

**Barry County Planning Commission
Meeting Minutes
February 22, 2021**

The meeting was called to order by Chairperson Clyde Morgan at 7:00 p.m. via Zoom format. The Planning Commission members in attendance included: Morgan, Vivian Conner, John LaForge, Jack Miner, Jack Nadwornik, and Joyce Snow. Robert Vanderboegh was absent. Those also in attendance included Trevor Pasman, Ryan Pasman, Alan Endsley, Barry County Planning Director James McManus, and other interested people.

Motion by Miner to approve the agenda as printed. Support by Snow. All ayes - motion carried.

BUSINESS

Morgan explained the procedures of a public hearing.

Special Uses

Case No. SP-1-2021

Trevor & Windy Pasman (Property Owners)

Morgan recessed the Planning Commission, opened the public hearing, and asked Pasman to present his request.

Ryan Pasman, who resides on the property, noted he trains the dogs. He noted he uses the pole barn to house the dogs that are brought in for training. He said he trains dogs so they are ready to hunt.

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

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

McManus read a letter from David Schroder in opposition to the request.

Pasman rebutted by noting he only shoots #8 shot and he is a long ways from the property line.

Morgan closed the public hearing and reconvened the Planning Commission.

LaForge noted the letter referenced dogs going on their property and asked about fencing. Pasman said he could add fencing, but he uses electronic collars to control the dogs. LaForge noted entry on the neighbor's property could be prohibited if the neighbors notify you.

LaForge asked how long the training sessions lasted and noted there are noise ordinance limitations if they extend for more than four hours.

LaForge asked how close the barn was to the house. Pasman said 25 to 30 ft. LaForge said 100 ft is required.

LaForge commented that the 450 ft shooting setback applies to farm animals.

McManus noted the setback for a dog kennel is from adjacent houses on adjacent properties.

Miner asked how many dogs are trained. Pasman said 15-20. Pasman said he had (4) personal dogs.

Miner asked what the training agenda timeframe is. Pasman said 3-4 months, but some dogs take up to three years.

Miner asked about the process. Pasman said he typically introduces the dogs to birds, they learn 'Whoa' command, they learn train and retrieve, and they do field training.

Miner asked when training occurs. Pasman said March to September.

Miner noted the training gets close to the property line and asked if the shot goes off of the property. Pasman said he does not shoot toward the neighbors.

Miner asked if Pasman leases property. Pasman said he leases 38 acres from Brown to the south of his property.

Miner noted there are different types of shot that limit the travelling distance.

Conner asked if the flags on the ground was a training area. Pasman agreed, but he noted he does not shoot to the north of the barn.

Conner noted parking is limited and questioned how dogs are dropped off and picked up. Pasman noted there are 12-20 dog owners but they come at different times.

Conner asked how many days the dogs are trained. Pasman said he trains every day.

Conner asked how about the hours of training. Pasman said he does not train at night.

Conner asked if he would be adding any more structures. Pasman said maybe one more building.

Conner asked if Pasman gave the dog owners tours. Pasman said some dog owners visit the dogs monthly.

Conner asked if he did bird testing with the owners. Pasman said no.

Snow asked if the dog training was Pasman's full-time job. Pasman said yes.

Snow asked how the waste was handled. Pasman said he picks it up and puts it in the trash.

Snow asked if he had a dumpster. Pasman said no.

Snow asked how long he had been training. Pasman said he has been on site for three years, but he has been training for 18 years.

Snow asked about signage. Pasman said he would have one.

Snow asked about lighting. Pasman said there is a light on the barn.

Nadwornik asked how many dogs are trained at one time. Pasman said he trains them individually but he may have 8-10 in the field at one time.

Nadwornik asked if he breeds dogs. Pasman said he may breed his own dogs to have 1-2 litters/year.

Morgan verified Pasman only breeds his own dogs. Pasman agreed.
Morgan commented that all shooting should be aimed to the south.

Dave Schroder noted he was most concerned with the shooting and noted he has had a couple of close incidents. He said he has animals and grandchildren.

Pasman noted he is conscious of the animals, and he tries to shoot to the south.

Conner asked when he trains. Pasman said between March and October.
Conner noted there were dogs there this winter. Pasman said he had five dogs that were trained 1-2 hours per day this winter. He said his normal winter job was cancelled due to Covid.

Morgan asked how many birds were used. Pasman said he has 150 birds at any one time.
Morgan asked where the birds go if they do not get shot. Pasman said the neighbors and noted they only live a short time.

Morgan asked what his training hours are. Pasman said 8 a.m. – 8 p.m. He said the dogs run in the morning and do obedience work in the middle of the day.

Morgan said Pasman needs to work with the neighbors.

Snow suggested stipulating a fence on the north property line and that Pasman only shoot to the south.

Conner said fencing could be expensive. Snow said chain link fence would be acceptable.

Miner asked if Pasman used shock collars. Pasman said yes.

Miner asked about their range. Pasman said they can work up to 1 mile.

The Planning Commission discussed the need for fencing. It was noted there is a fence on site.

Motion by LaForge to approve Case No. SP-1-2021 as presented per Article 23, Section 2302.A.1.-7. of the Barry County Zoning Ordinance of 2008, as amended. Support by Nadwornik.

Roll call vote taken: 6 ayes - 0 nays - motion carried. Special Use Approved.

Case No. SP-2-2021

Alan & Jessica Endsley (Property Owners)

Morgan recessed the Planning Commission, opened the public hearing, and asked Endsley to present his request.

Endsley said he would like to run a tree cutting business out of his home. He noted he has equipment he stores on site.

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

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

McManus read a letter from Brian Olmstead in opposition to the request.

Endsley rebutted by saying his trucks are shut down before 9 p.m. He said the wood chips are given away, and they are not filling the wetland.

Endsley said the equipment and parts are used; it is not junk, but he noted they are still trying to determine where everything will go.

Morgan closed the public hearing and reconvened the Planning Commission.

Miner asked how much acreage Endsley owned. Endsley said 7.5.

Miner asked if Endsley owned the pond. Endsley said he owned part of it.

Miner asked what types of vehicles Endsley used for his business. Endsley said he had two bucket trucks, two chip trucks, and a couple of plow trucks. He noted the cars are plated, and one truck was recently removed.

Miner asked about the parts around the building. Endsley said they are usually moved.

Miner suggested installing a fence around the property to shield the equipment.

Miner asked about the barn. Endsley said it was just built and noted he would like to run a fence between the two barns.

Miner noted the Planning Commission can require fencing and asked if the fence could be installed along the road. Endsley said he could not install a fence along the road.

Snow suggested leaving the vehicles in front of the barn and storing all of the equipment behind the barn. Endsley said the equipment is usually out of sight in the summer.

Snow asked if this was Endsley's full-time job. Endsley said yes.

Snow asked how many employees Endsley had. Endsley said he had two employees, but he would like to expand.

Snow asked about hazardous materials. Endsley said used oil is put into a barrel which is taken off site.

Snow asked if he had a dumpster. Endsley said no.

Snow asked if there was a bathroom in the shop. Endsley said no.

Conner noted there were wood chips on the slope to the wetland. Endsley said a friend uses the wood chips.

Conner asked if there was water in the barn. Endsley said no, but he plans on connecting water to the barn.

Conner asked what the business name was. Endsley said Highpoint Tree Service.

Conner asked how many new employees Endsley would hire. Endsley said one or two.

Conner asked if there would be a sign. Endsley said no.

Morgan asked if any of the trees are retained. Endsley said any trees/chips retained are used for heating.

Morgan asked about the rear-end part on site. Endsley said it was for his son's truck.

Morgan asked what was stored in the barn. Endsley said trucks and personal vehicles.

Morgan asked what size barrel is used to store used oil. Endsley said he had a 55-gallon drum.

Morgan commented on keeping the property clean.

Morgan asked about lighting. Endsley said he would be installing three lights on the barn.

Morgan asked if he worked at night. Endsley said no.

Morgan noted the lights needed to shine downward. Endsley agreed.

LaForge noted the extra parts and materials need to be organized.

Snow asked what the pen was for. Endsley said his pigs.

Conner noted there are 14 residents on the road, and she was concerned at how unkempt the property currently was.

Morgan asked how long Endsley had lived there. Endsley said two years.

Morgan noted there was a significant change in two years.

Conner asked about the old fence pole. Endsley said that was for an old horse pasture. She noted any expansion of the business will be limited.

LaForge asked if Endsley will be bringing in any more machinery. Endsley said no.

Morgan asked if the trucks are taken home by the employees. Endsley said no, but he noted he often leaves them at active job sites.

Morgan asked if Endsley did his own vehicle maintenance. Endsley said yes except for the hydraulic booms.

Motion by LaForge to approve Case No. SP-2-2021 as presented per Article 23, Section 2302.A.1.-7. of the Barry County Zoning Ordinance of 2008, as amended. Support by Snow.

Discussion on the motion.

Miner asked that a stipulation for fencing on the road be included. LaForge did not agree to amend the motion.

Snow suggested moving the equipment behind the barn. LaForge said he would agree to a fence between the barns as an amendment. Snow supported the amendment.

Miner questioned what equipment meant.

Roll call vote on the motion: LaForge-aye, Snow-aye - Conner-nay, Miner-nay, Nadwornik-nay, Morgan-nay - motion denied.

The Planning Commission discussed fence placement and equipment placement.

Motion by Miner to deny Case No. SP-2-2021. Support by Morgan.

Roll call vote taken: Morgan-aye, Miner-aye, Nadwornik-aye - Conner-nay, Snow-nay, LaForge-nay - motion denied.

Motion by Nadwornik to table Case No. SP-2-2021 subject to a more detailed drawing and a better explanation of the equipment placement. Support by Snow.

Roll call vote taken: 6 ayes - 0 nays - motion carried. Special Use Tabled.

2020 Year-End Report

McManus presented the 2020 year-end report. He noted the package includes both zoning and building information. He commented that even though the year was challenging due to Covid, the numbers were very similar to 2019. He noted the revenues for building permits were less as many proposed projects did not start. McManus stated that the enforcement close outs were a little less than 2019 because the enforcement officer worked remotely for much of the year, but he noted 55 citations were issued.

McManus continued by saying that 2021 is shaping up to be a busy year and he hoped that the online meetings would help. He stated that the restrictions need to be lifted for the Master Plan process to begin. He said he expects the Planning Commission numbers to increase in 2021.

Motion by Miner to adjourn. Support by LaForge. All ayes - motion carried.

Meeting adjourned at 9:09 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Snow".

Joyce Snow, Secretary