

**ONEIDA CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES**

September 6, 2016

**MEMBERS PRESENT: STARR, SCHROEDER, SCHERER,
GREEN, KILGORE AND SCHULTZ**

MEMBERS EXCUSED: WALTERS.

**OTHERS PRESENT: ZONING ADMINISTRATOR
GOSCHKA, SUPERVISOR COOLEY, TREASURER
PALERMO, RESIDENTS OF SWEETWATER DR, AND
RESIDENTS OF**

1. Vice Chairman Starr called the Meeting to order at 7:30 P.M.
2. Approval of Agenda, Motion was made by Mrs. Scherer and supported by Mr. Green. Motion Carried.
3. Minutes of August 3, 2016 were approved as printed. Motion was made by Mrs. Schroeder and supported by Mrs. Scherer. Motion Carried.
4. Special Land Use Permit request for Child Care Center/Pre-school, located at 11966 Sweetwater Drive. The property is zoned commercial. The Center will be licensed for 49 children; they currently have 20 children. The School Year starts September 19, 2016. They have acquired all State permits and licenses. They will have 10 employees, and have been in business for 9 years and have a 5-star quality rating through the State. Their hours of operation will be from 7:30 a.m. to 5:30 p.m. Monday through Friday.

Vice Chairman Starr asked if there were anyone present to speak for the Day Care. Mr. Ron Maguire said he would speak for them, The Rising Start Day Care had previously been located to the east on Saginaw Hwy., next to the Rental Business. They had to move from that building and have purchased the building at 11966 Sweetwater Dr. He said he would be glad to answer any questions. Mr. Green said the Ordinance requires 150 square foot of outdoor recreation area per child and he did not think the fenced area was large enough to accommodate 49 children. It would have to be approximately 7350 square feet and is currently approximately 4342 square feet. Mr. Green said we could restrict the number of children or increase the recreational area. Mr. Maguire said they could increase the recreational area.

Mr. Green was also concerned about parking spaces for the 10 employees and the people getting in and out.

Vice Chairman Starr recognized Mr. John Deming, who was representing Dr. and Mrs. Stevenson who have a building near the Day Care Center. He said the Ordinance did not address Pre-Schools, just Day Care Centers. He noted that they were concerned about traffic. 49 vehicles coming and going in a short amount of time. The Stevenson's also felt that the front of the building faced Saginaw Hwy. and the Ordinance called for landscaping there and no fence in the front yard. It was pointed out that fence was not allowed to infringe on the right of way. Mr. Deming also pointed out that there was only one drive for ingress and egress for the Day Care Center. The lot for parking includes shared parking and drives and the Day Care would have a large impact on the Dentist Office that the Stevenson's own.

Mrs. Stevenson discussed with the Board the impact on patients at the Dentist's Office and was worried about the increase in traffic and safety. She compared the impact to the high traffic area near Meijer just east of the area. She said when they had their Open House there was a lot of traffic. She felt that backups to get out on to Saginaw Hwy would be a problem during the morning and evening hours.

Mr. Ron Maguire noted that they had been located at 5564 Saginaw Hwy. for 9 years without problem. Mr. Leo Maguire noted that they previously had been located in a family home and only had a house driveway at that location.

Dr. Stevenson discussed the private easement to the building with the Board. The Day Care can only use the south drive way. Who will police this? He felt that the Day Care was not a good idea for this area. He felt that Safety was the issue.

Mr. Kilgore said traffic is always going to be a problem where ever you go, but he did understand their concern.

Vice Chairman Starr pointed out that everyone wants to be able to use their property reasonably, but if you want to control property it is best to own it. He also pointed out that the request meets the Ordinance requirements for Commercial Day Care Center, and the Boards powers are limited but they can add restrictions to the Permit. He asked Dr. Stevenson if there were restrictions that would meet his comfort that we could add. Dr. Stevenson felt nothing added would solve the problems.

Mrs. Schroeder asked what made them think all 49 cars would be there at the same time or even if there would be 49 cars. Some people may bring multiple children. Mrs. Schultz asked the Dentist Office Hours. They were 7:00a.m. to 5:00 p.m.

After all Discussion: Motion was made by Mr. Green and supported by Mrs. Schroeder to recommend to the Township Board approval of the Bright Start Day Care Center/Pre-School request for Special Land Use Permit, with conditions that there be installation of the additional fenced area, and provisions for adequate parking and safe drop off area and turn around area without infringing on neighbor's property. Motion Carried.

5. Special Land Use Permit Request for Rustic Barn Venue at 2626 Grand Ledge Hwy. Vice Chairman Starr let those present that we as a Board had received and read 7 letters requesting denial of this request. He told those present that the Board would hear everyone and to please be polite as people were speaking.

The first Resident to Speak was Mr. Cregeur: who had also written a letter to the Board. He recently sold this site to his Daughter, it is the property to the east of the proposed site. He had concerns about noise, dust, security, alcohol abuse, traffic, and car lights. He said this proposal in a high impact and life changing proposal. He asked the Board to please turn it down.

Mr. and Mrs. Gillean applicants for the Use Permit said That they were very concerned about dust, and the one quarter mile driveway would be blacktop at the front and then gravel. They were concerned about dust and noise and safety also, that is why

they were building that far back and she explained that there were approximately 60 feet of woods between her site and the next home. She also explained that they were making a 20-foot-wide ingress/ egress even though they were only required to make it 15 feet wide. She explained they would only be open from May to October, which is 24 weekends. The building would be used for Weddings, Reunions, and many types of gatherings, they would have alcohol with a licensed bar tender and they would be on site to watch and keep things under control at all times. They had pictures of the site from different angles to show that it would not be close to neighboring homes. Mrs. Gillean said they were ready and approved to apply for a driveway permit on to Grand Ledge Hwy.

Vice Chairman Starr asked for questions from the Board.

Mr. Green asked if they had talked to the Drain Commissioner, Mrs. Gillean said they had. Mr. Green asked about DEQ and she said they had no wet lands. Mrs. Schroeder asked about the 50 parking spaces addressed in the request. How is that going to work with 175 to 200 wedding guests.

Vice Chairman Starr said the Board would now take questions or comments from those present, and reminded them to be good neighbors and be polite as people were speaking.

Ms. Segueda spoke about the impact on her as a next door neighbor. She had concerns about the traffic, the danger as people turned in and out of Grand Ledge Hwy. and the Party in

the Woods as she called it, having impact on her property and safety.

Mr. Green was concerned as the site backs up to his farm and he did not want people wandering into his crops. He also had a concern about the possible change to the water flow in the area.

Mrs. Gillean said Maynard Barry and Eaton County had been there and checked that out and this proposal would not impact his land.

Mrs. Monville had concerns about people wandering about the property, alcohol, dust and noise.

Mrs. Gillean said there would be no outside speakers, she offered her e-mail to those present so if there were any problems they could contact her. Mr. Green asked if the building would be air conditioned. Mrs. Gillean said no. He said then there would be open windows.

Mr. Monville was concerned about the setback, noise, and people wandering in the area as was Mr. Stevens.

Mrs. Carroll said she was a licensed bartender and a licensed bartender could not control what people do after they drink. She also was concerned about noise and dust. She also asked what would happen if this venture did not succeed.

Mrs. Gillean said they plan to build a home on the site. Ms. Dollan had the same concerns as the other neighbors and also

was concerned about property values. Mrs. Gillean said how do we know that it won't increase property values and selling. Mrs. Schroeder asked if they had a study that showed loss of property value or were they just guessing.

Mr. Woodrum spoke about the existing beauty shop and factory in the area and asked if there would be crops all the way around the proposed barn. Mrs. Gillean said yes there would be. Mrs. Monville said they moved to the country for quiet and serenity and her husband worked the third shift and even if there was not liquor at the parties, people might bring it with them. She said people are not respectful and it was not hard to cross the creek and people might be wandering around the area. She was also concerned about the trash it might generate and the traffic.

After all questions and comments were heard, Vice Chairman Starr asked for comments from the Board. Mrs. Schultz said she felt that the request did not fit Agricultural Zoning it was a for profit business and cited pages 4-1 Section 4.03 Special Land Uses under Agricultural District A-1. This section does not mention for profit business as an allowed use. Also she directed attention to pages 15-3 and 15-4 Section 15.03 of the Zoning Ordinance, General Standards. (a copy is attached to these minutes. She cited A. 1., 4., 6. And 7. Also B. 1 thru 6. These are the Standards All Special Land Uses must meet as spelled out by the Township Zoning Ordinance and she did not feel that this request met the General Standards.

Mrs. Schultz made a Motion to recommend denial to the Township Board based on Section 15.03 and pages 15-3 and 15-4 General


Standards for Special Land Use Permits. The motion was supported by Mr. Green. Motion Carried. It was also mentioned by Vice Chairman Starr that a survey in conjunction with the Master Plan had called for the Township to stay Rural in character.

6. There was no Other Business to come before the Board.

7. Meeting was adjourned.

Minutes respectfully submitted by Jan Schultz.

APPROVED:



~~MICHAEL WALTERS, CHAIRMAN~~

Ron Starr, Vice-Chairman