

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Road
DeWitt, MI 48820
January 23, 2012 Minutes

Supervisor Galardi called the Regular Meeting of the DeWitt Charter Township Board to order at 7:00 p.m. with the Pledge of Allegiance.

MEMBERS PRESENT: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy, and Trustees Max Calder, Brian Ross and David Seeger.

MEMBERS ABSENT: Trustee Steve Musselman

Also Present: Manager Rodney Taylor, Police Chief Brian Russell, County Commissioners Robert Showers and Jamie Clover Adams (arrived late) and several citizens.

CONSENT AGENDA Trustee Seeger requested that the minutes be removed from the Consent Agenda

Calder moved, Daggy seconded, to approve the Consent Agenda, as follows: 2011 Investment Report, receive and place on file; December 2011 Revenue & Expenditure Report, receive and place on file; Planning Commission Draft Minutes of 1/5/12, receive and placed on file; General Fund Vouchers 59479-59551 and Tax Fund Vouchers 7510 – 7519, approved. Motion voted and carried.

AGENDA **Ross moved, Daggy seconded, to approve the Agenda, as presented. Motion voted and carried.**

MINUTES **Seeger moved, Daggy seconded, to approve the minutes of the January 9, 2012 meeting moving the location of a paragraph under Employment Recommendations. Motion voted and carried.**

BRIEF PUBLIC COMMENT None.

PRESENTATION Consumers Energy representatives Chris Thelen and John Hall, spoke regarding tree maintenance work which began last week in the Township. A Power Point Presentation titled Forestry Operations was viewed and discussed. Flyers for public information were provided. Supervisor Galardi thanked the representatives for the information.

COUNTY COMM REPORT Commissioner Showers reported that the County Commission will be holding a Public Hearing to discuss the possibility of combining the Register of Deeds office with the Clerk's Office. He also noted that they are watching closely what other Counties are doing regarding their Road Commission's and proposed legislation which offer alternative structural options to County Commissions.

CORRESPONDENCE Correspondence included the following: letters regarding the proposed Wood Road RV Park from Stimson, Henry, Loeffler-Jones, Lamphere, Reed, Omundson, and Baumer; Activity Report; Consumers Energy notice of 2/1/12 Hearings; Attorney Cohl letter to Richard Trent.

**UNFINISHED
BUSINESS** None.

NEW BUSINESS Supervisor Galardi stated that he received letters, provided too late to be included in the packets, from residents Baumer and Omudson objecting to something that took place at the Planning Commission's January meeting. Supervisor Galardi stated that he would like to apologize to Ms. Baumer, noting that any disrespect she experienced was certainly not intended by the Planning Commission or its Chair.

At the Supervisor's request, Planning Consultant Foulds reviewed the process followed by the Planning Commission since the application for SUP 11-990006 was received by staff in September of 2011. He also reviewed the proposed SUP and the twelve conditions included in the Planning Commission's recommendation for approval.

Supervisor Galardi asked Manager Taylor if he had anything to add to Planning Consultant Foulds comments. Manager Taylor suggested that Board Members might have questions.

Trustee Ross stated that he thought the process and public input for this application was very extensive and he spent a significant amount of time reviewing the documentation of the process to date. He also clarified some issues relating to the proposed well protection agreements, and the issue relating to possible contamination, explaining the distinct difference in the two issues.

Trustee Calder stated that he had no issues with the process itself, but some with the project as it relates to the Future Land Use Plan.

Treasurer Daggy stated that she believes the Planning Commission and the public have done a thorough job of analyzing this project and finding solutions to mitigate the impacts of the development on the surrounding neighbors.

Clerk Mosier asked Planning Consultant Foulds about the Site Plan Review Process. She stated that since the developer has chosen to submit only conceptual drawings at this point, and will need to return to the Planning Commission for Final Site Plan approval, it leaves the question: When is the appropriate time for the Board to comment on site plan issues?

Planning Consultant Foulds stated that if the Board wants to be sure their concerns, comments, and requirements for the site are heard and implemented by the Planning Commission, then those should be included in tonight's action.

Supervisor Galardi invited the developer to speak and present details of their proposed project.

Alex Coss spoke representing the developer, Wood Street Park Development LLC, providing a power point presentation showing the types of recreational vehicles the park would allow, and rules of the proposed operation. It was noted that this will be a gated park, issuing codes to those registered to use the facility, and their guests, and that all units will be removed during the winter months, with the operation then gated and closed.

Jeff Kyes, project engineer, also answered questions relating to the State regulations for water service and sewage treatment on the site.

Board members questioned the developers about the specifications for the proposed berming along Wood and Clark Roads. Kyes indicated that he believes that screening can be accomplished to 90 or even 100 percent, both from the interior and exterior view of the development. He stated that screening is as important to their development, or RV users, as it is to the residents and travelers in the area. He provided information on elevations, types of trees, and the undulation of the berms to be built. He also noted that the berms will be built in Phase 1 of their project, using materials from building the ponds.

Supervisor Galardi asked Kyes if he is committing to a minimum of 90% screening of the RV Park, and if so, then the percentage will be added to the conditions of the SUP. Kyes agreed.

Clerk Mosier referred to the letter received from resident Catherine Reed, requesting that the Township work with the developer to provide a marker near the corner of Wood and Clark Roads that would identify "Gunnisonville Corners." She asked the representatives of the developer if they would agree to work with the Township to accomplish placing a marker near the Wood/Clark Road intersection? Coss stated that at their Hawk Hollow and Eagle Eye Developments, they have placed signs/markers identifying both East Lansing and Bath Township. He stated that they would be happy to work with the Township to make this request happen.

Supervisor Galardi called for public comment.

Dorothy Goedert, 14270 White Oaks Drive, spoke for herself and other members of her family that live in her subdivision. She stated that her well depth is 400 feet and wants to be sure her well is protected. She also noted that in the future, she does not want to see an RV park connected to her subdivision.

Faye Haggy, 1745 E. Clark Road, stated that she lives in the vicinity of the proposed RV park and she has concerns about a dog park, general store, etc. She also clarified that the home west of the proposed park is not abandoned, as the developer's representative stated. She stated that if the Board is inclined to approve this use, which she does not agree with because she does not want an RV park in her front yard, then she would like to see the SUP issued only to this owner (Kesler), not some future owner who might not run the same type of operation. She also stated that she wants to be sure that commercial uses stay on BR 27, not in their neighborhoods.

Planning Consultant Foulds explained the legal issue if the use does not go with the land. Discussion followed regarding annual review of SUP's, and the Township's plan to implement a process that would ensure annual review of all SUP's. There was also clarification about the need for residents to call the Township if they have complaints about the operation or possible violations of the SUP.

Ron Balzer, 3450 Clark Road, stated that with the use of area golf courses promoted at the RV park, he does not want to see shuttle service running between the park and Hawk Hollow and Eagle Eye, which would be traveling by his house.

Becky Stimson, 1841 E. Clark Road, stated that she lives directly across from this proposed RV park. She stated that she is not in agreement with the staff's interpretation of "harmonious and compatible" with the surrounding area. She noted that she has learned some things tonight contrary to her interpretation of what protections a well protection agreement provides, specifically that it will not include protection from contamination.

Lengthy discussion reviewed what protections are provided by a well protection agreement, and what state and/or local agencies regulate testing for contamination. It was also clarified that there will not be any protection for what is commonly known as a "shallow" well.

Susan Hensley, 14315 White Oaks Drive, stated that she has concerns about her well, the berm's design specifications, the property between White Oaks and this RV park, and her oak tree that will need to be taken down if her subdivision connects to an access to the east. She also stated that she would like to see adding the Gunnisonville Marker to the conditions of the SUP.

Sue Powers, 1791 E. Clark Road, questioned whether the drain next to her house will be affected.

Trustee Seeger attempted to clarify drainage issues with the resident, and she was referred to the County Drain Commissioner for answers relating to her property and the County Drain.

Planning Consultant Foulds clarified that no access to the RV park is planned to the west. He noted that an emergency only access will be on Clark Road, and the main entrance to the RV Park is on Wood Road, where the golf course entrance is now.

Doug Collins, owner of Annie Rae RV on BR 27 spoke regarding users of RV parks, noting their average age, income, and lifestyle preferences. He stated that these folks will bring dollars to our community and some of the friendliest people he has ever met. He encouraged the Board to understand that this development could be an asset to our community.

Roger Coulter, 3180 E. Clark Road, stated that he still has questions regarding the ponds, how the ponds will be engineered, if they will have clay bottoms, and whether the existing well will be

used to fill the ponds. He stated that extensive use of the existing well could cause an issue with local wells, because of the rapid drawdown.

Planning Consultant Foulds noted that this is the exact issue that well protection agreements will address. He also noted that the other concerns will be addressed at Final Site Plan Review. There was also discussion regarding the state regulatory agencies, their approval and monitoring processes.

Planning Consultant Foulds reviewed the options available to the Board this evening. He noted that he understands that the Board wishes to clarify condition 8A to read that the east, north and west screening will be accomplished at a minimum of 90%.

Trustee Calder stated that he does not believe the Board can change the SUP or its conditions, per Ordinance. Planning Consultant Foulds stated that he believes the Board is not changing anything, just adding an additional clarification to the conditions recommended for approval by the Planning Commission to the Board. He also stated that he does not believe the proposed park to be harmonious to the surrounding area, and that he would be much more inclined to support the proposal if public utilities, i.e. public sewer was a part of the plan. He stated that he would like to see this SUP returned to the Planning Commission.

Trustees Ross & Seeger stated that they believe the major issues with this development have been handled. Trustee Ross stated that these types of treatment options for provisions of water and sewer are more common than public utilities throughout the state, and he is confident that the state's regulatory process is efficient.

Seeger moved, Ross seconded, to approve SUP 11-990006, as filed by Wood Road Park Development LLC, for the construction and operation of a recreational vehicle park on a 53 acre parcel as described on the conceptual site plan and located at 14400 Wood Road, based on a recommendation from the Planning Commission, and based on a review of the requirements of Section 5.4.4 and Section 7.4 of the DeWitt Charter Township Zoning Ordinance, the Special Use Permit application materials, and the results of the public hearing conducted November 7, 2011, as well as additional public comment, subject to the twelve following conditions as previously read, and clarifying condition 8A by adding that the screening and berming on Wood and Clark Roads shall be to a minimum of 90%:

- 1. Upon compliance with the conditions of the Special Use Permit, the plans 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.**

- 2. That the standards of the Basis for Determination listed in Section 7.4.3 and Sections 7.13.41 and 42 of the DeWitt Charter Township Zoning Ordinance have been met.**
- 3. That the requirements of the DeWitt Charter Township Fire Department and Police Department concerning an emergency access point from Clark Road, the provision of on-site dry hydrants as recommended by the Fire Department, and the establishment of campfire requirements as approved by the Fire Department be met.**
- 4. That the requirements of the Clinton County Drain Commissioner concerning the provision of an overflow drainage system, an on-site drainage plan, and any drainage improvements on Wood Road related to driveway/roadway alterations be complied with.**
- 5. That the requirement of the Clinton County Road Commission for the provision of traffic information to determine the need for additional turn lanes on Wood Road be met.**
- 6. That the applicant obtain from the Michigan Department of Environmental Quality and the Mid Michigan District Health Department the appropriate reviews and permits for the on-site sewage disposal system, water well system, and the overall campground construction permit.**
- 7. That the Special Use Permit issued by DeWitt Charter Township be limited to 119 full service, seasonal (annually from March 15 to November 15) sites for fully self contained motor homes not to include tent structures or trucks with campers and no year round storage of motor homes or accessory items.**
- 8. That, in addition to the conditions mentioned previously, the final site plan documents to be submitted to DeWitt Charter Township shall address the following site characteristics:**
 - A. A landscape, berming, and screening plan which provides a substantial visual buffer from the north, east, and west property lines, screened to a minimum of 90%**
 - B. The provision of visitor parking spaces in appropriate locations.**
 - C. That the internal roadway be a minimum of 30 feet in width.**
 - D. That the site lighting plan propose only the minimal light necessary for site safety.**
 - E. That an internal pedestrian walkway system be provided between individual RV units, throughout the interior RV Park area, and reasonable and safe connections to amenities.**
- 9. That the applicant provides signage in an appropriate site location which identifies emergency contact information and that this information also be provided to DeWitt Charter Township.**
- 10. That any non-residential services be intended for RV Park residents and not available to the general public.**

11. That the applicant transfer the existing Special Use Permit for the existing golf course operation from the previous owner to the current owner.

12. That the applicant provide a private well protection agreement acceptable to the Township Attorney which provides reasonable protection for private water wells in the immediate area.

Supervisor Galardi requested that Clerk Mosier do a roll call vote on the motion.

AYES: Seeger, Galardi, Mosier, Daggy, Ross

NAYS: Calder Motion carried.

Supervisor Galardi thanked the public present for their participation in the process. He also noted that those who signed in at the public meetings regarding this issue will be sent a mailing to let them know when the Final Site Plan Review process begins.

Clerk Mosier clarified, for the record, that the RV Park will be Woodside RV Park, located on Wood Road, and the golf course will also be Woodside Golf Course.

Appointments

Seeger moved, Calder seconded, to concur with the Supervisor's recommendation to appoint Bob Showers and Brian Ross to the next Michigan Development Board. Motion voted and carried.

Lease of Land
Clark/Wood Roads

Mosier moved, Calder seconded, to authorize the Township Clerk to execute the proposed agreement with Robert Reese III, for the agricultural use of six acres located near the intersection of Clark and Wood Road. Motion voted and carried.

Ball Field Sponsor
Codified Ord Amd
First Reading & Policy
2012-1

Manager Taylor reviewed his memo, dated January 20, 2012, regarding the proposed update to the Ball Field Sponsorship Ordinance and Policy. He noted that the two year trial period has passed, thus the review, and the upcoming completion and opening of the Miracle Field warrants some changes to the current regulations. The information was reviewed and discussed.

Ross moved, Daggy seconded, to approve an Ordinance to amend the Township's Codified ordinance relating to Park Signage, on first Reading, which Amends Chapter 42-Zoning, Article VIII-Signs, Section 42-1270 (d)(3) as it relates to commercial advertising being displayed on fences or wall surfaces at Public Parks, ball fields/ball diamonds and permit temporary event announcement signage on exterior facing walls and fences, and to approve Policy 2012-1 that establishes policies and procedures for implementation of sponsorships at Township ball fields.

AYES: Ross, Calder, Daggy, Mosier, Galardi, Seeger

NAYS: None Motion carried.

REPORTS &
COMMENTS

Manager Taylor reported the following: the Community Showcase, which was discussed at the joint meeting with DeWitt City and the DeWitt School District will be held on April 12th from 5:00 to 7:00 pm; a calculating error was discovered and corrected relating to the 2012 Wage Schedule the Board approved.

Trustee Ross commented that he appreciates the ability to participate (at his own expense) in the Cares Program. He also reminded the Board of the joint meeting with the Planning Commission scheduled for next Monday evening.

Trustee Seeger reported that some maintenance is being done to the Downer Drain.

Trustee Calder reported that Paula Clark has been appointed as the Bath Township Supervisor.

Clerk Mosier updated the Board on upcoming election issues. She also reported that we now have a complete liquor license application for the Woodside Golf Course, staff is reviewing the application, and it should be before the Board for consideration in February.

EXTENDED
COMMENTS

None.

ADJOURNMENT

Seeger moved, Calder seconded, to adjourn at 10:50 p.m. Motion voted and carried.

Respectfully submitted,

Diane Mosier, Clerk

Rick Galardi, Supervisor