



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
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MEETING MINUTES

December 14, 2023

5th Floor Commission Chambers • Jackson County Tower Building • Jackson, Michigan

Members Present: Ms. Nancy Hawley, At Large; Mr. Ted Hilleary, Education; Mr. Corey Kennedy, Jackson County Board of Commissioners; Mr. Kurt Cole; Ms. Mary Wolcott; Mr. Jim Minnick, Jr.; Ms. Jennifer Biddinger, Ms. Pat Gallagher

Members Absent: Mr. Jim Videto

Staff Present: Mr. Zack Smith, Ms. Alissa Starling, R2PC.

Others Present: Many from the Grass Lake Community, Representatives of NextEra

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:03 p.m. Those in attendance rose and joined in the Pledge of Allegiance.

Item 2. **Public Comment.** Before public comment Chair Hawley stated that the Jackson County Planning Commission only makes a recommendation to township boards. She then opened the floor for public comment. Fourteen people spoke against rezoning, and two spoke in favor of rezoning. Three letters were also presented to the Chair in favor of rezoning.

Item 3. **Approval of Minutes.** Comm. Biddinger noted that her last name was spelled incorrectly, and requested that be corrected. Comm. Kennedy made a motion, seconded by Comm. Cole, to **approve** the November 9, 2023, meeting minutes with the correction of the spelling of Biddinger. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Chair Hawley noted that the date at the bottom for the next meeting was for the wrong month. Mr. Smith said that some of the page numbers were off. Comm. Kennedy made a motion to correct the date and page numbers **and approve the agenda** for December 14, 2023 **as amended**, seconded by Comm. Hilleary. *The motion was approved unanimously.*

Item 5. **Request(s) for Review, Comment, and Recommendation.**

a. **Consideration of Township Zoning Amendment(s).**

(1) **CZ | #23-21 | Grass Lake Township**

Staff referred to a report regarding a rezoning request for 6 parcels totaling 583.5 acres in Grass Lake Township. Staff recommended approval of the rezoning application.

Discussion: Ms. Starling opened by stating that stopping rezoning based on future land use is not relevant. Chair Hawley said that rezoning is a map amendment and does not look at the possible land use. Comm. Gallagher asks about the seeming incongruity of not taking future land use into account but having to take note of all possible uses before rezoning. Chair Hawley told a story of a woman who wanted a daycare, and had her property rezoned, but then sold it and now a Family Dollar is there.

Comm. Kennedy said that he wanted to be clear that the gentleman was asked to leave because he was not conducting himself in a proper manner. He also addressed the concern voiced by some that spoke that this was a rushed process, as said this is normal. He said the motion could be tabled, as others requested, but that it would simply go back to the township without a recommendation. He asked staff when the zoning ordinance for Grass Lake Township was last revised. Mr. Smith said that he was not sure, but that the Master Plan was updated in 2022.

Comm. Cole said that he went to the township to look at the map. He noted that Grass Lake Township and their elected officials worked on the Master Plan. He said that he has to look at zoning, and that is what this is. He noted that future land use has been changed and they established in the area where it was changed does include this area under consideration that was R-2 and is now agricultural on the future land use map.

Comm. Wolcott pointed out that some of the parcels are not contiguous and feels that there is some spot zoning which does not fit the plan. Comm. Hilleary noted that you can't project what the property will be in the future. Comm. Gallagher responded you have to take into account that every permissible use is possible on that land.

Chair Hawley gave a long comment breaking down why she believed that there are problems with the rezoning request.

Comm. Minnick made a motion to recommend **approval with comment** that the Grass Lake Township take a look at their conditional uses to see if they are the right fit for the community, supported by Comm. Kennedy. *Commissioners Cole, Kennedy, Minnick – Aye; Comm. Biddinger, Gallagher, Hawley, Hilleary, Wolcott – Nay. The motion fails 3-5.*

(2) **CZ | #23-22 | Waterloo Township** Staff referred to a report regarding the rezoning of a 120 acre parcel at 12230 Mt. Hope Rd, Waterloo Township from Primary Agriculture (A-1) to Secondary Agriculture (A-2). Staff recommended

approval of the rezoning.

Discussion: Comm. Biddinger asked why are they rezoning the whole thing? Another board member responded it was about being able to split off and sell a few acres.

Comm. Kennedy made a motion to recommend **approval** of the rezoning, supported by Comm. Hilleary. *Commissioners approved the motion unanimously.*

CZ | #23-23 | Columbia Township Staff referred to a report regarding the rezoning of a 4.7 acre parcel at 5364 York Dr. Clarklake from Agricultural (AG) to Residential Suburban (RS). Staff recommended approval of the rezoning.

Comm. Kennedy made a motion to recommend **approval** of the rezoning, supported by Comm. Gallagher. Discussion: Comm. Cole noted that this rezoning follows future land use. *Commissioners approved the motion unanimously.*

CZ | #23-24 | Columbia Township Staff referred to a report regarding the request for amendments to their zoning regulations concerning marihuana establishments. Staff recommended approval of the amendments.

Chair Hawley said that the amendments have a lot of do with the separation or distance of growers to retail.

Comm. Kennedy made a motion to recommend **approval** of the amendments, supported by Comm. Wolcott. *Commissioners approved the motion unanimously.*

CZ | #23-25 | Columbia Township Staff referred to a report regarding the request for amendments to their zoning regulations that were about clarifying issues within the zoning code.

Comm. Hilleary made a motion to recommend **approval** of the amendments, supported by Comm. Kennedy. *Commissioners approved the motion unanimously.*

- b. **Consideration of Master Plan(s).** None.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).** Staff referred to two reports, #23-03 and #23-04, on PA 116s for Hanover Township, MI, recommending approval.

Comm. Biddinger asked for clarification on what a PA 116 is, and Chair Hawley said that it was for a tax credit.

Comm. Kennedy made a motion to confirm staff recommendations and **approve** both PA 116 applications - #23-03 and #23-04 - supported by Comm. Cole. *Commissioners*

approved the motion unanimously.

Item 6. **Other Business.**

- a. **Unfinished Business.** None.
- b. **New Business.**
- c. **Notices.**

Item 7. **Public Comment.** None.

Item 8. **Commissioner Comment.**

Comm. Kennedy expressed his feeling that Chair Hawley let the meeting get out of control. He also felt like the vote of the board was influenced by the audience.

Comm. Gallagher said that you have to take into account every single permitted use. Comm. Kennedy points out that this is a conditional use. Chair Hawley pushed back saying that conditional uses are permitted uses. Comm. Biddinger said that she felt it was on NextEra to make the argument that it is the right thing to do, and they did not do that. Comm. Kennedy responded saying that it is not their job.

Item 9. **Adjournment.** Comm. Minnick made a motion to adjourn, supported by Comm. Cole. *Commissioners approved the motion unanimously.* The meeting adjourned at 7:43 p.m.

Respectfully submitted by:

Zack Smith, R2PC