

Otsego County Planning Commission

Approved Minutes for March 15, 2021

Call to Order: 6:00pm by Chairperson Hartmann

Pledge of Allegiance

Meeting held remotely.

Roll Call:

Present: Mrs. Jarecki, Mr. Maxwell, Mr. Caverson, Mr. Brown, Mr. Marlette, Mr. Scott, Mr. Sanders

Present Remotely: Mr. Hartmann, Mr. Hilgendorf, Ms. Corfis

Absent: –

Staff Present: Ms. Boyak-Wohlfeil, Mr. Churches - *by remote*

Public Present: Paul Eckert, Ultimate Whitetails owner/applicant, Charles Ladensack, neighboring property owner

Public Present Remotely: Kyle Eckert, Patrick Hogan, Randy Kwapis, Joseph Bzura, Dennis Kwapis, Tom Freeman, Doug Kussrow, Lori Ladensack, Brett McVannel, Stanley Kwapis, Stan Kwapis Jr, Kevin Johnson, Brian Topp, Trent Skiba, Keith Thompson, Gabe Boughner, Mike Proctor, Ryan Hoffman, Jessie Bilyea, Keisha Wolgast, Todd Seidell, Ryan Soulard, Gina, Mike

Approval of minutes from: February 1, 2021

Chairperson Hartmann requested discussion on the minutes.

Ms. Boyak-Wohlfeil stated she was informed there was a mistake on page two (2), second paragraph from the bottom – Stanley Kwapis was not a neighboring property owner. Correction is as follows:

Stanley Kwapis, neighboring property owner *of another facility* stated he used the state property west of Dagon Rd for hunting.

Motion made by Mr. Maxwell to approve minutes with correction; Seconded by Mr. Brown

Motion approved unanimously.

Consent Agenda: None

Other: None

Public participation for items not on the agenda: None

Public Hearing: None

Advertised Case: None

Unfinished Commission Business:

1. **PZSU20-004** – Ultimate Whitetails LLC, property owner, Paul Eckert, representative/applicant, is requesting a Special Use Permit for properties located in Charlton Township at 5353 Douglas Lake Rd Johannesburg, MI 49751. The proposed use of the properties is for the expansion of a game preserve. The property is currently zoned FR/Forestry Recreation and the use is a permitted use subject to special conditions in the FR District.

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Parcel identification numbers:

021-033-100-015-01

5353 Douglas Lake Rd

Johannesburg, MI 49751

Legal Description:

PARCEL A: COMM AT THE NW COR OF SEC, TH S 00°41MIN02SEC E ALG THE W LN OF SEC AND THE CENTERLINE OF DOUGLAS LK RD 1636.30FT TO POB; TH S 87°59MIN13SEC E 2211.00FT, TH S 00°32MIN03SEC E 981.02FT TO THE E-W 1/4 LN OF SEC, TH S 88°00MIN13SEC E 1754.48FT, TH S 00°17MIN09SEC E 1307.72FT, TH N 87°55MIN32SEC W 1317.91FT, TH N 87°55MIN33SEC W 1318.54FT, TH N 00°30MIN47SEC W 1304.35FT, TH N 00°32MIN03SEC W 654.18FT, TH N 87°59MIN33SEC W 1323.13FT, TH N 00°41MIN02SEC W 327.26FT TO POB. CONT. 108.94 ACRES M/L SEC 33, T30N R1W 2006 SPLIT FROM 021-033-100-015-00

021-033-100-015-02

Douglas Lake Rd

Johannesburg, MI 49751

Legal Description:

PARCEL B: COMM AT THE NW COR OF SEC 33, TH S 00°41MIN02SEC E 1309.04FT TO POB; TH S 87°58MIN53SEC E 2649.70FT, TH S 88°02MIN41SEC E 1322.29FT, TH S 00°17MIN09SEC E 1308.57FT, TH N 88°00MIN13SEC W 1754.48FT, TH N 00°32MIN03SEC W 981.02FT, TH N 87°59MIN13SEC W 2211.00FT, TH N 00°41MIN02SEC W 327.26FT TO POB. CONT 69.32 ACRES M/L SEC 33, T30N R1W 2006 SPLIT FROM 021-033-100-015-00

Chairperson Hartmann stated the case from February's meeting and opened the discussion to the public for comment:

Public comment opened: 6:06pm

Patrick Hogan, previous property owner, stated he had multiple issues with neighbors trespassing and hunting on his property prior to his selling it to Mr. Eckert.

Stanley Kwapis, family member of neighboring property owners, stated he had hunted the area when his grandparents owned property on Fairgrieve Rd prior to adjoining properties being sold and houses built. As more houses were built, deer movement changed. He currently lived next to a similar facility and had the same concerns about safety and such but had discussed this with the owner and has not had any issue with the enclosure next to him.

Randy Kwapis, neighboring property owner, stated he had received the original application and documentation from the State through FOIA (Freedom of Information Act) and the application had been filled out with the wrong zoning district. A letter was included from a state biologist who had concerns the deer movement would be affected but did not feel the State could deny approval based on that alone; it was an agricultural use and was protected under that use. Mr. Kwapis' issue was not about safety, he had concerns with the change in deer movement also.

Keith Thompson, acquaintance of Mr. Eckert, stated the facility was safe, was a well-run business and helped improve the economy.

Mike Proctor, property owner in Johannesburg, stated his neighbor had clear cut property and it had changed the deer movement but there was nothing that could be done. Deer movement changed for multiple reasons and he did not feel the use should be denied; people had a right to use their property as they wished.

Ryan Hoffman stated he was a deer farmer in the Lansing area and Vice President of the United Deer Farmers Association in Michigan. Mr. Eckert's facility had been referred to as an example of a safe and well-kept facility. He understood the deer movement issue and encouraged the neighbors to try and attract the animals to their property but did not feel it was a good enough reason to cancel someone's livelihood.

Tom Freeman stated he supported Mr. Eckert and felt it was important to be a good neighbor. He has worked the facility and it is run very professionally.

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Trent Skiba stated he supported Mr. Eckert and was a deer farmer as well. Mr. Eckert was well thought of in the industry because he did not cut corners and did things by the book.

Doug Kussrow, neighboring property owner on Fairgrieve Rd, stated the Eckerts were great neighbors and he had no objection to them purchasing the property or fencing it to run their business.

Brian Topp stated he supported Mr. Eckert and his family. He has conducted much business with Mr. Eckert; he's brought clients out to the property, he's cooked for different gatherings and has attended a few youth hunts. He felt they ran a safe and well-maintained facility.

Dennis Kwapis, neighboring property owner, stated he did not have an issue with the Eckerts; his concern was with the change in habitat and the deer movement. He did not have any complaints but had mixed emotions because he had hunted the area since he was young.

Gina stated the Commission needed to look at the provisions of the Ordinance, compare what was permitted and if the applicant supplied the appropriate material, the decision should be based on that.

Jessie Bilea no comment

Joseph Bzura, neighboring property owner, stated he did not agree with the hunting of deer within an enclosed facility; he felt they should be free range. He grew up on Fairgrieve Rd. and has spent a lot of money to encourage deer onto his property. He questioned how the members would feel if it was next to their property.

Gabe Boughner no comment

Keisha Wolgast stated she supported Ultimate Whitetails. She has worked on the ranch and has first-hand knowledge of the Eckert's commitment and dedication. They abide by all the legal requirements and create an outstanding experience for hunters and although it will change the habitat, that is something that happens any time there is economic growth.

Kevin Johnson, former commissioner, stated the Board needed to be careful as this dealt with farming and farming was covered by the Right to Farm Act. Even if you don't like the idea of the fence, there are Right to Farm laws and he cautioned them on their decision.

Kyle Eckert, manager of Ultimate Whitetails, stated this was how they made their living and they were passionate about it. The business was run professionally and if any complaints arose, his father's phone number was on the facility so they could be dealt with. Their biggest concerns were the animals' safety and giving their clients the best experience possible. There are different ways to hunt and they should not be prevented from doing so. They offer the hunting experience to handicapped people who would otherwise not be allowed the opportunity. He stated this is a hunting ranch, this is a way of live, this is a farm.

Lori Ladensack, neighboring property owner, stated they moved back up north for the wildlife and did not feel it was the same. The fact that Mr. Eckert was a nice guy and how his business was run, was irrelevant; the issue was the original paperwork as well as the current documents were falsified. A signature on a document signifies the information was true and this needed to be enforced. The fence should not have been installed prior to approval and was installed in record time; she felt Mr. Eckert did so because knew it was wrong. She asked the Board to consider this.

Mike no comment

Ryan Soulard, DNR Wildlife Division, stated he had inspected the new expanded facility on March 8th to ensure no wild deer or elk were trapped within. He could assure them that all animals had been driven off the property and the fence exceeded the State's operational standards for the construction of it. He oversaw the program statewide and three hundred and four (304) deer farms existed throughout the State. Hunting is allowed with the license and whether it's called a game preserve, game ranch or high fence ranch, the Animal Industry Act 466 through the Michigan Department of Agricultural Rural

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Development classifies all Cervidae species, whitetail deer, elk, and so forth, as livestock species in the State of Michigan. These facilities are livestock operations regardless of what you call them, they are farmed animals. The DNR oversees the fencing, the record keeping, the state rules and regulations and this is taken very seriously. The Department of Agriculture oversees the disease testing for animals harvested within the facility to protect the animals inside as well as the wild animals on the outside.

Stan Kwapis Jr stated he supported Mr. Eckert's facility.

Todd Seidell, Seidell Architects, stated he had designed the site of the existing facility as well as the expansion. He also assisted Mr. Eckert in the paperwork; Mr. Eckert went through the proper channels and worked with Mr. Churches at Land Use. He understood the neighbors' concerns and the fact they did not want this in their backyard but this is a farm and he supported Mr. Eckert's efforts.

Chairperson Hartmann questioned the discrepancy in paperwork.

Mr. Seidell stated he did not know what Mrs. Ladensack was referring to. They did everything by the book, he worked with Mr. Eckert and turned everything into Otsego County. If there were any issues, Mr. Churches would have let them know. They had done everything to the best of their ability.

Mrs. Ladensack stated the property was zoned Forestry Recreation and the application was checked as agricultural. Agricultural does allow deer farms or a deer ranch whatever you want to call it; that is the issue. It has nothing to do with being a good guy, it needed to be policed.

Mr. Seidell stated this was brought forward as a special use permit with everything being done through Otsego County Planning & Zoning; the paperwork was properly processed.

Chairperson Hartmann asked for clarification from Mr. Churches.

Mr. Churches stated the property was zoned FR Forestry Recreation and agricultural uses are allowed in this district. Mr. Eckert may have stated the property was agricultural, which in itself is not true but agricultural uses are permitted in the FR District. The initial development of the property, the ranch and the lodge itself was before his time and was permitted without the special use process. He could not speak to what the zoning administrator's reasons were. Regarding the current application, he had received a call that a ten-foot (10') fence was being installed and a ten-foot (10') fence required a special use permit as does a game preserve. Mr. Eckert was notified and was instructed to stop the installation until he went through the special use permit process. Mr. Eckert stated he would apply for the permit and follow the rules and regulations but he was under a time constraint and needed to get the fence installed to ensure all the existing wildlife were removed from the property. Mr. Eckert was told he was taking a risk and if the permit was not approved, he would have to remove all the fencing.

Brett McVannel, neighboring property owner, stated he was in favor of the new expansion. He was employed by Ultimate Whitetails to maintain the property on a full-time basis. Mr. Eckert was trying to improve the property by having someone there at least five (5) days a week to ensure any complaints were taken care of quickly. Mr. Eckert wanted to be a good neighbor.

Chairperson Hartmann closed the public comment.

Public comment closed: 6:53pm

Chairperson Hartmann requested further discussion from commission members.

Mr. Marlette stated he felt insulted by the documentation Mr. Eckert provided; he felt the State law included was intimidating and the rest seemed like a sales pitch to the Chamber of Commerce.

Mr. Eckert apologized if the documentation came off that way; it was not meant to and he had provided the other information only to show this was a statewide multi-million-dollar industry.

Mr. Marlette stated he had voted no previously but planned on voting yes because the requirements of the Ordinance had been met; he accepted Mr. Eckert's apology.

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Mr. Hilgendorf stated the fence was an emotional issue but the fence could remain if Mr. Eckert decided to just farm the property; it seemed the issue was allowing him to hunt the property although hunting was allowed as well so he did not see a reason not to approve.

Mr. Churches stated the ten-foot (10') fence as well as the game preserve required a special use permit but agriculture is a permitted use in the FR District and if Mr. Eckert decided to just farm the property, it would be classified as an agricultural use and he would be exempt from the zoning requirements; the fence could remain. The question before the Commission was can he harvest the deer as a business on the property.

Mr. Soulard stated Michigan was the only state to require a ten-foot (10') fence. It was required to prevent the deer from gaining access with the packed down snow.

Ms. Corfis questioned the setback of the fence on Douglas Lake Rd. and requested an amended site plan be submitted showing the existing buildings, the gate along Douglas Lake as well as that setback to the fence.

Mr. Eckert stated he would have Mr. Seidell draw the additional information on the site plan and it would be submitted to Land Use.

Mr. Seidell stated he would get with the surveyors and get an accurate record of the items on the property as well as the setback from the road.

Mr. Maxwell stated he did not like the idea of Mr. Eckert continuing to work prior to the Commission's decision but thought this was a good use of the property. He didn't like the change of deer movement but did not think they could legally vote against this regardless of how they felt.

Mr. Brown stated his decision had not changed from the last meeting; he thought Mr. Eckert had met the requirements of the Ordinance and wished to renew the motion. He agreed there should be a fine put in place should the County's process not be followed but he did not see a reason why the special use should not be approved. He made the following motion:

Motion made by Mr. Brown to approve special use permit PZSU20-004, allowing the expansion of the game preserve and the ten foot (10') fencing on parcel numbers 021-033-100-015-01 and 021-033-100-015-02 located in Charlton Township at 5353 Douglas Lake Rd and to include a revised site plan depicting items requested; Seconded by Mr. Maxwell.

Mr. Maxwell questioned if the Finding of Fact needed to be approved again.

It was stated they had been approved at the last meeting but could be included in the minutes; the Commission just needed to reach a decision.

Excerpt from the February 1st Planning Commission meeting:

With no further comments from Commissioners, Chairperson Hartmann requested a motion to accept Exhibit 13 Finding of Fact. SEE ATTACHMENT 1

Motion made by Mr. Brown to approve Exhibit 13 Finding of Fact as presented; Seconded by Mr. Maxwell.

Motion approved unanimously.

Chairperson Hartmann read aloud Section 19 Permitted Uses Subject to Special Conditions with all items having been met. SEE ATTACHMENT 2

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Chairperson Hartmann requested further discussion; hearing none called for a roll call vote:

Ms. Corfis: yes
Mr. Sanders: yes
Mr. Scott: yes
Mr. Marlette: yes
Mr. Brown: yes
Mr. Hilgendorf: yes
Mr. Caverson: yes
Mr. Maxwell: yes
Mrs. Jarecki: yes
Mr. Hartmann: yes

Motion passes – Special Use Permit PZSU20-004 approved

Chairperson Hartmann thanked everyone for attending.

2. SECTION 21.48 Solar Energy Systems – Proposed Text Amendments to Articles 21, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 22

Chairman Hartmann stated the Solar Energy Committee had met again to review the changes proposed by Otsego Lake Township Planning Commission; he requested comment from Mr. Churches.

Mr. Churches stated the Zoning Ordinance currently did not have any regulations concerning solar panels; Land Use had been classifying them as power generating facilities but did not believe the intent was to categorized them as such. There was not a distinction between residential and commercial uses; the proposed text amendments essentially added the verbiage to the Ordinance to regulate solar panels throughout the County. The County currently does not permit solar panels to be added to homes which is becoming a more popular source of energy; these amendments would allow their installation and would support public health.

Chairperson Hartmann stated a public hearing had been held, township approval had been received including Otsego Lake Township’s approval after the latest Committee meeting.

Ms. Corfis thanked the County for reviewing their proposed amendments and were pleased with the changes made

Chairperson Hartmann thanked Ms. Corfis and requested further discussion; hearing none, requested a motion from Ms. Corfis.

Motion made by Ms. Corfis to recommend to the Otsego County Board of Commissioners adoption of Section 21.48 Solar Energy Systems and amendments to Articles, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 pertaining to the use of solar energy to the Otsego County Zoning Ordinance; Seconded by Mr. Hilgendorf.

Chairman Hartmann requested a roll call vote:

Mrs. Jarecki: yes
Mr. Maxwell: yes
Mr. Caverson: yes
Mr. Hilgendorf: yes
Mr. Brown: yes
Mr. Marlette: yes
Mr. Scott: yes
Mr. Sanders: yes
Ms. Corfis: yes
Mr. Hartmann: yes

Motion to recommend passes.

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New Business:

1. PZSU19-006 – Event Barn – Boyd/Lahring – *Special Use Permit Extension*

Ms. Boyak-Wohlfeil stated Special Use Permit PZSU19-006 had been approved last March and according to the Zoning Ordinance would expire after a year if substantial work had not been completed. Mrs. Lahring had submitted a letter requesting an extension due to the restrictions put in place for COVID 19. After discussing the issue with her, she was in the process of dividing the parcel and had applied for an address. They were planning the construction of the barn this year.

Mr. Brown stated he felt they had a legitimate reason for not proceeding. He made the following motion:

Motion made by Mr. Brown to extend Special Use Permit PZSU19-006 for the construction of an Event Barn on parcel 080-015-300-010-01 for one (1) year; Seconded by Mr. Marlette.

Chairperson Hartmann requested a roll call vote:

Mr. Maxwell:	yes
Mr. Caverson:	yes
Mr. Hilgendorf:	yes
Mr. Brown:	yes
Mr. Marlette:	yes
Mr. Scott:	yes
Mr. Sanders:	yes
Ms. Corfis:	yes
Mrs. Jarecki:	yes
Mr. Hartmann:	yes

Motion passes – Special Use Permit PZSU19-006 extended for one (1) year.

2. Steve Dipzinski – Livingston Township representative – *Recommendation*

Ms. Boyak-Wohlfeil stated Mr. Bauman had resigned from the Livingston Township Planning Commission and was no longer a member on the County Planning Commission. After discussion with Mr. Dipzinski, he himself applied for the position to be appointed by the County Commissioners.

Chairperson Hartmann stated the following:

Motion made by Mr. Hartmann to recommend to the Otsego County Board of Commissioners the appointment of Steven Dipzinski as the Livingston Township representative to the Otsego County Planning Commission; Seconded by Mrs. Jarecki.

Motion approved unanimously.

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report

Judy Jarecki

Mrs. Jarecki stated Wade Trim had been consulted for the flooding issue at the County Park – three (3) options had been suggested but due to the difference in costs, the matter would be discussed further, the options were 1. Grade campsites and install a drain system for excess water to drain into the lake or surrounding wetlands, 2. Grade campsites and install less drains, or 3. Grade the campsites, water would still puddle in areas but the site would be dry – the ranger station crawl space was drained and waterproofed, there have not been any issues since; the Community Center has been opened and is busy – eighty-four (84) families attended the playgroup, pickle ball and volleyball teams had begun and basketball would begin in April.

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2. Land Use Services report

Ms. Boyak-Wohlfeil stated things were getting busier at Land Use; most enforcements had been postponed until spring but with the snow melt, they would be back on the road – court dates for previous enforcements had been postponed until April and would move forward with clean-ups if necessary.

Mr. Caverson stated the food pantry received an \$87,000 award through the CARES Act and vaccines were available for citizens sixty-five (65) years of age or older through the Health Department; sign up was through their website. He also stated the Criminal Justice Complex would be on the May ballot and wished to clarify the millage amount falling off property tax bills would be more than the millage amount being requested for the Complex. It was a much-needed facility and there would be videos, press releases, newspaper articles and website links circulating explaining the need for the structure as well as costs and design.

With nothing further, Chairperson Hartmann adjourned the meeting.

Adjournment: 7:21pm by Chairperson Hartmann

Pete Maxwell; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

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ATTACHMENT 1:

OTSEGO COUNTY PLANNING COMMISSION

PZSU20-004
021-033-100-015-01
021-033-100-015-02
SPECIAL USE PERMIT

GENERAL FINDING OF FACT

1. This is a special use permit proposal for parcels in Charlton Township located at 5323 Douglas Lake Rd Johannesburg, MI 49751. *Exhibit #1, Exhibit #5*
2. The purpose of the special use permit is a game preserve expansion to include the installation of a ten-foot (10') perimeter fence. *Exhibit #1, Exhibit #5*
3. The properties are located in a FR/Forestry Recreation Zoning District. *Exhibit #2*
4. A game preserve is a permitted use subject to special conditions in a FR/Forestry Recreation Zoning District. *Exhibit #3*
5. A special use permit is required for the ten-foot (10') fencing of a game preserve. *Exhibit #3*
6. The current game preserve properties are located at 11775 Fairgrieve Rd Johannesburg, MI 49751. *Exhibit #1, Exhibit #5*
7. The current properties total 280 acres. *Exhibit #4*
8. The proposed properties total 178.26 acres. *Exhibit #4*
9. The current and proposed properties are under the ownership of Ultimate Whitetails LLC. *Exhibit #4*
10. The applicant/owner, Paul Eckert, will represent Ultimate Whitetails LLC. *Exhibit #7*
11. Adjoining properties are zoned FR/Forestry Recreation and AR/Agricultural Resource and backs up to State land. *Exhibit #2*
12. The Public Hearing Notice was published in the Herald Times on January 15, 2021. *Exhibit #8*
13. The requirements of Article 27 of the Otsego County Zoning Ordinance have been met. *Exhibit #9, Exhibit #10*
14. All property owners within three hundred (300') feet were properly notified of the public hearing. *Exhibit #11*
15. The required fees have been collected by Otsego County Land Use Services. *Exhibit #12*
16. Otsego County Land Use Services has reviewed the request and found the documentation submitted in order. *Exhibit #3*
17. The Planning Commission has the authority to approve a special use permit after review per Section 19 of the Otsego County Zoning Ordinance. *Exhibit #3, Exhibit #14*

Exhibit 13

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ATTACHMENT 2:

**OTSEGO COUNTY
PLANNING COMMISSION**

**PZSU20-003
080-031-300-040-04
SPECIAL USE PERMIT**

SPECIFIC FINDING OF FACT

FINDINGS UNDER ARTICLE 19 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

SECTION 19.7 STANDARDS FOR SPECIAL LAND USE APPROVAL

The Planning Commission shall approve, or approve with conditions, an application for a special land use permit only upon a finding that the proposed special land use complies with all of the following standards:

19.7.1 The property subject to the application is located in a zoning district in which the proposed special land use is allowed.

HAS / HAS NOT BEEN MET

19.7.2 The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the county or the natural environment as a whole.

HAS / HAS NOT BEEN MET

19.7.3 The proposed special land use will not involve uses, activities, processes, materials or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.

HAS / HAS NOT BEEN MET

19.7.4 The proposed special land use will be designed, constructed, operated and maintained so as not to diminish the opportunity for the surrounding properties to be used and developed as zoned.

HAS / HAS NOT BEEN MET

19.7.5 The proposed special land use will not place demands on fire, police or other public resources in excess of current capacity.

HAS / HAS NOT BEEN MET

19.7.6 The proposed special land use will be adequately served by public or private streets, water and sewer facilities and refuse collection and disposal services.

HAS / HAS NOT BEEN MET

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19.7.7 If the proposed special land use includes more than 15,000 sq. ft. of impervious surface, then the storm water management system employed by the use shall **(i)** preserve the natural drainage characteristics of the site and enhance the aesthetics of the site to the extent possible, **(ii)** employ storm water disposal through evaporation and infiltration when reasonably possible, **(iii)** shall not discharge storm water directly to wetlands or surface waters unless there is no other prudent or reasonably feasible means of discharge, **(iv)** shall not serve to increase the quantity no rate of discharge leaving the property based on twenty-five (25) year storm criteria, **(v)** shall be designed using Best Management Practices identified by the DNR or its successor agency, and **(vi)** shall identify the party responsible for maintenance of the storm water management system.

HAS / HAS NOT BEEN MET

19.7.8 The proposed special land use complies with all specific standards required under this Ordinance applicable to it.

HAS / HAS NOT BEEN MET

SECTION 19.8 CONDITIONS

The Planning Commission may attach reasonable conditions to the approval of a special use permit. These conditions may include those necessary to ensure that public services and facilities affected by a proposed special land use will be capable of accommodating increased service and facility loads caused by the special land use, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all the following requirements.

19.8.1 Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed special land use, and the community as a whole.

19.8.2 Be related to the valid exercise of the police power, and purposes which are affected by the proposed special land use.

19.8.3 Be necessary to meet the intent and purpose of the zoning ordinance, be rated to the standards established in the ordinance for the special land use under consideration, and be necessary to insure compliance with those standards.

******* Motion made by Mr. Brown to approve special use permit PZSU20-004, allowing the expansion of the game preserve and the ten foot (10') fencing on parcel numbers 021-033-100-015-01 and 021-033-100-015-02 located in Charlton Township at 5353 Douglas Lake Rd and to include a revised site plan depicting items requested; Seconded by Mr. Maxwell.

Chairperson Hartmann requested further discussion; hearing none called for a roll call vote:

Ms. Corfis:	yes
Mr. Sanders:	yes
Mr. Scott:	yes
Mr. Marlette:	yes
Mr. Brown:	yes
Mr. Hilgendorf:	yes
Mr. Caverson:	yes
Mr. Maxwell:	yes
Mrs. Jarecki:	yes
Mr. Hartmann:	yes

Motion passes – Special Use Permit PZSU20-004 approved

Exhibit 14