

**Chair**  
Tim Fair  
**Vice-Chair**  
Bruce Keilen  
**Secretary**  
Linda Parkinson-Gray  
**Commissioners**  
Trustee Fedewa  
Dale Dailey  
Adam Bertram  
Erika Hayes  
Abby Lorenzen  
Mike Nolen



**Community Development Director**  
Brett C. Wittenberg

**Planner**  
Vacant

**Recording Secretary**  
Kelli Furgason

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## PLANNING COMMISSION MINUTES

**TUESDAY, SEPTEMBER 6, 2022**  
**7:00 p.m.**

*Public may choose to attend in person or listen at the phone number below.*

**Meeting Dial-In: (623) 600-3750**  
**PIN: 346832**

*The call will be muted to reduce interference with proceedings. The public will be invited to make comments during the public comment sections of the meeting as well as before any vote. If you desire to comment, you will be invited to dial 5\* so that we can unmute your line. Please contact the Planning Department at (517) 669-6576 with any additional questions.*

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

The Pledge of Allegiance was said by those present.

ROLL CALL by Secretary Linda Parkinson-Gray.

**MEMBERS PRESENT:** Betram, Dailey, Fair, Fedewa, Keilen, Lorenzen, Nolen, and Parkinson-Gray.

**MEMBERS ABSENT:** Hayes.

**APPROVAL OF AGENDA:** Chairman Fair suggested an amendment to the agenda to start with New Business and then move on to Unfinished Business.

**Keilen moved to approve the meeting Agenda with the amendment. Supported by Lorenzen.**

**AYE Vote on the motion:**

**AYES: 8    NAYS: 0    ABSENT: 1**

**MOTION CARRIED**

APPROVAL OF MINUTES: **Lorenzen moved to approve the August 1, 2022 minutes as presented. Supported by Fedewa.**

**AYE Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

CORRESPONDENCE: None

PUBLIC COMMENTS: None

NEW BUSINESS:

- I. **Site Plan Review #22-150007 from Classic Pool and Spa** – for the construction of a 3,168 square foot dry storage post framed addition. The subject site is located at 12455 S. US 27, on the east side of S. US 27, north of Webb Road, south of Dill Road, in the southwest ¼ of the northwest ¼ of Section 10 of DeWitt Charter Township (Parcel #050-010-200-055-00).

Community Development Director, Brett Wittenberg, stated that a request for Site Plan Review was submitted by Classic Pool and Spa for an approximately 3,167 sq ft dry storage addition to the existing building.

Wittenberg stated that the applicant originally requested a variance for a detached pole barn that would encroach into the required side and rear setbacks. The Zoning Board of Appeals denied the request. At that time staff offered to work with the applicant if their new plan met the ordinance requirements.

Wittenberg noted that the drive entrance is not a public road, it is a non-exclusive easement to both The Draft House and Classic Pool and Spa which meets setback requirements.

In regards to landscaping, the applicant has only proposed one ornamental tree and four shrubs along the north side. The applicant has indicated to staff that they will do whatever they can to come into compliance more. From staff's perspective it will be difficult to meet the requirements on the north side due to existing site conditions, along Old 27 they have site constraints with overhead power lines. The applicant has indicated that they will work with staff and the Planning Commission to come up with landscaping that meets the intent of the Ordinance. The area to the east is heavily vegetated and currently zoned agricultural with the Future Land Use Map showing it at Community Commercial. The primary area of concern is to the south where there is an existing residence.

Wittenberg reviewed the proposed site plan and noted that the addition will be off the back of the building and there will be customer parking in the front and employee parking in the back. The applicant has noted that the reason for this addition is that they have had supply chain issues and need to order more materials when they can and need a place to store them.

In terms of Agency Reviews, MDOT stated that they may potentially require a permit for storm water. Staff spoke with the Drain Commissioner today and the existing drain does not go out to 27 so they won't need an MDOT right of way permit for drainage improvements but that the applicant will need to work with the Drain Commissioner's Office on some minor fixes to the existing drainage pattern.

Therefore, staff recommends that the Planning Commission approve Site Plan Review 22-150007 from Classic Pool & Spa for construction of a 3,167 square foot addition, as described and defined in the application materials.

Chairman Fair asked if there were any Commissioner questions for staff.

Commissioner Betram asked where the well and septic are located on the site.

Wittenberg state that he believes they are in the back and that the applicant will have to verify the separation requirements with the Mid-Michigan Health Department.

Kevin LaMacchia – 6341Clise Rd, Bath – represents the applicant and stated that the tank is on the east side between the property line and the building.

Commissioner Parkinson-Gray stated that the drive on the north side looks like gravel and asked if it was.

Wittenberg stated that there are two drives onto the property and both are paved.

Commissioner Lorenzen asked if they are working to get more small ornamental trees along the front.

Wittenberg stated that part of the table listing the requirements was cut off when the report was received by the applicant. Their designer only received the requirements for the north side. The applicant has indicated that they will work with staff on the requirements.

Wittenberg noted that based on past discussion with the Planning Commission, as long as they get close to the number of trees required there is some flexibility with location.

Lorenzen noted that the west side is what everyone sees and she feels they should avoid leaving it bare.

Wittenberg stated that the intent is for staff to work with the applicant if the Planning Commission approves. If the Planning Commission says to work with staff on landscaping, staff would come back to the Planning Commission if they are not comfortable with the applicants plans. He stated that they could possibly put more ornamental trees in that would provide the aesthetic component but won't block visibility of the business.

Vice Chairman Keilen noted that vehicle traffic should be a consideration when discussing landscaping.

Bertram stated that he feels the focus should be on the south side of the building by the residential lot.

Trustee Fedewa agreed and stated that the requirement is more for the neighbors benefit and that businesses want their business to be seen. He agrees that the focus should be on the south side near the residence.

Wittenberg noted that it is a delicate balance maintaining visibility and being nicely landscaped.

Parkinson-Gray stated that as a Site Plan Review, residents weren't noticed on this request and asked if there have been any comments or concerns from neighboring property owners.

Wittenberg stated that during the variance process notices were sent out to the surrounding property owners and that a letter was received from the property owner to the south who was not opposed to the variance which was more intrusive than this one.

Chairman Fair asked if there were any more questions for staff. There were none.

Chairman Fair asked if the applicant wanted to address the Commission. They did not.

Chairman Fair asked if there were any Commissioner questions for the applicant. There were not.

Chairman Fair asked if there were any public comments from those present in-person or joining remotely. There were none.

**Keilen moved that the Planning Commission approve Site Plan Review 22-150007 from Classic Pool and Spa for construction of a 3,167 square foot addition, as described and defined in the application materials. Approval is subject to the following conditions:**

- 1. The applicant shall comply with the requirements of all review agencies prior to issuance of a building permit.**
- 2. Aside from the outdoor display of the pools approved as part of a prior Special Use Permit, the outdoor storage of materials is prohibited.**
- 3. That the applicant shall provide a revised landscape plan to address any concerns raised by the Planning Commission for review and approval by staff prior to issuance of a building permit.**

**4. That the applicant shall comply with any other Federal, State, County, or Township regulations.**

**Supported by Parkinson-Gray.**

**ROLL CALL Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

**II. Request for Sidewalk Deferment from Classic Pool and Spa** – for property associated with Site Plan Review #22-150007 located at 12455 S. US 27, on the east side of S. US 27, north of Webb Road, south of Dill Road, in the southwest ¼ of the northwest ¼ of Section 10 of DeWitt Charter Township (Parcel #050-010-200-055-00).

Community Development Director Wittenberg stated that this request is for a deferment of a shared-use pathway along the frontage of the site. This area is identified in the Non-Motorized Transportation plan as having a shared-use pathway.

Wittenberg noted that a number of other applicants have been approved for deferments and that this request does meet the criteria for a deferment.

Therefore, staff recommends that the Planning Commission approve a deferment for a period of three years.

Chairman Fair asked if there were any Commissioner questions for staff.

Lorenzen asked where the other deferments are.

Betram stated that the assisted living three parcels south was one.

Keilen noted that Capital Equipment received one.

Wittenberg stated that the mini-storage and veterinary clinic further north also received them. He noted that it is likely that any path along 27 would be part of a larger project and that Tri-County is working with other jurisdictions on the possibility of one from St. Johns to Lansing.

Fedewa noted that this is lightly referred to by some as the “sidewalk to nowhere” plan. He supports this deferment and noted that realistically we need to know there will be a connection to somewhere in the future.

Chairman Fair asked if the applicant wanted to comment on anything.

Kevin LaMacchia – 6341 Clise Rd, Bath – noted that there is an 18ft drainage ditch and asked what happens to the applicant when it’s decided the sidewalk needs to go in.

Wittenberg stated that it will depend on how things all flushes out and that they take everything into consideration when planning for it and that there would be avenues for property owners.

Chairman Fair asked if there were any other comments or questions. There were none.

**Fedewa moved that the Planning Commission approve a deferment for a shared use pathway installation for property located at 12455 South US 27, DeWitt, MI identified as parcel #050-010-200-055-00, on the east side of S. US 27, north of Webb Road, south of Dill Road, in the southwest ¼ of the northwest ¼ of Section 10 of DeWitt Charter Township as no sidewalk or shared use pathway is present on the same side of the street within 300 feet. Supported by Keilen.**

**ROLL CALL Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

- III. Special Use Permit #22-990004 from Meijer, Inc – to be allowed to add a 466 square foot addition and a 2,381 square foot attached drive-thru restaurant to the existing gas station. The property is located at 12875 S. US 27, on the east side of S. US 27, north of Herbison Road and south of Webb Road, in the southwest corner of Section 10 of DeWitt Charter Township (Parcel #050-010-300-030-00). **Receive and Set for a Public Hearing to be held at the Monday, October 3, 2022 Planning Commission meeting.****

**Parkinson-Gray moved to receive Special Use Permit #22-990004 from Meijer, Inc and set a Public Hearing to be held at the October 3, 2022 Planning Commission meeting. Supported by Bertram.**

**AYE Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

Bertram asked for clarification on the request because the language was confusing.

Wittenberg noted that the language came from the application and stated that it is for a single 2,847 sq ft addition that will include expanding the convenience store and adding a drive-thru restaurant.

**UNFINISHED BUSINESS:**

**I. PUBLIC HEARING – DeWitt Charter Township 2023 Capital Improvement Plan**

**A. Open Public Hearing – Chairman Fair opened the Public Hearing at 7:31 p.m.**

## **B. Administrative Comments / Public Comments**

Community Development Director Wittenberg stated that before the Commission is the 2023 Capital Improvement Plan. It is part of the Planning Commissions function to review this each year. He noted that Township Manager Andrew Dymczyk is here to present the plan and answer any questions.

Wittenberg noted that if it is the Planning Commissions desire, after the presentation and discussion, they can adopt Resolution 2022-09-61 approving the 2023 Capital Improvement Plan.

Township Manager Dymczyk acknowledge the hard-working staff and CIP committee members for their assistance. He reviewed the 2022 funded projects:

Roads – there has been a large spike in construction costs associated with this type of work so the scope and scale has been limited. There used to be two major projects per year but it is down to one now. This year was Springbrook Hills.

Patrol Car Replacement – the two vehicles were slated for 2022 but due to supply chain concerns they were purchased in 2021 for delivery in 2022.

Self-Contained Breathing Apparatus (SCBA) – purchased 10 air packs that will provide roughly 15 additional minutes of air for those in the field.

New Municipal Building South – the Township is moving through the process as quickly and efficiently as possible. Things are now in the blue print / design phase.

Granger Meadows – had the first onsite construction meeting with the contractor. May see some earth moving, court removal, and fencing with the bulk of the construction taking place next year.

Sewer Master Plan – it is ongoing, some draft analysis is available if any of the Commissioners are interested in reviewing that he will get it to them. Sewer plan ran through this year so there is a vendor in now to analyze the system and give feedback on areas of concern or where to focus attention.

Dymczyk note a few of the new additions to the 2023 CIP:

Electric Vehicle Charging Stations, replacement of windows at the Fire Station, and updates to pump station 501 that is shared with Bath Township.

Chairman Fair asked if there were any Commissioner questions for Manager Dymczyk.

Lorenzen asked if the replacement vehicles were for the Police Department.

Dymczyk stated that one was a medical first responder vehicle for the Fire Department.

Lorenzen asked if electric vehicles were considered and if the building department vehicles were just sedans.

Dymczyk stated that the Building Department replacement vehicle will be a truck. They currently have one truck and one SUV. The Township looked into electric vehicles and that they don't make sense logistically since the department also serves the City of DeWitt and Grand Ledge.

Betram noted that a few years from now things may be different and that something to really consider is the cost.

Dymczyk noted that we purchase vehicles through MI Deal so we are getting the Fire Department vehicle at a comparable cost. It makes sense to try it with the Fire Department because they travel mainly within the Township and the vehicle can be plugged in most of the time.

General discussion followed regarding electric vehicles and the pros and cons of potential use by the Township.

Commissioner Dailey commented on Water's Edge Park improvements that aren't recommended for implementation until 2026. He stated that the park is almost unusable and needs work now. He suggested that the Township start planning and then as opportunity arises implement things.

Dymczyk stated that he would take that back for consideration.

Fedewa noted that if money wasn't a concern, they could do it all but that isn't the case so they need to rank and order what needs to be done. He also stated he thinks there are limits with that park due to its protected status.

General discussion followed regarding priorities, opportunities, and costs.

Chairman Fair noted that he recently found out that 85% of Township revenue goes towards staffing and 15% goes towards projects. He feels the Township does a great job with that 15%.

Lorenzen asked why the Township pays for the Miracle League Field when it serves more than just the Township.

Dymczyk stated that the field serves the community and the burden isn't solely on the Township. The field is a Township asset. He also noted that fundraising campaigns are being explored.

Bertram noted that when selected, this was the 2<sup>nd</sup> location in the state and it should be viewed as something prestigious to have in the Township.

General discussion followed on the funding and facility.



Lorenzen asked if the Township has looked into solar panels.

Dymczyk stated that they have and that they really look at whether or not things are cost effective and sustainable. It is always part of the discussion and may be used at the new municipal building.

Chairman Fair asked if there were any other Commissioner questions. There were none.

Chairman Fair asked if there were any public comments from those present in-person or joining remotely. There were none.

**C. Close Public Hearing** – Keilen moved to close the Public Hearing at 8:08 p.m.  
Supported by Lorenzen.

**D. Discussion and possible action by Planning Commission**

**Keilen moved that the Planning Commission Adopt Resolution 2022-09-61 approving the DeWitt Charter Township 2023 Capital Improvement Plan. Supported by Lorenzen.**

**ROLL CALL Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

**II. Batch Ordinance Amendment 22-1 Accessory Dwelling Units and Home Occupations**

Chairman Fair stated that staff requests this item remain tabled until the October 3, 2022 meeting.

**Keilen moved that Batch Ordinance Amendment 22-1 Accessory Dwelling Units and Home Occupations remain tabled until the October 3, 2022 meeting. Supported by Fedewa.**

**AYE Vote on the motion:**

**AYES: 8      NAYS: 0      ABSENT: 1**

**MOTION CARRIED**

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: (Must be made from the podium)

There were none.

## REPORTS:

- I. **Trustee:** Trustee Fedewa reviewed the LUCAS (Lund University Cardiopulmonary Assist System) device that is part of the CIP plan.

Fedewa then gave a brief report on business conducted and actions taken at recent Board of Trustees meetings including the Public Safety Block Party on September 24<sup>th</sup>, the new Municipal Building South project, the Brook Road fire site, Town and Country Motel, and Rotunda Mobile Home Park.

Fedewa also noted that the new Police Chief, Matt Merony, has been sworn in and that Township Manager Dymczyk is in the middle of budget season.

- II. **Zoning Board of Appeals:** Bertram noted that there was no meeting in August and asked if there would be one this month. Wittenberg said there will not.
- III. **Committees & Staff:** Wittenberg gave an update on the service drive by Walgreens noting that Building Department staff will be meeting with the Township Attorney to discuss further options.

Wittenberg also stated that staff feels it would be beneficial for all Planning Commission members, along with staff, to attend some training. He is looking into third-party options to provide it.

Wittenberg noted that part of the CIP is the Master Plan and its five-year mark is the end of 2023. The next one will be a new Master Plan rather than just making minor revisions.

Bertram asked if the training would encompass other groups like the Zoning Board of Appeals.

Wittenberg stated that he would explore that option. He also noted that his initial thought is to do it either during a regular meeting that has a light agenda or an hour prior to a regular meeting. More information will be emailed at a later date.

## DISCUSSION:

Bertram asked about the Township's tall weeds ordinance noting that there are a couple parcels that have not been taken care of. He noted that as a resident he would not be able to get away with this and feels it should be enforced for everyone.

Wittenberg stated that there is a specific ordinance for undeveloped parcels and there are no requirements for that.

**ADJOURNMENT: Parkinson-Gray moved to adjourn the meeting at 8:43 p.m.  
Supported by Lorenzen. MOTION CARRIED**

Public Participation Policy:

1. Public comments on agenda items shall be limited to 3 minutes. Any citizen may address the Planning Commission regarding any Agenda item at this time or they may reserve time to address the Board when an Agenda item is discussed.
2. Extended public comments – limited to 5 minutes. Any topic of Township interest can be addressed.

DeWitt Charter Township will provide to individuals with disabilities reasonable auxiliary aids and services which are needed to fully participate in any Township meeting providing a seventy-two (72) hour notice is received by phone or in writing. Contact DeWitt Charter Township, Clerk's office, 1401 W. Herbison Road, DeWitt, MI 48820, phone: 517.668.0270, to request the necessary assistance.

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Kelli Furgason, Recording Secretary

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Linda Parkinson-Gray, Secretary