

**Barry County Planning Commission
Meeting Minutes
May 28, 2019**

The meeting was called to order by Clyde Morgan at 7:00 p.m. in the Community Room of the Tyden Center located at 121 South Church Street in Hastings. The Planning Commission members in attendance included: Morgan, Jack Miner, Joyce Snow, Robert Vanderboegh, and Jack Nadwornik. Also in attendance were Barry County Planning Director James McManus, Levi Lambright, David Kidder, Brian Huggett, and many other interested people.

For the agenda, Morgan noted the meeting was being held on Tuesday, not Monday. Motion by Vanderboegh to approve the agenda as corrected. Support by Snow. All ayes - motion carried.

The Planning Commission reviewed the minutes of April 22, 2019. Motion by Miner to approve the minutes as printed. Support by Vanderboegh. All ayes - motion carried.

BUSINESS

Morgan explained the procedures of a public hearing.

Special Uses

Case No. SP-6-2019

Levi Lambright (Property Owner)

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

Lambright said he would like to operate a welding and repair shop. He said the shop will be available for anyone. He said it will be an at-home-business, and he will only have family employees.

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

Ray Wengard spoke in favor of the request.

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

Morgan closed the public hearing and reconvened the Planning Commission.

Vanderboegh asked if he would be producing a product. Lambright said he will primarily do repair, but he could make something if someone needed something.

Vanderboegh asked if he would have a sign. Lambright said yes.

Snow asked about an operational plan.

Ben Geiger entered the meeting at 7:08 p.m.

Lambright said there was parking in front of the shop. He noted he would have occasional steel deliveries, and all of the waste materials would be placed in containers and taken to Padnos.

Snow asked about the hours of operation. Lambright said 7:00 a.m. - 4:30 p.m. Monday-Friday.

Snow asked if there was any hazardous material. Lambright said no.

Snow asked about the equipment. Lambright said he uses a MIG welder.

Snow asked if he would do commercial work. Lambright said he could make parts if they were needed.

Snow asked if he would have employees. Lambright said no.

Geiger asked about fire suppression. Lambright said he would have fire extinguishers.

Morgan asked about the power. Lambright said he has a diesel engine welder.

Morgan said he could make just about anything. Lambright agreed.

Morgan asked about deliveries. Lambright said all deliveries would be done by a small truck and noted there would not be any semis.

Morgan asked about a door. Lambright said there was one to the left of the main stalls.

Morgan asked if he would work six days per week. Lambright said he was planning on five days unless there was an emergency.

Motion by Vanderboegh to approve Case No. SP-6-2019 per Section 2302 A.1.-7. of the Barry County Zoning Ordinance of 2008. Support by Nadwornik.

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

Case No. SP-7-2019

**David Kidder (Applicant)
David & Helen Kidder (Property Owners)**

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

Kidder said he likes doing body work and noted he has been doing it since he was a teenager. He said he plans on working about 20 hours per week. He noted he will have very little hazardous material and said he accumulated one gallon last year.

Kidder said he would have a sign on the building and all of the vehicles will be stored inside.

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.

Morgan closed the public hearing and reconvened the Planning Commission.

Miner noted it was a good location, and it will not bother anybody.

Snow verified the building that will be used. Kidder noted it was the one with the shop sign.

Geiger asked what the hazards will be. Kidder said paints and solvents.

Geiger asked if he would have any flooding issues. Kidder said he did not think so.

Morgan asked about the hours. Kidder said he would work 20 hours/week.

Morgan asked about electrical service. Kidder said it was installed the previous week.

Morgan asked who he would do work for. Kidder said his neighbors.

Motion by Snow to approve Case No. SP-7-2019 per Section 2302 A.1.-7. of the Barry County Zoning Ordinance of 2008. Support by Vanderboegh.

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

John LaForge entered the meeting at 7:24 p.m.

Case No. SP-8-2019

**Calhoun Conservation District (Applicant)
City of Battle Creek (Property Owner)**

Morgan recessed the Planning Commission, opened the public hearing, and asked for someone to present the request.

Brian Huggett, a Board member of the Conservation District, noted that they are the leasee for the Metcalf Lake property. He noted the property is 160 acres in site, with a 35-acre lake, and the property was donated to the City of Battle Creek. The owners wanted to leave it to be a public recreational space.

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

Duska Brown, Recreation Director for the City of Battle Creek, was in favor of the request.

Morgan asked if anyone was opposed.

Toni Jubon was concerned about how the site would be funded and managed. She was concerned about any tax implications on neighboring properties. She asked about the tree cutting.

David Boles wanted to see a budget and a plan for the property. He noted the driveway on North Avenue is a safety issue. He questioned how the site was going to be managed. He noted many of the users are Barry County residents. He noted there are numerous deed restrictions.

Rob Chapman, who is the closest neighbor, asked about the installation of fences. He also questioned the tax effects and noted he has an agricultural property. He was concerned about the impact on his horses and livestock. He felt a more thorough plan was needed.

Jim Taylor said the access on Baseline Road is an issue.

Huggett said they would prefer an approval for the park prior to the plan.

Brown noted the property is intended to be a nature preserve, not a playground. She noted the public will be able to walk on trails and use a dock on the lake. She noted there would be no motorized boats. She said life preservers would be mandatory. She said the property has been used by the public for years. She said they want to close the entrance off of North Avenue and place a sign on Baseline Road.

Huggett said he understood the concerns of the neighbors.

Boles commented that at least eight people had used the North Avenue entrance over the past weekend. Taylor said they park on the edge of the road.

Morgan closed the public hearing and reconvened the Planning Commission.

Morgan asked about the driveways. Huggett said the property came with the existing drives.

Miner asked about approving the request with stipulations. McManus said they would have to come back for a site plan review.

Miner questioned the Environmental Management Plan. He asked if the volunteers would be armed. Huggett said probably not.

Miner asked if a survey had been done on the lake. Huggett said the DEQ had done a survey and there was some information.

Miner asked about restrooms. Huggett said they were not planned yet.

Miner noted any camping permits will need health department approval.

Miner asked what low impact uses would be done on-site. Huggett said hiking, kayaking, and other non-motorized uses.

Miner asked about hunting. Huggett said he did not know about hunting, but he said other leased properties allow hunting.

Miner questioned if specialty hunts like turkey or beaver trapping would be permitted.

Miner said landscaping is not an issue.

Miner asked about garbage or trash containers. Huggett said he did not know.

Miner asked about unsupervised visitation and trespassing.

Miner said he was concerned about safety, especially a campground. Huggett said camping would likely be groups like the Boy Scouts.

Snow said the application was a good start, and she noted there was a budget included in the concept plan. She said a fee could be charged for use.

Snow noted signage needs to be included in a plan.

Snow asked about any lighting. Huggett said there was none planned.

Snow verified the old cabin will be removed. Huggett agreed.

Snow asked if there would be any off-premise signs. Huggett said he did not know.

Snow noted parking, garbage, dumpsters, hours of operation, and any partners need to be included in a plan.

Snow noted Barry County Parks & Recreation is interested in being a partner.

Geiger asked if the property would be a park or a nature preserve. Huggett said it will be a nature preserve for public use. He noted it will have minimal development.

Geiger asked if there would be any restrictions on hunting. Huggett said hunting will be limited.

Geiger noted there needs to be a clear set of expectations and rules for the site that are in compliance with the deed restrictions.

Vanderboegh summarized some of the limitations and noted the site is intended to be a nature preserve with no vehicle camping and no unsupervised use. He noted a more detailed plan is needed.

Morgan questioned how neighboring properties would be protected.

Geiger suggested approving a bare-minimum use of the property. He noted he finds an inconsistency with the allowance of hunting on the property.

McManus noted a base approval with stipulations such as closing the North Avenue entrance and a site plan review could be done.

Geiger said it could be a win for everyone to open the property as a preserve.

Snow asked if there would be any programs on site. Brown said there would be no co-branding programs, but groups like the Boy Scouts may have activities.

Brown noted the historical cabin is dangerous and needs to be removed.

LaForge commented that a site plan is needed.

McManus noted the site could be planned in phases.

Miner noted there appears to be a consensus to allow the site to be used as a park, but a plan is needed.

Motion by Geiger to table Case No. SP-8-2019 for up to one year for more information.
Support by Snow.

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

Vanderboegh asked if McManus had historical year-end reports on file. McManus said yes. Vanderboegh asked if McManus could determine splits for agricultural properties. McManus said yes.

Vanderboegh noted the Agricultural Promotion Board may need that information.

Motion by Geiger to adjourn the meeting. Support by Vanderboegh. All ayes - motion carried.

Meeting adjourned at 8:24 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joyce Snow". The signature is written in black ink and is positioned above the typed name.

Joyce Snow, Secretary