

**Barry County Planning Commission
Meeting Minutes
May 22, 2023**

The meeting was called to order at 7:00 p.m. by Chairperson John LaForge, in the Community Room of the Tyden Center located at 121 South Church Street in Hastings. The Planning Commission members in attendance included: Jack Nadwornik, John LaForge, Dave Hatfield, Joseph Kammenzind and Joyce Snow. Jack Minor & Ben Geiger were absent. Those also in attendance included: Jim McManus, John Kauffman, Nancy Stanton, Johnathon Crane, Seth Oosterhouse and other interested people.

The Planning Commission reviewed the Agenda. McManus noted the appointment to the ZBA needed to be stricken. Motion by Nadwornik to approve the agenda as corrected. Support by Snow. All ayes – motion carried.

Motion by Hatfield to approve the minutes of April 24th, 2023. Support by Nadwornik. All ayes - motion carried.

BUSINESS

LaForge explained the procedures of a public hearing.

SPECIAL USE

Case SP-1-2023

**John Paul Kauffman
(Applicant/Property Owner)**

LaForge recessed the Planning Commission, opened the public hearing and asked Kauffman to present his request.

Kauffman noted he would like a special use permit to operate a sawmill.

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

LaForge asked if anyone was opposed.

Jackie Martens, who lives around the corner, noted there was lots of noise, and semi's drive up and down the road.

Jim Martens, said they like nature. He said the semi's create ruts and dust on the road.

Stephen Zoss noted the property has been vacant, and now there is a high pitch whine all day long. He was concerned about the impacts on hunting. He noted the semis are likely violating the frost free weight limits, and he noted the road is narrow, which could be a safety issue. He was also concerned about a potential tax increase.

Kim Zoss said the sawmill will operate all day long. She questioned if the value of her home would be impacted.

Kauffman rebutted by saying that they intend to harvest the timber in a sensible manner. He said there are not a lot of trucks. He said they intend to cut 20,000 board feet/week which will load 2 ½ semis. He said his neighbors watch the property, and he noted a driveway permit was issued. He suggested that he could move the mill further off of the road.

LaForge closed the public hearing and reconvened the Planning Commission.

Nadwornik asked how many delivery trucks come into the property.

Jacob Comer said 5 - 6 loads per week.

Nadwornik asked how long the saw mill would be on site.

Kauffman said 5 – 7 years.

Hatfield asked how long the mill has been in operation. Kauffman said about a year. Hatfield asked if Kauffman had any permits when he started. Kauffman said no.

Hatfield asked how long the sawmill would be in operation if he only used wood from the parcel. Kauffman said several years.

Hatfield asked if the lot would be clear-cut. Kauffman said no.

Snow asked what the hours of operation would be. Kauffman said from 7 am to 3 pm.

Snow asked about the sawdust. Kauffman said they haul most of it out for bedding and compost.

Snow asked about the semi-route. Kauffman said they go back and forth on Wolf Rd to M 66.

Snow asked if there would be a sign. Kauffman said no.

Hatfield asked about the life span of roof of the barn. Kauffman said 15 years.

Snow asked about rain impacts. Kauffman said the driveway was made of crushed stone. Snow asked if Kauffman would add more stone. Kauffman said yes and he planned to extend the driveway.

McManus noted the case was an issue of enforcement. He said the submitted plan is not a detailed site plan, but he wanted to get the process started. He acknowledged the noise level needs to be verified.

Nadwornik asked if there was any sound deadening on site. Kauffman said no.

LaForge asked what the trailer was for on site. Kauffman said for tool storage and a break room.

Nadwornik asked where the logs are stored. Kauffman said outside.

LaForge asked what the current inventory of logs was on the property. Kauffman said about 3 weeks.

Nadwornik verified the mill would run on a diesel engine. Kauffman agreed.

Snow asked what days the mill would be used. Kauffman said Monday – Friday.

LaForge asked who owned the neighboring barns. Kauffman said Goodmans.

Hatfield said he needed to know the decibel levels prior to making a decision.

Motion by Hatfield to table Case # SP -1-2023 until the noise study is completed. Support by Nadwornik. All ayes – motion carried.

Case SP-2-2023

**Nancy Stanton/Stone Ridge AFC Home
(Applicant/Property Owner)**

LaForge recessed the Planning Commission, opened the public hearing and asked Stanton to present her request.

Stanton noted she has purchased the Stone Ridge AFC, and she needs to transfer the licensing. She is not planning on making any changes to the building but she may do some minor upgrades inside the building. She said she has bought a commercial lawn mower.

LaForge asked if anyone wished to speak in favor of the request. There was no response. LaForge asked if anyone was opposed. There was not response

Motion by Hatfield for Case #SP-2-2023 to allow the transfer of a previously approved Special Use Permit. Support by Snow. All ayes – motion carried.

Case SP-3-2023

**Pyramid Network Services (Applicant)
Leah Berkimer (Property Owner)**

LaForge recessed the Planning Commission, opened the public hearing, and asked Pyramid to present the appeal.

Johnathon Crane and Austin Babich were present to make the request.

Crane said they would like to build a 195 ft monopole on a property which they have a 100 ft x 100 ft lease. He said they are 400 ft from the roadway in the middle of a pasture. He noted Verizon is the primary client but they will allow co-locations.

Crane continued and said the tower location meets all of the setback requirements, and it will not have lights. He said they will not have to build a new driveway, and the tower will not create any excess noise. He said the tower will have 5g technology.

Babich went over the service propagation maps. He said this tower location will fill a service gap. He said there were no other towers in the area that could be used to fill the need.

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

LaForge asked if anyone was opposed.

Monica Willcutt was concerned about the line of sight to the tower from her home. She noted there are no trees. She said Verizon has service in the area. She was concerned about the health and safety in the area near the 5g towers, and she noted the FCC has failed to update its regulations. She felt the tower will change the character of the area.

Don Willcutt noted 5g usage has not been researched enough. He said Verizon is using EMF frequencies. He said the tower was too high.

Crane rebutted and noted health consideration cannot be reviewed by the Planning Commission. He noted they do put warning signs around the enclosure. He noted there is a Ham Radio Antenna System two properties to the north. He said all of the ordinance requirements have been met, and he summarized by saying the towers do not fall over.

LaForge closed the public hearing and reconvened the Planning Commission.

Hatfield asked about the termination of the lease. Crane said they have 30 days to remove.

Snow asked if there were any other towers to re-locate on. Crane said no.

Snow asked if any other frequencies would have interference. Crane said no.

Snow asked if a property value impact study had been done. Crane said no.

Kammenzind asked if an FAA review had been completed. Crane said the site plan review needs to be completed first. He noted they had completed a preliminary study prior to submitting the application.

LaForge noted he had to abstain from voting because he is on the board of a competitor.

Crane verified the vote would have to be unanimous if LaForge abstained. LaForge agreed. Crane asked to table the request until the full board could be seated.

Motion by Snow to table Case #SP-3-2023 until the full Planning Commission would be available. Support by Kammenzind. All ayes – motion carried.

SITE PLAN REVIEW

PR-4-2023

**Seth Oosterhouse (Applicant)
Seth & Rebecca Oosterhouse
(Property Owner)**

Oosterhouse said he wanted to expand the building.

Don Willcutt said he needs more room and felt it ok to pass.

Kammenzind asked how far the addition would be from the clear vision area. Oosterhouse said he was not sure.

Snow asked how many employees Oosterhouse had. Oosterhouse said 6 full time and 4 part time. Snow asked if he would hire anyone new. Oosterhouse said no; just needs more room. Snow asked if Oosterhouse would have any new bathrooms. Oosterhouse said yes.

Oosterhouse asked why the clear vision area was an issue. McManus noted the setback is 50 feet off of the right of way. Oosterhouse said he owned the clear vision area.

Motion by Snow to approve PR-4-2023 with the stipulation that the addition meet the 50 foot setback requirement. Support by Hatfield. All ayes – motion carried.

APPOINTMENTS

Laforge noted a Planning Commission member is required to serve on the Solid Waste Oversight Committee and the Conservation Easement Board.

Hatfield volunteered to serve on the Solid Waste Oversight Committee.

LaForge appointed Kammenzind to serve on the Conservation Easement Board.

PUBLIC COMMENT

Sheri Babcock, along with Karmen Nickerson and Barbara Earl, from Johnstown Township presented the Planning Commission a letter regarding alternative energy and the equitable distribution of its usage. Babcock read a letter to the Planning Commission.

Kim Zoss asked that an outside source be used to determine the noise level of the proposed sawmill.

Motion by Nadwornik to adjourn. Support by Hatfield. All ayes – motion carried.
Meeting adjourned at 8:30 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jack Nadwornik", written in a cursive style.

Jack Nadwornik