

**Chair**  
Marsha Zimmerman  
**Vice-Chair**  
Stephen Gobbo  
**Secretary**  
Dale Dailey  
**Commissioners**  
Brian Ross, Trustee  
Kimberly Smelker  
Bruce Keilen  
Jason Flower  
Theresa Shively  
Tim Fair



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**Community Development Director**  
Richard M. Trent  
**Township Planner**  
Jim N. Foulds  
**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION MINUTES  
MONDAY, JANUARY 4, 2010  
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 Chairperson Zimmerman.

The Pledge of Allegiance to the Flag was said by those present.

Chairperson Zimmerman welcomed Trustee Calder to the Planning Commission.

ROLL CALL by Secretary Dailey.

**MEMBERS PRESENT:** Marsha Zimmerman, Dale Dailey, Kim Smelker, Steve Gobbo, Bruce Keilen, Tim Fair and Trustee Calder.

**MEMBERS ABSENT:** Terri Shively and Jason Flower.

**STAFF PRESENT:** Township Planner Jim Foulds, Community Development Director Rich Trent and Recording Secretary Linda Parkinson

**APPROVAL OF AGENDA:** Chairperson Zimmerman suggested that Item I. under New Business (SUP 09-990006 – Firstbank-St. Johns) be moved to Item II under Unfinished Business due to the applicant’s representative having to travel on adverse roads.

**Keilen moved to approve the Agenda with the amendment suggested by Chairperson Zimmerman. Supported. MOTION CARRIED.**

**APPROVAL OF MINUTES:** Fair moved to approve the minutes of the December 7, 2009 Regular Meeting as printed. Supported. MOTION CARRIED.

**CORRESPONDENCE:** The Planning Commission noted and received correspondence related to the Charter Township of Lansing Master Plan Update. Township Planner Jim Foulds advised that staff will be reviewing the proposed updates for comment.

**PUBLIC COMMENTS:**None.

**UNFINISHED BUSINESS:**

**I. PUBLIC HEARING - Ordinance Amendment 60.73 Sign Ordinance Amendments – Institutional Uses,** to amend Chapter XI Signs of Zoning Ordinance 60 to allow limited freestanding and wall signs for institutional uses.

A. Open Public Hearing. **Gobbo moved to open the Public Hearing at 7:08 p.m. Supported. MOTION CARRIED.**

B. Administrative Comments/Applicant Comments/Public Comments.

Foulds briefly reviewed staff's memorandum dated December 15, 2009, as well as the proposed language for Ordinance Amendment 60.73. He explained the purpose of Ordinance Amendment 60.73 is to permit additional exterior sign advertising within select activity areas (ballfields/ball diamonds), as requested by the DeWitt Area Recreation Authority (DARA).

Brief discussion followed regarding DARA having the ability to generate fees for providing advertising area at the recreational fields.

C. Close Public Hearing. **Fair moved to close the Public Hearing at 7:13 p.m. Supported. MOTION CARRIED.**

D. Discussion and possible action by Planning Commission.

Commissioner Gobbo suggested a few grammatical and punctuation amendments to the proposed language.

**Fair moved to recommend to the Township Board approval of Ordinance Amendment 60.73 including the grammatical amendments suggested by Commissioner Gobbo. Supported. MOTION CARRIED.**

Commissioner Dailey reiterated his concern with inappropriate content that might appear on signage at the Township recreational areas.

Foulds advised that the Township Attorney would review the language of Ordinance Amendment 60.73 prior to the final approval process by the Board of Trustees.

Further discussion followed regarding the possibility of the Manager's Office and DARA creating a policy that would prohibit certain content on the signage area.

**ROLL CALL vote on motion:**

**AYES: 6      NAYES: 1 (Dailey)      ABSENT: 2 (Shively, Flower)**

**MOTION CARRIED.**

**II. SUP 09-990006 – Firstbank-St. Johns - Revised Site Plan** for property located on the east side of S. US 27, south of Herbison Road, north of Twinbrook Drive, in the northwest ¼ of Section 15 of DeWitt Charter Township, to be allowed to construct an approximately 1,908 sq. ft. financial institution with a drive-through window.

Foulds briefly reviewed staff's memorandum dated December 17, 2010 advising that the revision is a redesign of the site that was originally approved in 2009 for the construction of a financial institution with a drive-through window. The applicant is now requesting to rotate the proposed building from the main entrance facing south to the main entrance facing west. The revised plans are titled "Revision 12/09". No action is required by the Planning Commission. The applicant's architect is present to answer questions.

Jeff Scott Peltier, Architect, 723 Grand Avenue, Owosso, MI 48867, was present for questions.

Fair questioned if the turning radius for the drive-through window was easily maneuverable for vehicles.

Foulds advised that the dimensions on the revised site plan meet the minimum size requirements for a service drive and turning movements and should function very well.

Smelker noted that the previous plans approved for the site indicated an enclosure for the dumpster. She questioned why it did not appear on the revised plans.

Peltier stated that the applicant removes all trash from the site on a daily basis. Therefore, an outside dumpster is not needed.

Calder noted that the revised plans do not show access to the property to the south as was indicated on the previously approved plans.

Foulds explained that the access point is on the property to the south. In addition, staff has initially reviewed the driveway agreement between this site and the property to the south. It appears to meet all requirements of the Special Use Permit.

Gobbo noted that the previously approved site plan indicated relocated telephone and overhead power lines. Gobbo suggested that Mr. Peltier encourage the applicant to bury all power lines.

Peltier advised that initially the power lines were going to be relocated. Now the applicant does not intend to relocate any of the power lines. A section of the power lines from the existing power pole to the building will be buried, although it is not indicated on the revised plans. He will suggest that the applicant bury all power lines.

Fair asked for confirmation that a sidewalk will be constructed on the US 27 frontage of the site.

Peltier stated that placement of sidewalks are required by the Ordinance and are planned to be constructed.

Zimmerman closed discussion by reminding the Commission that staff does not need a recommendation from the Planning Commission regarding this revised site plan.

The revised plans were noted by the Planning Commission and no action was taken.

### **III. Wind Energy Conversion Systems Discussion and Draft Ordinance**

Foulds briefly reviewed the previously distributed Wind Energy Conversion Systems (WECS) Definition of Terms. He distributed draft ordinance language (dated January 4, 2010) and asked that the Commissioners take the time to review the language and have questions and/or possible amendments prepared for discussion at the next Planning meeting scheduled for February 1, 2010.

Foulds advised that he continues to attend conferences regarding WECS regulation, as well as review language being drafted by other communities. As of yet, there seems to be no consistent data related to setbacks requirements. Information is still being compiled.

Foulds went on to present additional information he has collected at previous conferences and advised that he will be attending another conference in the near future for the purpose of gathering additional data.

Discussion and questions followed from Commission members.

Rich Trent, Community Development Director DCT, suggested that the language also include the regulation of solar energy. In addition, he advised that Clinton County is currently in the process of adopting regulations for Wind Energy Conversion Systems. At this time, no action has been taken by the Board of Commissioners.

No action was taken. The Commissioners will review draft language for further discussion at the next meeting.

NEW BUSINESS:

- II. SUP 07-990002 – NW Lower Michigan Synod – Request for Extension** for property located at 1000 W. Webb Road, northwest corner of BR-27 and Webb Road, in the southeast ¼ of Section 9 of DeWitt Charter Township, to be allowed to construct a 10,652 sq. ft. addition to an existing religious institution located on a 3.54 acre parcel.

Foulds briefly reviewed staff's memorandum dated January 4, 2010 advising that the Township Board approved this Special Use Permit in 2007 to allow the expansion of an existing church located at 1000 W. Webb Road. Up through 2009 staff had been working with the applicant and reviewing agencies. Due to a lack of funding the progress of the project has slowed down considerably. Therefore, the applicant is requesting an extension of the approval. Staff is recommending a two (2) year extension to expire in January of 2012 with all of the previously approved conditions remaining the same.

Brief discussion followed.

**Fair moved that the Planning Commission approve the extension of the final site plan for Special Use Permit 07-990002 from the NW Lower MI Synod for two (2) years to expire on January 4, 2012. Approval is based on the following conditions:**

- 1. That the proposed religious institution has been designed in accordance with the requirements of Section 7.13.1 of the Zoning Ordinance.**
- 2. Upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Zoning Ordinance.**
- 3. Prior to the issuance of building permits for this project, that the applicant receive a review and approval for all site plan documents from the Township Planning staff and the reviewing agencies responsible for regulating this proposed development.**

**Supported.**

**ROLL CALL vote on motion:**

**AYES: 7      NAYS: 0      ABSENT: 2 (Shively, Flower)**

**MOTION CARRIED.**

**III. Comprehensive Development Plan – Review and Update Procedure**

Foulds briefly reviewed staff's memorandum dated December 16, 2009 advising that the Michigan Planning Enabling Act (PA 33 of 2008) requires governmental jurisdictions that have adopted a Master Plan to review the document every five (5) years to determine if changes are needed. He outlined the proposed procedure and potential review items involved in the upcoming review and possible update of the Comprehensive Development Plan. The three main items that will be under consideration are: 1) the City of DeWitt Gateway Corridor Entry Policies, 2) Capital Region International Airport sub area plan amendment, and 3) a Business 27 Overlay Zone.

Foulds stated staff recommends the first step in the review process consist of a work session to discuss the Master Plan document and determine if any changes need to be made. If it is the consensus of the Commission that amendments are necessary, a schedule can be put into place to proceed forward with the process.

Community Development Director Rich Trent briefly commented on the three main items that will be under consideration during the process of reviewing the Comprehensive Development Plan. He pointed out the Capital Region International Airport is planning the reorientation of the terminal as part of their 2020 Plan. Perhaps the Township should consider opening discussion related to different land use designations along the State Road corridor.

Trent further suggested that the Township also consider creating an overlay zone primarily for the southern tier area in an effort to encourage redevelopment.

Foulds stated it is staff's opinion that the Township should also consider a Traffic Access Management extension into the southern tier, especially as the area starts to redevelop.

Brief discussion followed regarding the current Traffic Access Management Plan boundaries.

Discussion followed regarding the possibility of utilizing a subcommittee during this review process.

It was the consensus of Commissioners that the entire Planning Commission will take part and proceed forward in the review process. It will be placed on the Agenda and discussed as a regular item of business as time permits.

Foulds advised that staff will compile a timeline for the review process, as well as list major objectives to be discussed.

- IV. Rezoning Request 09-880001 from Rose Acceptance, Inc. (f/k/a Ottaco Acceptance, Inc.),** to rezone approximately 5.05 acres from BC (Business, Community) to M-2 (Multiple Residential) for property located at 11549 S. US 27, DeWitt, Michigan, on the east side of US 27, north of Howe Road, south of Round Lake Road, in the northwest ¼ of Section 3 of DeWitt Charter Township.

**Keilen moved to receive Rezoning Request 09-880001 from Rose Acceptance, Inc. (f/k/a Ottaco Acceptance, Inc.) and set for a Public Hearing to be held on Monday, February 1, 2010. Supported. MOTION CARRIED.**

- V. Election of Officers for the Year 2010.**

Chairperson Zimmerman opened the floor for nominations for the office of Secretary.

**Smelker moved to nominate Dale Dailey for the office of Secretary.**

There were no further nominations for Secretary.

**Hearing no further nominations, Smelker moved to close the nominations for the office of Secretary and cast a unanimous ballot for Dale Dailey for the office of Secretary. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7      NAYS: 0      ABSENT: 2 (Flower, Shively)**

**MOTION CARRIED.**

Chairperson Zimmerman opened the floor for nominations for the office of Vice Chairperson.

**Calder nominated Bruce Keilen for the office of Vice Chairperson.**

There were no further nominations for Vice Chairperson.

**Hearing no further nominations, Calder moved to close the nominations for the office of Vice Chairperson and cast a unanimous ballot for Bruce Keilen for the office Vice Chairperson. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7      NAYS: 0      ABSENT: 2 (Flower, Shively)**

**MOTION CARRIED.**

Chairperson Zimmerman opened the floor for nominations for the office of Chairperson.

**Smelker nominated Steve Gobbo for the office of Chairperson.**

There were no further nominations for the office of Chairperson.

**Hearing no further nominations, Smelker moved to close the nominations for the office of Chairperson and cast a unanimous ballot for Steve Gobbo for the office of Chairperson. Supported.**

**ROLL CALL vote on motion:**

**AYES: 7      NAYS: 0      ABSENT: 2 (Flower, Shively)**

**MOTION CARRIED.**

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Trustee Calder gave a brief report on business conducted and action taken at the regularly scheduled Board of Trustees meeting held on Monday, December 14, 2009.

II. Zoning Board of Appeals:

Gobbo advised that there was no meeting of the Zoning Board of Appeals held in the month of December.

III. Committees: None.

IV. Staff: None.

DISCUSSION:

Trent advised that staff will be providing a monthly departmental activity report to Commissioners via e-mail.

ADJOURNMENT:

**Fair moved to adjourn the meeting at 8:47 p.m. Supported. MOTION CARRIED.**

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Linda K. Parkinson, Recording Secretary

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Dale Dailey, Secretary