

**Chair**  
Stephen Gobbo  
**Vice-Chair**  
Bruce Keilen  
**Secretary**  
Kimberly Smelker  
**Commissioners**  
Steve Musselman, Trustee  
Dale Dailey  
Marsha Zimmerman  
Tim Fair  
Adam Bertram  
Kristen Krol



1401 W. Herbison Road  
DeWitt, Michigan 48820  
Phone 517.669.6576  
Fax 517.669.6496  
[www.dewitttownship.org](http://www.dewitttownship.org)

**Community Development Director**  
Richard M. Trent

**Township Planner**  
Jim N. Foulds

**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION MINUTES**  
**MONDAY, DECEMBER 5, 2011**  
**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 Secretary Smelker.

**MEMBERS PRESENT:** Bruce Keilen, Kristen Krol, Adam Bertram, Dale Dailey, Tim Fair, Steve Gobbo, Kim Smelker, and Trustee Musselman.

**MEMBERS ABSENT:** Marsha Zimmerman.

**APPROVAL OF AGENDA:** **Fair moved to approve the Agenda. Supported. MOTION CARRIED.**

**APPROVAL OF MINUTES:** **Fair moved to approve the minutes of the November 7, 2011 Meeting as printed. Supported. MOTION CARRIED.**

**CORRESPONDENCE:** Notice of Intent to Amend the Eaton County Master Plan was received and noted by the Planning Commission.

**PUBLIC COMMENTS:** None.

**UNFINISHED BUSINESS:**

- I. Request for Special Use Permit 11-990006 from Wood Street Park Development, LLC** to allow the applicant to develop a recreational vehicle park with recreation areas and two (2) ponds on an approximately 53 acre site located at 14400 Wood Road, Lansing, MI 48906, north of Stoll Road, south of Clark Road, east of Boichot Road, west of Wood Road, in the northeast ¼ of Section 22 of DeWitt Charter Township. **Note: No Action will be taken. Discussion on staff's memorandum related to Public Hearing comments made at the November 7, 2011 meeting.**

**Chairman Gobbo removed Request for Special Use Permit 11-990006 from the table to allow discussion.**

Chairman Gobbo advised that no decision will be made on Request for Special Use Permit 11-990006 at this meeting. Staff will be presenting information related to Public Hearing comments and questions related to the request.

Foulds reviewed staff's memorandum dated November 30, 2011 providing a summary of Planning Commission and citizen comments and questions raised during the November 7, 2011 public hearing. He advised that the objective for the Commission tonight is to review this information and advise if any additional items should be added. The intent is to divide the questions/concerns up between the applicant and staff so that a response can be prepared for the next meeting to be held in January 2012. At that time the Commission could potentially make a recommendation to the Board of Trustees.

Brief discussion followed regarding the fact that the Commission's duty is to consider the land use proposed by the applicant and to determine how appropriate the uses would be for the subject site. It is not the Commission's duty to determine whether the proposed use is viable or would be profitable.

Gobbo noted that the action by the Planning Commission is a recommendation to the Board of Trustees who will make the final decision on whether to approve or deny the request for a Special Use Permit.

Dailey noted that the specifics regarding landscaping, access, etc. are items that would be more appropriate to discuss at the time of Site Plan Review. However, some amount of information would be helpful in order to determine if the proposed use would be harmonious with the surrounding uses.

Gobbo invited the applicant to speak.

Alex Coss, 7880 Circle Drive, Laingsburg, MI 48848, representing the applicant, confirmed that he has received the list of questions related to the comments made at the Public Hearing in November. It is his intent to provide adequate answers to those questions at the next meeting in January. Hopefully, at that time the Planning Commission will be able to make a recommendation on the request.

Gobbo invited the public to provide comments that would add new information not expressed at the Public Hearing held in November.

Rebecca Stimson, 1841 E. Clark Road, Lansing, MI 48906, thanked the Planning Commission for taking the time to address the questions and concerns of the community. Stimson spoke in support of the completion of the golf course. However, she expressed concerns with the proposed RV park not being harmonious with the surrounding rural residential area. She noted concerns with ground water and waste water regulations. In closing, she questioned what would happen to the site should the proposed use not be viable.

Gobbo reiterated the Planning Commission is considering whether the proposed use is appropriate for the area, not whether the use would be viable or profitable to the applicant.

Faye Hagy, 1745 E. Clark Road, Lansing, MI 48906, expressed appreciation for the Planning Commission listening to the questions and concerns expressed by the public. She noted Section 7.4.3 of the Zoning Ordinance which states the proposed use must be considered harmonious with the DeWitt Township Comprehensive Plan, as well as the character of the area in which it is proposed. Hagy questioned if the Township would consider granting a tax abatement for the project. In closing, she advised that there are many long time residents in the surrounding area who respect and cherish their neighborhood. The community is not against development. They simply ask for a project that does not change the character of the area.

Lenore Ojibway, 14183 Wood Road, Lansing, MI 48906, stated her home is directly across from the entrance of the golf course. She expressed concern with water contamination.

Mary Swanson, 608 W. Geneva Drive, DeWitt, MI 48820, stated she just served six years on the Planning Commission for the City of DeWitt. She reminded the Commission that a Special Use Permit allows the Township the latitude to place conditions on the property.

**Fair moved that no action be taken on Request for Special Use Permit 11-990006 until the January 3, 2012 meeting to allow staff and the applicant adequate time to address questions and comments raised at the November 7, 2011 meeting and the December 5, 2011 meeting. Supported. MOTION CARRIED.**

**II. PUBLIC HEARING - Request for Special Use Permit 11-990007 from Brandino Properties, LLC**, for property located at 1754 E. Clark Road, Lansing, MI 48906 (former Gunnisonville Elementary School), on the south side of E. Clark Road, west of Wood Road, east of S. US 27, in the northeast ¼ of Section 22 of DeWitt Charter Township, to be allowed to provide the following uses: Professional Office use; Pre-School and Child Care Center; Senior Assisted Living Facility; Recreational Facilities (Sports & Fitness Activities); Religious Institutions (Churches); Educational Institutions (Schools, Public/Private Educational Programs such as, but not limited to, Dance, Gymnastics, Yoga, and General Academic Instruction); and Accessory Uses (uses which are secondary or subordinate to any land use which is either Permitted by Right or by Special Use Permit and not considered a principal use) on the subject property such as the use of kitchen facilities for any of the above proposed uses.

**A. Open Public Hearing. Fair moved to open the Public Hearing for Special Use Permit 11-990007 from Brandino Properties, LLC. Supported. MOTION CARRIED.**

**B. Administrative Comments/Applicant Comments/Public Comments.**

Township Planning Consultant Jim Foulds briefly reviewed staff's memorandum dated December 1, 2011 pointing out the location of the site. The applicant is requesting six (6) land uses (see above) that are potentially allowed within the A (Agricultural) Zoning District. The site consists of an existing building (former Gunnisonville Elementary School) on a 7.5 acre site.

Foulds advised the purpose of the Public Hearing is to determine whether the proposed uses are appropriate for the subject site. Each use within the building will be reviewed for Zoning Compliance, with the exception of the proposed senior assisted living facility which would be required to go through the Site Plan Review process.

Musselman asked staff to provide examples of allowed "accessory uses" and any that may be excluded.

Foulds advised that some allowed accessory uses would be related storage or cooking facilities. Basically, anything that would be incidental the principal use. The Township would have the authority to further define accessory uses allowed that would be related to the primary use. The current definition of "Accessory Use" is very broad.

Gobbo noted this site abuts the proposed area for the RV park being considered under Unfinished Business Item I. The surrounding zoning consists of A (Agricultural), with

the exception of R3 (Residential Single Family) to the west. The surrounding Future Land Use designations consist of SF-M (Single Family Medium Density), with the exception of A (Agricultural) to the north.

Gobbo invited the applicant to speak.

Tim Brannan, 11685 Prestle Court, DeWitt, MI 48820, stated he is partners with Robert Baldino. They formed the company of Brandino Properties, LLC. When they heard the proposed site was for sale they felt it would be an excellent site for an adult assisted living facility, as well as additional community oriented uses such as a preschool and recreational facility.

Fair questioned if the applicant has developed any other properties.

Brannan stated he owns a commercial building in Downtown DeWitt, as well as a storage facility in the City of Mt. Pleasant.

Musselman questioned if the applicant was aware of occupancy rates in other senior assisted living facilities in the area.

Brannan advised similar facilities in the area have a waiting list.

Gobbo asked what type of services the applicant was considering that would be ancillary to the senior assisted living facility.

Brannan stated they intended to use the kitchen facilities. They have not yet considered in house cosmetology, transportation or medical care.

Musselman encouraged the applicant to tour a similar facility within the Township called Prestige Pines on Solon Road.

Bertram encouraged the applicant to tour the Grand Haven assisted living facility in St. Johns that has been used as a model all over the state.

Gobbo read into the record a correspondence dated December 2, 2011 from Alta Reed (see attached). He noted another concern mentioned is the existing advertisement signage in front of the site prior to any of the requested uses being approved.

Brannan advised that the childcare center, preschool and senior assisted living facility are currently allowed. However, to expand the uses a Special Use Permit is required.

Gobbo noted it is the State regulations that determine occupancy numbers that trigger the need for a Special Use Permit.

Fair questioned how quickly the applicant would move forward if the request were approved by the Board of Trustees.

Brannan advised he has financing in place and they are ready to move forward if the request is approved.

Keilen asked if the subject site had been checked for any existing well issues.

Brannan advised the well water has been tested and determined to be potable. In addition the septic system has been determined to be more than adequate.

Hearing no further Commissioner questions, Chairman Gobbo invited the public to speak.

Mark Schlegel, 16527 Wood Road, Lansing, MI 48906, commended the applicant for their proposed use of the property. He requested, as the owner of the adjoining property to the west of the site, that the applicant maintain the existing fencing on the western property line of the site. In addition, he would like to make sure the uses allowed would not impact any future plans he may have for his property.

Lenore Ojibway, 14183 Wood Road, Lansing, MI 48906, stated she is in favor of an intergenerational facility. However, she expressed concerns that the proposed recreational uses may generate a very high volume of usage for the facility.

Bruce Omundson, 1052 Wild Turkey Lane, Lansing, MI 48906, expressed concern with the number of different uses being proposed. He suggested the applicant tour the Rosewood Adult Foster Care facility on Webb Road.

Rebecca Stimson, 1841 E. Clark Road, Lansing, MI 48906, spoke in support of the proposed senior assisted living facility. She expressed concern with potential commercial uses being off from the S. US 27 corridor.

Gobbo noted the Future Land Use Map designation in the vicinity of the site are residential and agricultural. He further noted there are no public utilities in the area.

Faye Hagy, 1745 E. Clark Road, Lansing, MI 48906, stated she is happy to see the former school being utilized. She expressed concern with commercial uses since the site is located in a residential area. In closing, she submitted seven questions for consideration (see attached).

John Headley, 1714 E. Stoll Road, Lansing, MI 48906, stated he is a Trustee at Gunnisonville United Methodist Church. At one time, the church explored the option of purchasing the subject site. They decided against it because a Lansing School District employee told them the well water was contaminated with an arsenic level above that recommended for the consumption of children.

- C. Close Public Hearing. **Hearing no further public comments, Fair moved to close the Public Hearing at 8:15 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

Musselman noted the concern that the property may become commercial in nature rather than a facility for all ages to enjoy. He suggested perhaps language could be

placed in the Special Use Permit to limit commercial activity that may be considered excessive in nature.

Foulds reviewed the definition of “Accessory Use” in the Zoning Ordinance and advised the Planning Commission could certainly insert language that would make the definition more specific.

**The Planning Commission recommend to the Board of Trustees that they approve Special Use Permit 11-990007 from the Brandino Properties LLC to operate a former elementary school at 1754 East Clark Road as a mixed use facility to potentially contain professional offices, pre-school and child care center, senior assisted living facility, recreational facilities, religious institutions, educational institutions, and associated accessory uses on a 7.50 acre site. Approval is recommended on the following basis:**

- 1. Upon compliance with the conditions of the Special Use Permit, the applicant will comply with the site plan review standards listed in Chapter VII of the DeWitt Charter Township Zoning Ordinance to include review and approval of the final site plan by the DeWitt Charter Township Planning Commission for any new structural building addition.**
- 2. That the standards of the Basis for Determination listed in Section 7.4.3 and Sections 5.4.4 26) of the DeWitt Charter Township Zoning Ordinance have been met.**
- 3. That the requirements of the DeWitt Charter Township Fire Department concerning compliance with appropriate Fire Code standards, appropriate fire equipment access including access to the existing on-site water tank, as well as provision of a Knox Box at the front door of the facility be met.**
- 4. That the requirements of the Clinton County Drain Commissioner be complied with to include the construction of new building additions on the site.**
- 5. That the applicant obtain from the Mid Michigan District Health Department the appropriate reviews and permits for the on-site sewerage system and water well system.**
- 6. That the Special Use Permit issued by DeWitt Charter Township be limited to the following list of land uses:**
  - A. Professional Office Uses**
  - B. Pre-School and Child Care Centers**
  - C. Senior Assisted Living Facility**
  - D. Recreational Facilities (Sports and Fitness Activities)**
  - E. Religious Institutions (Churches)**
  - F. Educational Institutions (Schools, Public/Private Educational Programs such as but not limited to Dance, Gymnastics, Yoga, and General Academic Instruction)**

**G. Accessory Uses shall relate to the previously described special uses A through F, as defined in Chapter XVII of the DeWitt Charter Township Zoning Ordinance**

- 7. That the requirements of Section 3.3, Zoning Compliance Certificates, regulate the land uses proposed for the interior of the existing structure.**
- 8. That the existing fencing on the west side of the property be preserved and maintained.**

**Supported.**

**ROLL CALL vote on motion:**

**AYES: 8 NAYS: 0 ABSENT: 1 (Zimmerman)**

**MOTION CARRIED.**

**EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Lenore Ojibway, 14183 Wood Road, Lansing, MI 48906, wished everyone a very Merry Christmas.

**REPORTS:**

**I. Trustee:**

Trustee Musselman gave a brief report on business conducted and action taken at the previously held Board of Trustees meetings.

**III. Zoning Board of Appeals:**

Gobbo gave a brief report on business conducted and action taken at the Zoning Board of Appeals meeting held on Wednesday, November 16, 2011.

**III. Committees: None.**

**IV. Staff:**

Brief discussion regarding the Planning Commission meeting dates for 2012 and whether the January 3, 2012 meeting and the July 2, 2012 meeting should be rescheduled, due to the possibility of some Commissioners being out of town for the holidays.

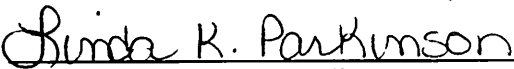
Staff was directed to send a Meeting Wizard notice to determine the availability of Commissioners for alternate dates.

**DISCUSSION:**

Community Development Director Rich Trent advised that the Board of Trustees will hold only one meeting this month on December 12, 2011. Therefore, the recommendation made on Request for Special Use Permit 11-990007 from Brandino Properties, LLC will be considered at that time.

ADJOURNMENT:

**Krol moved to adjourn the meeting at 8:45 p.m. Supported. MOTION CARRIED.**

  
Linda K. Parkinson, Recording Secretary

  
Kim Smelker, Secretary