

**Barry County Planning Commission  
Meeting Minutes  
March 25, 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, Ben Geiger, Robert Vanderboegh, and Jack Nadwornik. Levi Bolthouse was absent. Those also in attendance included Lucas Spoor, Barry County Planning Director James McManus, and many other interested people.

Motion by Nadwornik to approve the agenda as printed. Support by Vanderboegh.  
All ayes - motion carried.

The minutes of February 25th, 2019 were reviewed by the Planning Commission. On page 4, Miner questioned the cost of a tower; he thought it was \$175,000.

On page 2, Snow noted McManus read letters of support from Carrie Wilgus and Dr. Fraley, and corrected the name Saurman.

On page 4, Snow added that Section 2386 B.3. and B.4. are designed to minimize the total number of towers in the community and the Planning Commission is to strongly encourage the joint use of new and existing towers as a primary option rather than the construction of additional single-use towers.

Motion by Miner to approve the minutes as corrected. Support by Vanderboegh.  
All ayes - motion carried.

**BUSINESS**

Morgan explained the procedures of a public hearing.

**Special Use**

**Case No. SP-4-2019**

**The Landing on Gun Lake (Applicant)  
Legacy Properties of Michigan LLC  
(Property Owner)**

Morgan recessed the Planning Commission, opened the public hearing, and asked Spoor to present his appeal.

Spoor said he is seeking a special use permit for a place of public assembly. He would like to have an event called Gun Lake Days on June 21-23. He said there will be lots of activities. He said he would also like to have 4 cars & coffee events which would run from 7-11 on Saturday mornings in the summer.

Spoor noted Gun Lake Days will have horseshoe and corn hole contests, a paddleboard race, and a 5K run/walk. He said there would be a jet ski race on the lake and a motorcycle stunt team on the property.

Spoor continued that there could be face painting and a dunk tank, and someone wanted to sell tie-dyed t-shirts.

Spoor referred to his statement of justification and noted in the future, there could be a farmers market or an art festival. He noted there has been a pig roast on the 4th of July for years.

Spoor said he would have a safety and medical team on site for the events. He would also have people assisting with the traffic. He noted the medical team will consist of an RN and a first responder. He said he will try to have an ambulance available and there will be a First Aid station on site.

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

Morgan asked if anyone was opposed.

Mel Risner said she once owned a business in the building and the area is a gathering spot for the fireworks, but she said it is a small parking lot. She said there will be road issues. She asked that there be some perspective in the use as there are potential hazards.

Leann Neal was concerned that at car shows people rev engines. She thought the hours of the function were too early. She noted all of the cars are proposed to go down Torsten Drive and her home is within the easement. She asked if anyone will protect the riparian rights of the neighbors. She said the proposed area is too small for the event and the marina usage is too big.

Gary Applegate said Marsh Road is a heavily travelled road and the gas station is also extensively used. He was concerned about the potential for accidents. He noted the existing speed limits are rarely enforced.

Robert Chase noted Spoor would not limit the use to one event. He wants to have multiple events. He noted the Mixed Use class promotes neighborhoods that are pedestrian-friendly, and he said a car event is the opposite. He noted 60 decibels is the noise limit. He felt the use would change the character of the vicinity and will be detrimental due to the noise and traffic.

Linda Ribble referenced a letter provided to the Planning Commission and noted the traffic control limits provide for no parking on the side of Marsh Road between England Drive and Winchester Drive.

Sandy Knoll read a letter from the Anderson's (see attached.)

Katie Ambrose was concerned about the docks and a potential gas pump.

Sarah Holroyd questioned how an ambulance service would be on-site for three days. She was also concerned about the traffic and safety. She questioned if the applicant would abide by the rules.

Ron Knoll noted Spoor wants to make every weekend the 4th of July. He said that would be too much and the area would be too busy.

Randy Eding said he was against the request and noted it will be a mess in the front.

Anthony Winters noted he owns a business in the area and suggested a smaller number of people would be more appropriate.

Tom Rook referenced a letter sent to the Planning Commission.

Ed Brown was concerned about the sanitation and facilities. He questioned if Spoor had contacted the Posse, fire department, and ambulance. He said there will be lots of parking issues and 1/4 of the summer will be an event.

Sharon Jensen said there was a potential for the destruction of property. She was also concerned about traffic.

Ron Chase asked if a traffic impact study had been done.

Jim Deters asked about the gas pump. It was noted it was not on the agenda this evening.

Sandy Knoll said there was not enough room for an event.

Sarah Holroyd commented that there will be more weddings at Bay Pointe, which will also increase traffic.

Ron Knoll noted a few cars for a couple of hours is different than a full-blown event.

Jim Rinsler said noise will be an issue. He questioned how late the event would run.

McManus read letters of opposition from Janet Fricano, Deb Masselink, Cheryl Hoezee, Patricia Hale, and Jim Woods.

Spoor rebutted that there will not be events every weekend; he is only asking for Gun Lake Days and Coffee & Cars. He noted there is a noise ordinance in effect. He noted he has 174 parking spaces potentially available. He noted his clients do not use Chateau Court for access. He said there is already a paddleboard race on the lake, and the other events, such as the jet ski race, will be on other parts of the lake. He said he was just organizing the event.

Spoor continued that he is not responsible for controlling the speed on Marsh Road, but he has contacted the sheriff. He said he has nearly 50 people helping to put the event together; he compared it to Winterfest. He noted that the number of parking spaces is the maximum; he will have additional people leave. He noted he is changing the parking lot and adding street side parking. He noted he is not trying to recreate party island. He said there will not be any parking on the side of the road. He felt the use would complement the residential area and the Mixed Use district allows the request.

Spoor noted public welfare includes economic growth and development. He said ambulance service is always on standby, but he noted he did not know which service is closest. He said he would seek permission to use the state park for an event. He said he would shut the event down in compliance with the noise ordinance. He concluded by saying that he wants 4 events this year and it will not change the carrying capacity of the lake.

Morgan closed the public hearing.

Morgan recessed the Planning Commission at 7:55 p.m.

Morgan reconvened the Planning Commission at 8:00 p.m.

Geiger left the meeting at 8:00 p.m.

Vanderboegh read Article 2302 A.1.-7. and noted if a request does not meet all of the criteria, he cannot support it.

Snow noted the request may not meet criteria 2, 3, and 6 of the special use review standards. Snow asked how many parking spaces were across Princess Drive. Spoor said 42 and noted that would be overflow parking.

Snow asked if that lot was within 300 feet of the building. Spoor said it was approximately 200 feet away.

Snow noted the dumpster was not enclosed. Spoor agreed.

Snow asked about any landscaping. Spoor said there were trees on each lot and he planted 30 trees on the property. He said there would be nine trees left on the Princess Drive lot.

Snow asked if the parking area would be lined. Spoor said no.

Snow asked if people would have to walk across Princess Drive. Spoor said only if the lot was needed.

Snow asked about parking lot bumpers. Spoor said he had no new ones.

Snow asked if people would have to pay to park. Spoor said no.

Miner suggested stipulating one event and reviewing it. Spoor said one event for now.

Miner verified it would be an open air-business and asked about the concrete improvements.

Spoor agreed and showed the proposed new parking.

Miner questioned where the event activities would take place. Spoor showed him on the plan.

Miner asked about a conceptual farmers market. Spoor said it would be in the same area.

Miner asked if he had public water. Spoor said no.

Miner asked about bathroom facilities. Spoor said he had five facilities in the building and he would bring in portable units.

Miner asked how long the portable units would stay. Spoor said just for the event.

Miner noted there are 20 trees on Princess Drive. He asked if they all had to be cut. Spoor said four were nearly dead already.

Miner noted he preferred to see a detailed site plan. McManus noted the special use comes first.

Miner asked about the standing water on site. Spoor said he was trying to correct the grade.

Miner asked about the easements on the deeds. Spoor said he thought they were Princess Drive.

Miner asked about runoff. Spoor said all runoff will be retained on site.

Miner asked about trash, traffic, and other event issues. Spoor said he would have a traffic team in place. He said noise cannot be avoided with a crowd of people.

Miner asked if there would be loudspeakers. Spoor said no.

Miner asked if there would be any lighting change. Spoor said no additional lights, but they are working to potentially change the street lighting that is there.

Miner asked if there would be any lighting across Princess Drive. Spoor said no.

Miner asked about the trash service. Spoor said there are eight trash cans on site.

Miner asked about dust control. Spoor said he could spread salt brine.

Miner asked how many events would Spoor do if there were no stipulations. Spoor did not answer.

Miner asked about vendors. Spoor said he anticipated each having a 10x10 tarp. He said they would unload either Friday or Saturday morning and close by 9 p.m. Sunday.

Miner asked about the hours of the event. Spoor said noon-10 p.m. on Friday and Saturday and an earlier ending on Sunday.

Miner asked if the pizza place had a liquor license. Spoor said no.

Miner asked if there would be any alcohol or marijuana vendors. Spoor said he might see if St. Therese in Wayland wanted to have a fundraiser beer tent.

Miner asked about the medical team. Spoor said they would be there if the event lasted two days or longer.

Miner said he would like to know the qualification of each person.

Morgan asked why no personal or one-day events. Spoor said the event would dictate the need.

Morgan asked about the parking area. Spoor said it will remain gravel and grass.

Morgan questioned the use of salt brine with classic cars on site.

Morgan asked who owned the pole barn. Spoor said he did.

Morgan asked if there had been reviews on this previously. McManus noted the pole barn was approved as part of the Gun Lake Princess review.

McManus noted the request is to have a place of public assembly. He noted the buildings and parking are already in place, so the question is whether the site can be used to host events. He suggested the Planning Commission focus on the criteria and if approved, the details can emerge in site plan review. McManus noted traffic impact studies are a special request that the Planning Commission can require for a formal site plan review.

The Planning Commission and McManus discussed the differences between the special use and site plan requirements. McManus said special use are conceptual, while the site plan is detail-specific. McManus noted Spoor is proposing the concept of port-a-potties for the event. On the detailed site plan, the placement of them will be illustrated.

Motion by Snow to deny Case No. SP-4-2019 per Section 2302 A.2.,3., and 6. of the Barry County Zoning Ordinance of 2008. Support by Miner.

Discussion on the motion.

Vanderboegh questioned whether one event a year is the same as a full-blown public assembly.

Miner agreed that many events will definitely change the character of the area.

Morgan said one can only put so much in a small area.

Roll call vote taken on the motion: 5 ayes - 0 nays - motion carried. Special Use Denied.

**Rutland Township Master Plan Review**

McManus noted Rutland Township is proposing to change the designation of the YMCA properties from Residential to Parks & Recreation. He said it was only for that property and would not affect the rest of the community.

Miner noted that at the Joint Planning Alliance meeting, one of the reasons for the change was for the YMCA to build a boat house.

The Planning Commission chose not to take any action.

With no other business, Morgan adjourned the meeting at 9:00 p.m.

Respectfully submitted,

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

Joyce Snow, Secretary