site previously.

Snow asked if anyone wished to speak in favor of the request. There was no response.

Snow asked if anyone was opposed. There was no response.

McManus read a letter from Ashcraft in opposition. Snow closed the public hearing.

McManus explained the request and noted the Special Use Permit is required for a private road that serves more than 7 parcels. He said the road construction appears to be acceptable.

Sala asked if the proposed parcel was the wooded lot. Pennington said yes.

Snow noted the proposed parcel is between two existing houses.

Miner asked if any additional houses would be built in the future. Pennington said he was not planning on any.

Sala verified that the only issue was the road. McManus agreed.

Sala noted that the split could be done if it was a public road. McManus agreed but noted the road is part of a site condominium.

Sala verified the cul-de-sac would not need to be extended. Pennington agreed.

Sala questioned if the site had been perked. McManus noted the Health Department will need to approve the site as part of the Land Division process.

Motion by Sala to approve Case #SP-11-2023 pursuant to Section 2302 parts 1-7 of the Barry County Zoning Ordinance. Support by Miner.

Roll call vote taken. 5 ayes – 0 nays – motion carried. Special Use approved.

OTHER BUSINESS

Year End Report

McManus distributed the 2023 Year End Report. He went through the tables and noted 2023 had less zoning permits, but PCI had a record year for building permits. He also commented on the low new address number and said he expected 2024 to be somewhat worse.

Eaton County Master Plan Review

McManus noted he reviewed the document and verified the plan was not in conflict with Barry County's Master Plan. No other comments were made.

Gravel Ordinance Review

McManus noted a Draft Mineral Extraction Ordinance was included in the packet for the Commissioners to review. He suggested putting a discussion on the March agenda, and he would have Ron Reddick, attorney, available to answer any questions. The Planning Commission concurred.

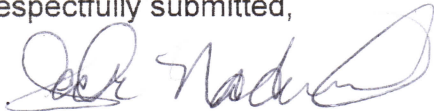
McManus distributed a proposed work contract with McKenna and Associates to complete a new zoning ordinance. He noted our attorneys will be writing the mineral extraction and alternative energy amendments, but everything else will be reviewed by McKenna. He said he hoped to have it completed by the end of 2024.

Motion by Hatfield to approve the contract. Support by Miner. All ayes – motion carried.

The Planning Commission briefly discussed a potential Alternative Energy Ordinance.

Motion by Sala to adjourn. Support by Miner. All ayes – motion carried.
Meeting adjourned at 8:25 pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jack Nadwornik", with a stylized flourish at the end.

Jack Nadwornik