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Stephen Gobbo
Vice-Chair
Bruce Keilen
Secretary
Dale Dailey
Commissioners
Max Calder, Trustee
Kimberly Smelker
Marsha Zimmerman
Jason Flower
Theresa Shively
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PLANNING COMMISSION MEETING MINUTES
MONDAY, DECEMBER 6, 2010
7:00 p.m.

The regularly scheduled meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 p.m. by Chairman Gobbo.

The Pledge of Allegiance to the Flag was said by those present.

ROLL CALL by Commissioner Smelker (in absence of Secretary Dale Dailey).

MEMBERS PRESENT: Bruce Keilen, Steve Gobbo, Kim Smelker, Marsha Zimmerman, Tim Fair and Trustee Max Calder.

MEMBERS ABSENT: Dale Dailey (with notice), Jason Flower (with notice)

RESIGNATIONS: Theresa Shively

ALSO PRESENT: Township Planner Jim Foulds, Community Development Director Richard Trent, Township Manager Rodney Taylor, Township Engineer Gary Arnold, and Recording Secretary Linda Parkinson.

APPROVAL OF AGENDA: **Keilen moved to approve the Agenda as presented. Supported. MOTION CARRIED.**

APPROVAL OF MINUTES: **Fair moved to approve the minutes of the November 1, 2010 Regular Meeting as printed. Supported. MOTION CARRIED.**

CORRESPONDENCE: The resignation of Commissioner Theresa Shively was received and noted.

PUBLIC COMMENTS: None.

NEW BUSINESS:

I. PUBLIC HEARING - Request for Special Use Permit 10-990003 from DeWitt Charter Township to allow the construction of a public wastewater lift station and appurtenances on

vacant property located at 13233 Willow Grove Drive, DeWitt, MI 48820, Lot #1 of Heritage Woods Subdivision, in Section 16 of DeWitt Charter Township.

A. Open Public Hearing. Calder moved to open the Public Hearing at 7:05 p.m. Supported. MOTION CARRIED.

B. Administrative Comments/Applicant Comments/Public Comments

Township Planner Jim Foulds briefly reviewed staff's report dated December 1, 2010 pointing out the proposed site location. The applicant is requesting approval to allow the construction of a public wastewater lift station and appurtenances on vacant property located at 13233 Willow Grove Drive, DeWitt, MI, Lot #1 of Heritage Woods Subdivision, in Section 16 of DeWitt Charter Township. Approval of the request would permit the relocation of the existing lift station 504 which is currently located nearby in the right-of-way and in front of Lots 87 and 88 of Walnut Estates No. 4 Subdivision.

Foulds further advised that notification of the request was sent to local reviewing agencies. No substantial comments were received. However, the Mid-Michigan District Health Department (MMDHD) did advise that residential water wells must be at least fifty (50) feet from the proposed sewage lift station.

Foulds indicated the surrounding land uses; zoning designations and future land use designations (see staff report). The site is zoned R4 (Residential Single and Two-Family) which permits public service installations by Special Use Permit request.

In closing, Foulds advised that Manager Taylor is present for questions and will be providing a brief presentation regarding the request.

Rodney Taylor, Manager, DeWitt Charter Township, advised that the waste water treatment plant, Southern Clinton County Municipal Utility Authority (SCCMUA), is owned by five jurisdictions in order to be cost effective. However, the collection systems are individually owned. In October of 2009, the Township Engineering firm, C2AE, completed a Capital Improvement Plan that concluded the existing pump station 504 has experienced substantial corrosion and recommended it be replaced.

Taylor further advised that the current location is not an option for the replacement station due to lack of space on the existing site. There is not sufficient area to maintain the existing station as the new station is being built. The Township explored the option of three (3) different sites. Constraints exist on two (2) of the three (3) sites due to a gas main easement and construction costs. Therefore, the proposed site (Lot #1 of Heritage Woods) was chosen.

Taylor advised that the owner of the proposed lot, Eastbrook Homes, Inc., expressed interest in selling the lot to the Township. However, they have several other vacant lots in the vicinity and wish to insure that the proposed lift station does not affect the value of the surrounding properties.

Taylor noted that the Township sent out notices to property owners within 300 feet of the proposed site and held an informational meeting on August 5, 2010. There were eleven (11) households represented out of the approximately thirty (30) that were noticed. The residents were able to provide comments and suggestions related to buffering and screening of the site. After the proposed site plan was provided to surrounding property owners, comments were received requesting more plantings and a colored vinyl fence.

Keilen questioned if a timeline was in place for this proposed project.

Gary Arnold, Township Engineer, C2AE, 725 Prudden Street, Lansing, MI 48906, advised that a start date for the project would be approximately mid June of 2011 and would hope to be completed by late October of 2011.

Gobbo questioned how big of a radius would include potential sites from an engineering standpoint.

Arnold advised that extension of sewer lines can cost up to \$150.00 per foot. Therefore, considering a proposed site that is too far from the existing site would be quite cost prohibitive. In addition, topography is also a factor as the flow of gravity needs to be in the direction of the wastewater plant. The Township considered a vacant lot northwest (Lot #25) of the proposed site, however extension of sewer pipes would also be cost prohibitive (approximately \$500.00 per foot) and dangerous to construct a sewer line below an existing gas line.

Gobbo questioned what the total cost would be for the project as proposed on Lot #1 as opposed to another vacant lot in the vicinity (Lot #25).

Arnold advised the project as proposed on Lot #1 would cost approximately 1 million dollars. To construct the facility on Lot #25 would cost 20% more or an additional \$250,000 dollars due to the existing gas line that they would have to extend sewer lines underneath.

Brief discussion followed regarding the fact that the MMDHD requires that the proposed sewage lift station must be at least fifty (50) feet from any residential water wells.

Calder noted that the existing station was built prior to homes being built in the area. Now that there are homes in the area the Township is trying to construct the new station in a way that would be the least intrusive to the surrounding homes by using berms, landscaping and fencing that would be aesthetically pleasing.

Smelker questioned if the existing pump station site would be restored.

Taylor advised that everything would be removed to approximately three (3) feet below ground level and restored. The plantings would remain.

Hearing no further questions or comments from Commissioners, Gobbo invited public comments.

Alicia Nordmann, 13242 Willow Grove Drive, DeWitt, MI 48820, stated she was unable to attend the informational meeting on August 5, 2010 as she was out of town. She noted that her home is directly across the street from the proposed site. She stated that they purchased their home in a platted subdivision with the understanding that they would be surrounded by other residences. She expressed concern with the negative impact on her property value should a sewer pump station be constructed across the street from her home. She expressed opposition to chain link or vinyl fencing being placed around the proposed structure. If anything, she would prefer brick which would match the exterior of the homes in the area. Ultimately, she would rather see the facility constructed on Lot #25 so that her house does not face a sewer lift station.

Tammy Stevens, 13269 Willow Grove Drive, DeWitt, MI 48820, stated she attended the informational meeting held on August 5, 2010. During the meeting, it was suggested that the current station be kept functional by using generators and bypass pumping while constructing

the new unit on the same property. It was mentioned that it would be possible but costly. She never received an answer on how costly it would be. The proposed site is at one of the main entrances to Heritage Glen Subdivision. For that reason, vinyl or chain link fencing should not be an option for screening. She agrees with Ms. Nordmann that brick should be used. She is opposed to the proposed location but if it must be placed there it should be well bermed and screened.

In response to Ms. Stevens' comments, Taylor advised that generators and pumps could be used on the current site. However, this would involve at least four (4) generators running non-stop for approximately four (4) months at a cost of \$60,000 per month. Additional easements may also need to be obtained from the property owners which could be problematic.

In closing, Taylor stated that the Township is certainly open to alternative screening and buffering that would be more aesthetically pleasing. His impression of the public sentiment is that most residents are not pleased with the proposed project; however, they are willing to work with the Township to reach a mutual agreement for effective screening.

Discussion followed regarding the possibility of enclosing the pump station with a utility building. It was decided it would be too costly (\$60,000 to \$80,000). In addition, a large enclosure could draw more attention to the site rather than fencing and landscaping.

Gobbo suggested a higher berm on the lower west side of the site with plantings in order to better screen the site from the Nordmann home. Perhaps some conceptual drawings would be helpful.

Discussion followed regarding similar pump stations within the Township that could be used as an example of types of screening

Nordmann stated she felt the vacant lot to the north of her property (Lot #25) seemed to be a better option due to the fact that it is wooded and irregularly shaped.

Gobbo reiterated the cost and safety risks involved with utilizing Lot #25.

Arnold noted that the plantings used would be the largest available species in mid-Michigan but would not be fully grown. Secondly, there is room on the proposed landscaping plan to add more vegetation for further screening.

Stevens requested that the Township keep discussions open with area residents regarding adequate screening of the proposed site.

C. Close Public Hearing. **Fair moved to close the Public Hearing at 8:10 p.m. Supported. MOTION CARRIED.**

D. Discussion and possible action by Planning Commission.

Keilen moved to recommend to the Board of Trustees approval of Special Use Permit 10-990003 from DeWitt Charter Township to allow the construction and operation of a public service installation to include the relocation of lift station 504, subject to the following conditions:

1. That the requirements of all public agency reviews be complied with.

2. **That the existing landscape plan, as submitted with application materials, represents the approved landscape plan for the proposed use, to include a determination by the applicant if additional landscape berming and/or brick wall screening are required along the westerly frontage.**
3. **That the site plan submitted with the application materials represents the approved final site plan for the proposed use.**

Supported.

Calder stated it is unfortunate that the proposed site is near residences. However, the public facility is necessary and the proposed site is most feasible because it is nearest to the existing pump.

Gobbo pointed out that safety issues exist related to using another vacant lot in the vicinity (Lot #25) due to a large gas main being in the area. He reminded the public that the Planning Commission is a recommending body to the Board of Trustees. The Board will consider this recommendation at their meeting on Monday, December 13th and render a decision.

ROLL CALL vote on motion:

AYES: 6 NAYS: 0 ABSENT: 2 (Dailey, Flower)
VACANCY: 1 (Shively)

MOTION CARRIED.

II. PUBLIC HEARING - Proposed Ordinance Amendment 60.75 for the regulation of Wind Energy Conversion Systems (WECS). Adoption of the regulations will amend the DeWitt Charter Township Zoning Ordinance 60 to provide for the definition of, and the safe and effective, and efficient regulation of small and large wind energy conversion systems. This amendment will amend Chapter XVII "Definitions" and create a new Section 6.6 for Wind Energy Conversion Systems.

- A. **Open Public Hearing. Keilen moved to open the Public Hearing at 8:28 p.m. Supported. MOTION CARRIED.**
- B. **Administrative Comments/Applicant Comments/Public Comments.**

Foulds briefly reviewed staff's memorandum dated December 2, 2010 and provided an informative presentation with visual pictures to assist in comparing height of WECS systems to residential homes, barns, etc. The maximum height of WECS allowed is 110 feet in the commercial or industrial Zoning districts, 70 feet in the office district and 45 feet in a residential district.

In closing, Foulds advised that the proposed Ordinance Amendment adequately regulates Wind Energy Conversion Systems at this time. He pointed out that the technology is ever changing, which may require future amendments. He noted that the proposed Ordinance Amendment does not speak to utility grade WECS, such as the kind that would be used on wind farms. DeWitt Township is not located within a critical wind area that would support such a use.

Keilen stated the proposed Ordinance Amendment is a good working document to have in place. He would like to see it move up to the Board level for their consideration.

Several Commissioners concurred with Keilen's comment.

There was no public present at this time.

- C. Close Public Hearing. **Hearing no public comments, Fair moved to close the Public Hearing at 8:40 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

Keilen moved to recommend to the Board of Trustees approval of Ordinance Amendment 60.75 for the regulation of Wind Energy Conversion Systems (WECS) to amend the DeWitt Charter Township Zoning Ordinance 60 to provide for the definition of, and the safe and effective, and efficient regulation of small and large wind energy conversion systems. This amendment will amend Chapter XVII "Definitions" and create a new Section 6.6 for Wind Energy Conversion Systems. Supported.

ROLL CALL vote on motion:

AYES: 6 NAYS: 0 ABSENT: 2 (Dailey, Flower)

VACANCY: 1 (Shively)

MOTION CARRIED.

UNFINISHED BUSINESS:

I. Comprehensive Development Plan Update.

A. Mixed Use Policies (Discussion)

There was discussion regarding the incorporation of mixed land use options within the various existing zoning districts for the purpose of prompting economic vitality and to contribute to redevelopment. This could be accomplished by allowing mixed land uses by Special Use Permit, create separate mixed use zoning districts or create an overlay zone. The three (3) areas within the Township where mixed land uses would be desirable are the South Central Area, the northeast portion of the I-69 Interchange area and individual parcels along the S. US 27 BR corridor.

Foulds advised if the Commission desires to implement any or all of the options discussed, it would be necessary to amend the Comprehensive Development Plan that establishes the policy for mixed land uses. In addition, he suggested the Commission consider taking a field trip for the purpose of looking at some mixed use developments in the Lansing region and other areas in southeast Michigan.

Discussion followed regarding the fact that industrial areas should not be allowed to be combined or near residential areas.

Trent pointed out a few locations within the Township where a mixed land use area/overlay may be desirable.

It was the consensus of the Planning Commission that they explore existing mixed land use developments and then proceed with further discussion.

B. Critical Area Land UDL Policy (east of Clark Corners)

Trent reviewed a potential future redevelopment project and shared a conceptual drawing for the area near the northeast corner of Clark Road and S. US 27 intersection.

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Trustee Calder gave a brief report on business conducted and action taken at the regularly scheduled Board of Trustees meetings held on November 8, 2010 and November 22, 2010.

II. Zoning Board of Appeals:

Gobbo gave a brief report on business conducted and action taken at the regularly scheduled Zoning Board of Appeals meeting held on Wednesday, November 17, 2010.

III. Committees:

Trent gave a brief report on the second meeting of the Transportation Access Management Plan Steering Committee held on Thursday, December 2, 2010.

IV. Staff: None.

DISCUSSION: None.

ADJOURNMENT: **Fair moved to adjourn the meeting at 9:35 p.m. Supported. MOTION CARRIED.**

Linda K. Parkinson, Recording Secretary



Dale Dailey, Secretary