

**Barry County Planning Commission  
Meeting Minutes  
April 26, 2021**

The meeting was called to order at 7:00 p.m. by Chairperson Clyde Morgan in the Community Room of the Tyden Center located at 121 South Church Street in Hastings. The Planning Commission members in attendance included: Morgan, Vivian Conner, John LaForge, Jack Miner, Jack Nadwornik, Joyce Snow, and Robert Vanderboegh. Those also in attendance included Alan Endsley, Sammy Miller, Mike Powers, Barry County Planning Director James McManus, and other interested people.

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

Motion by LaForge to approve the Minutes of March 22, 2021 as written. Support by Conner. All ayes - motion carried.

**BUSINESS**

Morgan explained the procedures of a public hearing.

**Special Uses**

**TABLED Case No. SP-2-2021**

**Alan & Jessica Endsley (Property Owners)**

Motion by Nadwornik to take Case No. SP-2-2021 off of the table. Support by LaForge. All ayes - motion carried.

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

Endsley said he would like to use his property as a contractor's yard. He noted he owns a tree cutting business, and he uses his property for parking. He said he has been working to clean the property, and he submitted an updated drawing that shows the placement of a new fence.

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.

Morgan closed the public hearing and reconvened the Planning Commission.

LaForge noted much of the material has been moved, but there is equipment in the yard. He suggested extending the proposed fence to the barn. He asked how long for a fence to be installed. Endsley said one month.

Snow asked what type of fence would be installed. Endsley said a 6 ft cedar privacy fence. Snow asked if any vehicles would be parked in front of the fence. Endsley said employees would park there.

Snow asked about a gate. Endsley said it would be cedar as well and 15 ft wide.

Conner asked about the stakes in the yard. Endsley said they were the location of the fence. Conner asked who would build the fence. Endsley said he would do it himself.

Morgan noted there was a lot of wood and other materials in the yard, and he questioned if it could be moved in a month. Endsley said he would do it.

Morgan asked how many employees Endsley had. Endsley said two.

Morgan asked if Endsley would hire any more employees. Endsley said he would like to hire two more employees.

Morgan questioned if there was enough room for everyone. Endsley said if he had to hire more than two more employees, he would have to move the location of the business.

Morgan asked if Endsley had looked for other property. Endsley said yes, but noted nothing was available.

Morgan cited Olmstead's letter and expressed concern about the safety of other drivers on the road.

Morgan asked if the road was treated with chloride. Endsley said yes.

Morgan asked if dust control was applied to Endsley's property. Endsley said no.

Morgan questioned how enforcement would happen. McManus noted the Planning Department would enforce any stipulation that was part of the decision.

LaForge suggested adding a stipulation to cap the capacity based on the current equipment, which is (6) trucks.

Conner asked if Endsley could move the vehicles to lessen the safety issue. Endsley said he does not block the road when he is preparing his equipment. He noted he does back in the drive which could be the issue.

Miner was concerned about the fencing placement and height. He questioned if the parking requirements could be met and noted (5) parking spaces are required for customers. He also noted the drive has to have a dust-free surface or paving.

LaForge noted Endsley has no customers.

Morgan noted the fence is an issue and asked if it was limited to be 6 ft high as a maximum. McManus noted 6 ft was not a maximum, so it could be higher.

Snow noted the drive needed to be improved. She suggested adding stone or crushed asphalt.

Vanderboegh noted the use is more like an agricultural use. He noted farms can be more cluttered.

Vanderboegh asked if there were any options for the business in Dowling. Endsley said no and said he was told to move out of Hastings.

Endsley noted the trucks are typically left on site if the work is out of town.

LaForge said 30 days may be too short due to a lack of supply. He suggested a 60-day stipulation. McManus noted fencing does not have to be cedar. Morgan said the fence should be 8 ft high.

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

- 1) That there be a minimum 6 ft high fence be installed within 60 days
- 2) That there be a maximum of (5) employees.
- 3) That the drive is covered with a dust-proofing agent such as crushed concrete or asphalt.

Support by Snow.

Roll call vote taken: 5 ayes-Conner, LaForge, Nadwornik, Snow, Vanderboegh -  
2 nays-Miner, Morgan - motion carried. Special Use Approved with Stipulations.

**Case No. SP-4-2021**

**Sammy S. Miller (Property Owner)**

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

Miller said he wanted to build a new steel building to construct mini barns in. He said it will be family-operated, but he will be working for a company that will take the barns to commercial lots.

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

Paul Herschberger said there was a high demand for the product.

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

Morgan closed the public hearing and reconvened the Planning Commission.

Miner asked about the material on site. Miller said it was for the new building.

Snow asked if he would have any employees other than family. Miller said no.

Snow asked if Miller would have a sign. Miller said no.

Snow asked how large the new building would be. Miller said 80x208.

Snow asked if there would be any scrap material. Miller said it will all be stored inside.

Snow asked about the hours of operation. Miller said he will be open from 6-4 in the summer and 7-4 in the winter.

Snow asked about shipping and deliveries. Miller said there would be enough room for the trucks to turn around on site.

Snow asked about any materials for construction. Miller said he would be using wood and steel.

Conner asked about any waste material. Miller said he would have a dumpster for the metal, and he would burn any wood for his in-floor heat.

Conner asked about any noisy equipment. Miller said he would have solar panels on the building and he would be using battery-powered tools. He said he would have a small air compressor.

Morgan asked how many acres Miller owned. Miller said 160 acres.

Morgan asked how often a semi would come to the site. Miller said once every two weeks. He noted smaller vehicles would come more often.

Morgan asked what sized buildings Miller would make. Miller said any size between 6x8 and 12x30.

Morgan asked how long the road was. Miller said 0.7 mile.

Morgan asked how many days a week Miller would work. Miller said 5 days and possibly a 6<sup>th</sup> day on occasion, but no Sundays.

Motion by LaForge to approve Case No. SP-4-2021 per Article 23, Section 2302.A.1.-7. of the Barry County Zoning Ordinance of 2008, as amended. Support by Vanderboegh.

Roll call vote taken: 7 ayes - 0 nays - motion carried. Special Use Approved.

### Site Plan Review

**Case No. PR-2-2021**

**Michael Powers (Applicant)  
Bay Corp, Inc. (Property Owner)**

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

Powers noted the complex has doubled their bed capacity which has caused a large increase in laundry. He noted it goes to the ceiling. He said he would like to add a laundry facility to the Bay Pointe Woods complex which would be for bedding and towels. He said the building will be 17x38, which is 646 square feet, and the design will match the other storage building on site.

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

Morgan asked if anyone was opposed.

Joel Kapteyn noted that Powers said he would rewrite the policies. He said the events are supposed to be indoor, but not all of them are. He said the white fence was installed, and Powers did not allow him to repair the existing fence. He noted he solicited approval from the neighbors. He said Powers does what he wants.

Linda Ribble noted they live very close to the property. She said there is lots of noise on the weekends, and some of the events are held outside. She said there are even weddings on Sunday night. She was worried about truck traffic.

Elizabeth Bronson questioned why the request was coming now and why the building was not on the original plan. She asked if dry cleaning would be occurring and was concerned about the chemicals getting into the air and water.

She noted there is significant noise during the outdoor events that affects the neighbors. She said she is drawing the line here as there is a mental and emotional toll on the neighbors.

Kapteyn said the music is annoying and disrespectful.

Jeff Schmidt noted it is noisy to 11:00 p.m. He thought there was a mandate to shut down by 10 p.m.

Powers rebutted by saying the laundry facility is a separate issue. He noted there will be no chemicals and said the laundry is usually bedding and towels. He said the vending area will be an ice machine and a pop machine.

Schmidt asked about the catch basin in the parking lot. Powers noted it is a storm water collection.

Powers noted the building location is next to the water, sewer, and natural gas lines.

Morgan recessed the public hearing and reconvened the Planning Commission.

Snow verified the site is served by sewer. Powers agreed.

Snow asked if the sewer capacity could support a new laundry facility. Powers said the capacity is not changing.

Snow asked if Powers had considered outsourcing. Powers said no and noted he employs 10 people to do the work.

Snow asked how many beds were on site. Powers said there are 113 beds total. He said the cottages at Bay Pointe Woods have 38 beds.

Conner asked about moving the building closer to the cottage area. Powers said it would be too tight and noted it would be between bedrooms. He also said there are limited utilities there.

Conner asked about the tree. Powers said it will be cut down.

Conner asked about the mechanical room. Powers said it will be toward the fence and noted a water softener and water heater would be in the room. He also said there will be an exhaust opening for the natural gas.

Conner asked if a new well would have to be dug. Powers said no.

Conner asked about a pump. Powers said there would not be one.

Conner asked about the banquet hall. Powers said there is a 2000 sq ft kitchen where food and drink is prepared on site.

Morgan asked about the employees. Powers said five of the employees will move to the new facility, and all of the wash will be done during the day.

Powers noted that he has 120 employees which will jump to 150 in the summer.

Morgan asked if they would be commercial machines. Powers said yes and noted they have built-in fire protection.

Morgan noted the building will not interfere with the drive. Powers said the building will be sprinkled.

Morgan asked about the wall heights. Powers said 9 ft.

Morgan asked when it would operate. Powers said 8-4.

Nadwornik suggested adding washing units to the existing location. Powers said that was not an option.

Conner questioned how 38 beds could create half of the laundry. Powers said the cottage residents use a larger number of towels. He noted each bed can sleep two people.

Conner asked about the handicapped parking. Powers said he would be moving the handicapped spots to the north of the building.

LaForge suggested that the building was being constructed for convenience. He suggested converting a cottage into the laundry. Powers said that was not an option.

Powers noted he has to purify the water for the ice so it does not have a funny taste.

LaForge did not feel the building was a necessity.

Motion by LaForge to deny Case No. PR-2-2021. Support by Nadwornik.

Roll call vote taken: 6 ayes-Conner, LaForge, Miner, Nadwornik, Snow, Vanderboegh - 1 nay-Morgan - motion carried. Site Plan Denied.

### **Set Date for Rezoning**

McManus noted an application had come in to rezone property from RR to MU. He suggested setting June 28, 2021 as the date for a public hearing.

Motion by LaForge to set June 28, 2021 as the date for a public hearing for Rezoning A-2-2021. Support by Vanderboegh. All ayes - motion carried.

### Master Plan Reviews

#### **Village of Middleville**

McManus noted the Village of Middleville had completed a Master Plan. He noted the primary goals and objectives, and the future Land Use Plan were not in conflict with any Barry County Plans. He noted that the Village will be promoting a complete streets-program that is also supported by the Blue Zones program.

The Planning Commission had no recommendations for any changes to the Draft plan.

#### **City of Hastings**

McManus said Hastings had also completed a plan. He noted the plan had a significant focus on the downtown area and noted that they had brought in Robert Gibbs to emphasize business retention.

McManus noted that housing was a priority for the city and commented on the housing proposals in the downtown area. He also noted the City is working with the Michigan Land Bank for a potential development in the NE quadrant of the city. He said the plan does not propose any conflicts with the current county plan, and the County will need to make sure that it coordinates with the City's objectives.

The Planning Commission had no recommendations for any changes to the plan.

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

Meeting adjourned at 8:37 p.m.

Respectfully submitted,



Joyce Snow, Secretary