



DEXTER TOWNSHIP

PLANNING COMMISSION

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RECORDING SECRETARY

REGULAR MEETING OF THE PLANNING COMMISSION Tuesday, July 28, 2015

Present: Tom Lewis, Chair; Tom Ehman, Vice-Chair; Bill Gajewski; Steven Burch; Marty Ruhlig, and Bob Nester.

Also present: Zach Michels, Director of Planning and Zoning (DPZ); and Kimberly Jordan, Recording Secretary.

Absent: Jeffery Dehring

1. **Call to Order** Mr. Lewis, called the meeting to order at 7:02 PM.
2. **Approval of Agenda** Motion by Mr. Gajewski, supported by Mr. Nester, to approve the agenda as submitted.

Motion carried 6-0.

3. **Public Comment** None

4. **Action Items**

- 1) **Public Hearing for (15-PC-166) Warm Fuzzies Preschool, request for Special Land Use-**

DPZ Michels noted that new revised site plans were received today from the applicant addressing concerns noted in the staff report and the review letters from the Township Engineer and the Dexter Area Fire Department.

DPZ Michels gave an overview of his staff report for (15-PC-166) Warm Fuzzies Preschool, dated July 17, 2015.

Mr. Ehman asked why do we permit special land uses in rural residence districts.

DPZ Michels replied that, the State of Michigan states that "we shall" allow this type of use as a special land use in a residential district. However, it has to meet the special land use criteria to be permitted.

Mr. Gajewski asked why we review special land uses before reviewing and addressing the site plan review.

DPZ Michels noted that the special land use approval helps with fitting in the criteria of what is permitted in the site plan.

Mr. Lewis opened the Public Hearing at 7:20 PM.

Mr. Lewis read into the record two letters submitted from Mr. & Mrs. Bochsler, dated June 22, 2015, and July 24, 2015.

Mr. Lewis explained that there is a degree of obligation from the Planning Commission to approve this type of use provided the appropriate standards have been met, both through the Township, and at the County and State levels.

Mr. Nester inquired on the significance of a traffic study.

DPZ Michels replied, per the Zoning Ordinance, this use is not significant enough to warrant a traffic study. We start to require a traffic study when the use exceeds a hundred trips a day.

Mr. & Mrs. Conger, the property owners, were unable to attend this evening's meeting.

Mr. Wilcox was present and available for comments on their behalf.

Mrs. Conger was available via speaker phone from Denver, Colorado.

Mr. Lewis asked Mr. Wilcox if he had anything he wanted to add and/or say.

Mr. Wilcox replied the he had nothing at this time. However he added that both he and the applicant appreciate the feedback from the commissioners and the comments from the public.

Luann Coy, 10729 Island Lake Road, Dexter- If there is a change in ownership, can the new owners increase in size.

Mr. Lewis replied, any change in size would have to come back to the Planning Commission for a complete new review.

Margaret Warden, 10740 Island Lake Road, Dexter - How would we know if the number of children increased and how is that monitored and by whom?

DPZ Michels noted that there are no provisions in our Zoning Ordinance that require us to monitor that condition of use for compliance. Our staff would rely on the neighbors to inform us, at which time we would further assess the situation and act accordingly. Whether the issue is handled at the Township level or there is State-level involvement, Zoning Ordinance violations will be addressed accordingly.

Dave Forbes, 10724 Island Lake Road, Dexter- Does the special land use run with the house/property when ownership changes.

Mr. Lewis replied, yes. The special land use runs with the land.

Mr. Forbes, Does this make it easier for the next owner to use it for another use other than its initial use now.

Mr. Lewis replied, no it does not make it any easier.

DPZ Michels reiterated again that any change of use with a new owner whatsoever would have to come back to the Planning Commission for a new review of that use.

Mr. Forbes, does the Township have any teeth (policing authority) to enforce compliance of any violations.

DPZ Michels, yes, it can be a long process at the Township level. However, if State requirements are violated, licenses can be pulled and the business would be shut down.

Jim Warden, 10740 Island Lake Road, Dexter- Pointed out that there is a large pond next to the property and feels it could be a safety issue with young children running around. He is also concerned about traffic safety.

Mr. Wilcox, noted that the applicant has given consideration to the pond. They have two rambunctious boys themselves and Safety is first and foremost for the applicant.

Stacey Forbes, 10724 Island Lake Road, Dexter- Inquired as to how many “No Parking” signs are they required, versus se widening the driveway.

DPZ Michels, eight at twenty four inches in height.

Mr. Burch, asked if the applicant has made any provision for recognizing snow days.

Mr. Wilcox, replied that they work and follow the same provision set in place as the Dexter School district calendar. This includes days off, teacher conferences, and snow days etc.

Mr. Gajewski, stated that a special land use is not a by right use; it is when the proposed activity meets a defined set of standards. The Planning Commissions’ position is to look at Article 16 which defines the general and specific standards that are require for a day care group home. Additionally, Article 7, which gives the Planning Commission the opportunity to enact conditions upon the use. He noted that these provisions take into account the concerns raised this evening from a residence neighbor of 27 years.

The Public Hearing concluded.

Commissioners discussed DPZ Michels draft resolution (15-PC-166) Warm Fuzzies Preschool.

A motion was made by Mr. Ehman, supported by Mr. Nester, to approve resolution for a Special Land Use Approval (15-PC-166) Warm Fuzzies Preschool, as amended.

Roll Call Vote:

Yes: Mr. Burch, Mr. Nester, Mr. Ehman, Mr. Ruhlig and Mr. Lewis

No: Mr. Gajewski

Absent: Mr. Dehring

Abstain: N/A

Motion carried 5-1.

2) Public Hearing for (15-PC-167) Warm Fuzzies Preschool request for site plan approval-

DPZ Michels gave an overview of his staff report for (15-PC-167) Warm Fuzzies Preschool, dated July 17, 2015.

Mr. Lewis opened the Public Hearing at 8:50 PM

Ms. Warden asked about the “No Parking” signs required by the Dexter Area Fire Department (DAFD).

DPZ Michels explained that the DAFD requested a 20-foot-wide drive way. It is the Township’s option to allow less. The applicant has been given the option of posting “No Parking” signs in lieu of widening the driveway.

Mr. Warden asked how many signs in total including the eight no parking.

DPZ Michels said there would be three on Island Lake one each at the egress and ingress sites making that a total of eleven signs.

Ms. Forbes asked if they could paint no parking directly on the driveway pavement. Noting that eight signs would be obtrusive and possibly a trip hazard for those entering and exiting their vehicles.

DPZ Michels noted that the Commissioners have the option of placing such a condition.

Mr. Lewis closed the Public Hearing at 9:03 PM

Commissioners discussed DPZ Michels draft resolution (15-PC-167) Warm Fuzzies Preschool

A motion was made by Mr. Gajewski, supported by Mr. Burch, to approve resolution for a Preliminary and Final Site Plan Approval (15-PC-167) Warm Fuzzies Preschool, as amended.

Roll Call Vote:

Yes: Mr. Burch, Mr. Nester, Mr. Gajewski, Mr. Ehman, Mr. Ruhlig and Mr. Lewis

No: None

Absent: Mr. Dehring

Abstain: N/A

Motion carried 6-0.

Staff reports and all other supporting documents regarding the above agenda items can be obtained at the Township hall during normal business hours. Additionally, these documents are available on the Townships website: www.dextertownship.org and can be viewed on new.livestream.com/dextertownship.org.

5) Approval of Planning Commission Meeting Minutes –

Motion by Mr. Nester, supported by Mr. Gajewski, to approve the meeting minutes of June 23, 2015 as amended with minor text revisions.

Motion carried 6-0.

6) Election of Officers- No action

7) Township Board of Trustees Update –

July 21st, 2015, Regular Meeting of the Township Board of Trustees.

2015 Millage Rates:

The Board approved a resolution to set the 2015 Dexter Township millage rates which by law must be set prior to September 30th of each year. The annual millage reduction fraction (i.e., the "Head lee" rollback fraction) is used to establish millage rates at a lawful level for the year.

2015 Dexter Township millage rates were set at:

- 0.8065 mills for Allocated General Operating
- 1.6952 mills for Voted Fire Services
- 1.4545 mills for Voted Police Services
- 0.9972 mills for Voted Fire Sub-Station Construction

New Micro Brewer License:

The Board approved a resolution to recommend approval of a New Micro Brewer License (in addition to the current Small Wine Maker License) for Rebel Jack, LLC, 6284 Dexter Town Hall Road, and direct Township Clerk to send the recommendation to the Michigan Liquor Control Commission.

Ordinance Enforcement Officer:

The Board appointed Sharon Stone as the new Dexter Township Ordinance Enforcement Officer effective August 10th at a starting pay commensurate with approved Township pay schedule for entry level Ordinance Enforcement Officer.

Ms. Stone has a background in law enforcement and is currently a law enforcement officer for Genoa Township.

Fire Sub-Station Self Financing: A conclusion was reached by the Executive Committee & the Auditor that self-funding the Fire Sub-Station by providing loans & subsidies from the other township funds will save substantial interest costs without negatively impacting the funds from which transfers are made.

Thus the Board approved a resolution for internal financing of the Fire Substation along with repayment schedule, debt recovery plan and to amend Fiscal Year 2015/2016 General Fund, Fire Services Fund, and Police Fund budgets.

Fire Sub-Station Update:

Structural Steel was delivered on Monday, July 6th at a cost of \$144,695 and should be completed by July 25th. There was a two week delay due to weather impacts proposed occupancy is slated for the end of October or mid-November.

Respectfully Submitted,
Bill Gajewski, Township Board Representative

8) Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary-

DPZ Michels gave an up-date on the following:

-Hartman Farms storm water issues have been addressed and two new single-family house permits have been issued.

-The Zoning Ordinance Review Committee (ZORC) has discussed and will continue to discuss when they reconvene in September the review of site plans, including whom and to what degree of submission and review should be given.

-Intern Mike Auerbach has been a great help in cleaning up neglected violations and outstanding permit status.

DPZ Michels gave an overview of the progress and the outstanding items that were outlined in his Planning Commission 2015/2016 Work Plan.

9) Public Comment – None

10) Review of Bylaws – No Action.

11) Future Agenda Items –

Tuesday, August 25, 2015

To be determined

Adjournment – Mr. Lewis declared meeting adjourned at 9:48 PM

Respectfully submitted,

Kimberly Jordan, Recording Secretary

Jeffrey Dehring, Secretary