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**SPRING LAKE TOWNSHIP
PLANNING COMMISSION MINUTES
APRIL 16, 2014 - REGULAR MEETING**

PRESENT: David Rumpel, Greg Latsch, Russ Tiles, and Amy VanDyke.

ABSENT: Jack Ketchum, Dennis Masson, and Ron Lindquist.

PARTICIPANTS: Lukas Hill, Township Community Development Director

A. Call to Order

Rumpel called the meeting to order at 7:01 p.m.

B. Adoption of Minutes

Latsch made a motion to adopt the minutes of the March 19, 2014 meeting. Tiles seconded the motion, which passed unanimously.

C. Approval of Agenda

Rumpel made a motion to approve the agenda with the correction of the property address for the Special Land Use. Latsch seconded the motion, which passed unanimously.

D. Public Comments

A time was offered for public comment. No comments were offered.

E. Grant Special Land Use – 18192 W. Spring Lake Road

Amber Grant presented the application for a special land use for a group day care. She stated her current family day care has a limit of 6 children, and she would like to increase the limit to 12, as the 4 children who live in the house count against her limit. She indicated she knew there were concerns about traffic, and she has a circle driveway which facilitates vehicle movement. Also, there is usually only one drop off or pick up at a time, as the children have staggered start times.

Rumpel stated that the Planning Commission has received letters from neighbors and will take those, as well as any comments during the public hearing, into consideration. However, state law will govern the approval and the application will be evaluated based on state requirements.

The public hearing was opened at 7:10pm.

John Goloversic, 18210 West Spring Lake Rd., said he has no problems with the current day care operation. Also, he knows the house at 18192 West Spring Lake Rd. and it is big enough to handle all the kids. He fully supports the change.

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Mark Butler, 18217 West Spring Lake Rd., said he was appearing unsolicited. He hasn't had problems with the current operation, and he supports the change. He expects that Township law will be followed.

Hill indicated four letters regarding the special land use were received, all of which oppose the special land use.

Goloversic then further stated that he knows there are people in the neighborhood soliciting letters opposing the special land use, and that they are spreading false information.

There was a motion by Latsch, support by VanDyke, to close the public hearing at 7:17pm. The motion was approved.

Hill presented his report on the application. He stated he called the Township attorney, who indicated that the state regulates day care facilities, and the decision needs to be based on the state criteria. The Planning Commission can use the Township general Special Land Use criteria, but cannot deny the application based on those criteria – the denial must be related to the state criteria.

Commissioners reviewed Section 206(4) of the Michigan Zoning Enabling Act, which governs day care facilities.

Section 206(4) – Michigan Zoning Enabling Act

- a. Is not located closer than 1,500 feet from any of the following:
 - i. Another licensed day care home
 - ii. An adult foster care small group home or large group home license under the licensing act.
 - iii. A facility offering substance abuse treatment and rehabilitation for 7 or more people.
 - iv. A community correction center, resident home, halfway house, or other similar facility.
- b. Has appropriate fencing for the safety of the children in the group child day care home as determined by the local unit of government.
- c. Maintains the property consistent with the visible characteristics of the neighborhood.
- d. Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group day care home between the hours of 10PM and 6AM.
- e. Meets all signage regulations.
- f. Provides adequate off-street parking accommodations.

Hill expressed concern about the condition of the driveway, and that it may relate to item (c), maintenance of the property. Otherwise, the property meets the requirements of Section 206(4).

Rumpel stated the condition of the driveway may be a safety issue.

Tiles thought the driveway may be related to item (f), adequate off-street parking. He also stated a concern about where the driveway meets the bike path.

Latsch was concerned about item (d), not to exceed 16 hours of operation. Amber Grant stated that she usually only has children onsite from 6:30am to 6:30pm, with occasional later times.

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VanDyke questioned whether the occasional later times were a problem, and whether that was limiting Grant's ability to babysit for friends.

Tiles stated that the hours mentioned were within the 16-hour limit, so it should be fine.

Latsch indicated that occasional longer hours are fine, and it's the regular business hours that are a concern. He also stated he has questions about the usable square footage of the house.

Hill indicated that was a question for the state, and the Planning Commission should focus on outside issues.

Grant stated she will require a new inspection and a new license.

VanDyke stated she has a day care across the street from her house, so suggestions that the Planning Commission does not understand the impact are incorrect.

Tiles questioned where the assistant will park. He also questioned whether the trailer was parked permanently.

Grant stated the assistant will not park in the circle drive. The trailer will be removed by the first week of June. Also, she will be expanding the area in the house that is used for the children.

The Planning Commission reviewed Section 902 General Special Land Use Standards. General consensus was that the application met all criteria.

Rumpel stated the worst part of the location was the yard and driveway. Removing the trailer will help and the driveway should be repaired. If noise is a problem, there are tests to determine the decibel limits.

Motion to approve the Grant Special Land Use request for a Group Day Care Facility at 18192 West Spring Lake Road as it meets the criteria in Section 902 and those of the Michigan Zoning Act with the following conditions:

- a. The asphalt driveway shall be improved to handle the additional traffic and improve appearance.
- b. The cinder circle drive shall be improved to better designate the driveway and to better protect the edges of the bike path.
- c. The north drive shall be used for entry and the south drive for exit only.
- d. All outdoor play items shall be kept in the rear yard.
- e. The proposed day care shall obtain proper licensing by the State of Michigan.

The motion was made by Latsch and supported by Rumpel. With a roll call vote, the motion passed unanimously.

F. Master Plan Update

Planning Commission members have received an electronic copy of the Master Plan revisions and how those revisions would fit into the existing Master Plan. Hill discussed the Master Plan update with the Board of Trustees at their meeting on April 14, 2014. The Board is looking for a document to review. Supervisor Nash has reviewed the current draft, and feels the Master Plan sets lofty goals to make Spring

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Lake Township a better place. He agrees with the sentiment, especially as related to the significant properties along M104.

Rumpel said the Planning Commission is looking at areas differently. The gateway to the Township is still important, but the architecture is more important than the specific property use. They are more open to other uses such as a gas station, but it must be attractive.

Hill stated the difficulty will be in defining “attractive” and that a picture book may be necessary. Also, the zero lot line discussion has focused on the Two Tonys development and that design. The Planning Commission feels that the single aisle across the front is acceptable, rather than requiring that all parking be in the back.

Latch thanked JJ Westgate for his input and help in shaping the Master Plan update.

Latsch moved, supported by VanDyke, to send the current Master Plan Update Draft to the Board of Trustees for their review. The motion was approved.

G. North Shore Estates Road – Critical Dune Ordinance

Hill is continuing to investigate how other communities handle critical dunes setbacks. Motion by VanDyke, support by Latsch, to table the discussion on the Critical Dunes Ordinance until a future meeting. The motion was approved.

H. Liaison Reports

1. **Township Board:** No report.
2. **Zoning Board of Appeals:** No report.
3. **Community Development Director:** Spring Lake Township, in conjunction with many agencies and municipalities in the area is submitting a \$1,000,000 TIGER grant application to the US Department of Transportation. The grant would be used for planning and design for the completion of the North Bank Trail, the Spoonville Trail and the Grand River Greenway, which total approximately 50 miles of bike paths.

G. Adjournment

Rumpel moved to adjourn the meeting at 8:17pm. Latsch seconded the motion, which passed unanimously.

Respectfully submitted,

Dave Rumpel, Chairman

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Planning Commission