

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



**Community Development Director**  
Brett C. Wittenberg

**Planner**  
Alexander J. Bahorski

**Recording Secretary**  
Kelli Furgason

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## PLANNING COMMISSION MINUTES

**MONDAY, JANUARY 3, 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 Keilen.

The Pledge of Allegiance was said by those present.

ROLL CALL by Secretary Nolen.

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

**MEMBERS ABSENT:** Hayes and Lorenzen.

**APPROVAL OF AGENDA:** **Fair moved to approve the agenda as presented. Supported by Bertram.**

**AYE Vote on the motion:**  
**AYES: 7    NAYS: 0    ABSENT: 2**  
**MOTION CARRIED**

**APPROVAL OF MINUTES:** **Parkinson-Gray moved to approve the November 1, 2021 meeting minutes as presented. Supported by Dailey.**

**AYE Vote on the motion:**

**AYES: 7      NAYS: 0      ABSENT: 2**

**MOTION CARRIED**

CORRESPONDENCE:                      None

PUBLIC COMMENTS:                      None

UNFINISHED BUSINESS:                None

**NEW BUSINESS:**

- I.      **SITE PLAN REVIEW 21-150008 – Mid-Michigan Ponds**, to be allowed to construct an approximately 7,872 sq. ft. construction contracting building on approximately 17.92 acres located on the east side of S. US 27, north of Howe Road, south of Round Lake Road, west of Wood Road, part of the northwestern ¼ of Section 3 of DeWitt Charter Township, parcel #050-003-200-090-00.

Community Development Director, Brett Wittenberg, reviewed Site Plan Review 21-150008 from Mid-Michigan Ponds. The applicant is seeking approval to construct an approximately 7,872 sq. ft. building to be used as a construction contracting business. He reviewed the location map and noted that it is a large parcel with floodplain on the south and east sides of the property. The applicant plans to stay away from the regulated floodplains.

The property is currently zoned BC (Community Business) and the proposed business is permitted by right in this district. The Future Land Use Map has the property zoned CC (Community Commercial) which is consistent with the BC permitted uses.

Wittenberg reviewed the proposed site plan which reflects a single point of access off US 27 with a parking area in the front and to the rear there will be a paved drive and then at the building it will be gravel or similar material for parking equipment.

With the landscape requirements there is significant vegetation currently on the site. The applicant is proposing two water features, a pond with a 5ft waterfall on the south side and one with a 2ft waterfall on the north side. In the landscape plan provided, the applicant is requesting a reduction of the landscaping requirements along the Old 27 side. As the Planning Commission is aware, it is within their discretion to approve a reduction. Staff contends that given the existing vegetation and the proposed water features the plan meets the intent of the landscape requirements.

Wittenberg reviewed a few other areas of note:

There is a 250ft Consumers Energy easement on US 27 that is being reduced with Consumers.

There will be one access drive off US 27 which will require a permit from MDOT. The location of the drive is good but they are working on the radius for the entrance.

The southeast corner of the building has a retention area so the applicant will have to coordinate with the Health Department for separation from the drain field.

Wittenberg recommends the Planning Commission approve Site Plan Review 21-880004 from Mid-Michigan Ponds to construct a new 7,872 sq. ft. construction contracting business, as described and defined in the application materials and subject to the conditions noted in the Staff Review.

The applicant, Mike Harris, was available for comments and questions.

Chairman Keilen asked if there were any Commissioner questions for Staff. There were none.

Chairman Keilen asked if there were any Commissioner questions for the applicant.

Vice Chairman Fair thanked the applicant for wanting to invest in the Township. He mentioned that this sounded like an established business and wonders where their ponds are at?

Applicant Mike Harris, 6500 Howe Road, Bath, stated that his home is his current place of business but that they don't encourage a lot of traffic there. They have a personal pond as well as several others around the state. When potential clients want to see examples of their work, he tries to find one he's done near them. He would like to expand his business and the new building would become the storefront office.

Fair asked if they do more than just ponds?

Harris said they basically have two components to the business. One is pond construction, which includes mainly ¼ - 10-acre projects, and the other is pond management, where they sell products and offer crews that treat both private and commercial ponds. He would like to develop the pond management side of the business more once they have the new storefront location.

Trustee Fedewa also thanked Harris for choosing the Township and said he is looking forward to seeing the project completed. Fedewa noted that sometimes the landscaping requirements can cover up the businesses which can be discouraging because owners want to make the business visible and look nice so it catches people's eye.

Harris thanked Fedewa and agreed that he wants to showcase their work and make the property look nice so potential clients know they care about their work.

Commissioner Parkinson-Gray asked how long the applicant had been in this business.

Harris stated that he began building ponds in 2000. He graduated from MSU where he studied fisheries and biology and actually worked at the waste water treatment plant in DeWitt. He then worked for the State of Michigan and started doing pond work as well. When he couldn't continue to do both, he left the State and focused on his current business.

He also noted how refreshing it has been to work with the Township and that he appreciates the cooperation and friendly attitude that Brett has shown. He has worked with other Townships that have not been as easy to deal with. He feels that the Township really wants to help him do well.

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

**Fair moved to approve Site Plan Review 21-150008 from Mid-Michigan Ponds to construct a new 7,872 Sq. Ft construction contracting business, as described and defined in the application materials. Approval is subject to the following conditions:**

- 1. The applicant shall comply with the Clinton County Drain Commission requirements regarding storm drainage prior to the issuance of any building permits or commencement of construction.**
- 2. The applicant shall comply with all EGLE requirements as they pertain to floodplains and wetlands prior to the issuance of any building permits.**
- 3. The applicant shall make any necessary revisions and meet all of MDOT's requirements for obtaining right-of-way permits.**
- 4. The applicant shall obtain all required permits and comply with the Mid-Michigan District Health Department requirements pertaining to the isolation distances from the retention pond or drainage lines.**
- 5. The applicant shall finalize any applicable recording documents with Consumers Energy in regard to the reduction of the 250-foot easement at the western side of the property.**
- 6. The applicant shall provide the Fire Department on-site gate access after business hours.**
- 7. The applicant shall abide by all Building Department requirements prior to the issuance of any building permits or commencement of construction.**
- 8. That the applicant shall satisfy the requirements of all required reviewing agencies.**
- 9. That the applicant shall comply with any other Federal, State, County, or Township regulations.**

**Supported by Parkinson-Gray.**

**Commissioner Bertram asked if they need to provide the Planning Department direction as a consensus to be able to work with the applicant on the landscaping per the alternate landscaping plan. Wittenberg stated that if the Planning Commission approves of the alternate landscape plan as submitted nothing further is necessary.**

**ROLL CALL Vote on the motion:**

**AYES: 7      NAYS: 0      ABSENT: 2**

**MOTION CARRIED**

- II. **Request for Sidewalk Deferment from Mid-Michigan Ponds**, for property associated with Site Plan Review 21-15008 located on the east side of S. US 27, north of Howe Road, south of Round Lake Road, west of Wood Road, part of the northwestern ¼ of Section 3 of DeWitt Charter Township, parcel #050-003-200-090-00.

Wittenberg reviewed the request for a deferment for the construction of a shared use pathway along the frontage of S. Old US 27. The Non-Motorized Transportation Plan does identify a 10ft shared use path on the east side of Old 27, as there is no sidewalk or shared use path present on the same side of the street within 300ft it does meet the criteria for a deferment. The Planning Commission may recall that awhile back the Veterinary clinic came in and they received approval for a deferment.

He noted that in all likelihood going north of Webb Road any type of pathway would be part of a large project like improvements to 27 or a Township initiated project.

Staff recommends the Planning Commission approve a deferment for a shared use pathway installation as no sidewalk or shared use pathway is present on the same side of the street within 300 feet.

Chairman Keilen asked if there were any Commissioner questions for Staff.

Commissioner Bertram asked if this deferment is something the applicant will have to come back for later?

Wittenberg stated that the deferment is good for a 3-year period and can be extended until such time as a pathway or sidewalk is constructed.

**Parkinson-Gray moved to approve the request for a deferment for a shared use pathway installation for property located at parcel #050-003-200-090-00, on the east side of S. US 27, south of Round Lake Road, north of Howe Road, in the northwestern ¼ of Section 3 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 Dailey.**

**ROLL CALL Vote on the motion:**

**AYES: 7    NAYS: 0    ABSENT: 2**

**MOTION CARRIED**

- III. **Request for Rezoning #21-880004 from Robert Greenhoe**, to rezone approximately 42,427.44 square feet from IL (Light Industrial) to BC (Community Business). The subject site is located west of S Old US 27, on the south side of Mak Tech Drive, south of Valley Road, north of Sheridan Road, part of the southeast 1/4 of Section 33 of DeWitt Charter Township (Site Address 1125 Mak Tech Drive; Parcel # 050-305-000-006-00).

**Fair moved to receive request for rezoning 21-880004 from Robert Greenhoe and set a Public Hearing to be held at the February 7, 2022 Planning Commission meeting. Supported by Bertram.**

**AYE Vote on the motion:**

**AYES: 7    NAYS: 0    ABSENT: 2**

**MOTION CARRIED**

Commissioner Betram asked is this is for an existing building?

Wittenberg stated that yes, there is an existing building. The applicant is seeking to purchase the multi-tenant property.

Vice Chairman Fair asked if they will be changing the structure?

Wittenberg said that they will not be changing the structure. The applicant has some potential tenants that would not be allowed under the current IL zoning. The BC zoning will offer the applicant more flexibility with the types of tenants allowed.

- IV. **Election of Officers for Year 2022**

Chairmen Keilen turned it over to Community Development Director Wittenberg and he reviewed the election process. Wittenberg stated that there are 3 positions that need to be filled: Chair, Vice Chair, and Secretary. He noted that the positions can be flipped but the same person cannot hold the same office. He opened the floor for discussion and nominations starting with the Chair.

**Chairman Keilen nominated Vice Chairman Fair for Chair and if there are no further nominations, moved to close nominations and cast a unanimous ballot.**

**ROLL CALL Vote on the motion:**

**AYES: 7    NAYS: 0    ABSENT: 2**

**MOTION CARRIED**

Wittenberg noted that he spoke with Commissioner Lorenzen and asked if she would accept a nomination if one was made. She is hesitant due to the uncertainty of Covid and her ability to attend meetings so she would decline at this time.

**Vice Chairman Fair nominated Chairman Keilen for Vice-Chair and Commissioner Parkinson-Gray for Secretary and if there are no further nominations, moved to close nominations and cast a unanimous ballot.**

**ROLL CALL Vote on the motion:**

**AYES: 7    NAYS: 0    ABSENT: 2**

**MOTION CARRIED**

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

REPORTS:

I. Trustee:

Trustee Fedewa gave a brief report on business conducted and actions taken at recent Board of Trustees meetings.

II. Zoning Board of Appeals:

Commissioner Bertram noted that there were no meetings in November or December and asked Staff if there would be one in January. At this time there will not be a January meeting.

III. Committees & Staff:

Community Development Director Wittenberg noted that Staff is keeping busy. He and Planner Bahorski are working on some Ordinance Amendments and hope to present them at the February meeting. Eastbrook is moving along with Phase 1 of the Thomas Farms development and Wittenberg expects to see applications for Phase 2 coming in the next few weeks. He noted that Eastbrook has also purchased a piece of land south of the Dentist on Schavey Rd so he anticipates something coming in for that property. Wittenberg also noted that in February there will be a joint meeting of the Planning Commission and the Board of Trustees.

DISCUSSION:

Vice Chairman Fair asked what the issue was in front of Reno's North. Bertram said it was part of a 10-year Consumers Energy project to replace vintage gas facilities.

Commissioner Betram asked Community Development Director Wittenberg if anything has been or can be done about the private access drives behind Walgreens and at the new Culver's site. He noted how bad they have gotten, especially behind Walgreens. Wittenberg noted that there is an avenue he has been hesitant to take which would be the IPMC, the International Property Management Code. This route could open the Township up to more enforcement issues. He noted that another possibility may be to come up with an Ordinance addressing access drives. He will do some follow-up with Code Enforcement.

Vice Chairman Fair noted that the Township lost some great people in 2021: retired Clerk Diane Mosier and Russ Bauerle. It was also noted that Jason Flowers passed away in 2021 as well. Fair asked that we observe a moment of silence in remembrance.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:02 p.m. Supported by Parkinson-Gray. 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.

  
Kelli Furgason, Recording Secretary

  
Mike Nolen, Secretary