

MINUTES  
GREEN LAKE TOWNSHIP PLANNING COMMISSION MEETING  
JULY 25, 2011

Call to order: 6:30 pm

Roll call: Hintz, McDonald, Kopriva, Karle, Schuster, Jackowski, Schworm present.

Also present: Krysti Baker, Zoning Administrator and Leslie Sickterman, Planner

There were eight members of the public present.

Approval of the agenda: Motion made by Jackowski and seconded by Karle to approve the agenda with two changes, under new business add Rod West site plan amendments and the keeping of laying hens. Motion carried.

Approval of the minutes from the June 27, 2011 meeting. Motion made by Karle and seconded by Hintz to approve the minutes as presented. Motion carried.

Public Hearing: Motion made by Karle and seconded by Hintz to open the public hearing. Motion carried.

PC11-02 Roberta Benedict of 1593 Pinetree Road, Grawn, MI requests and site plan review and special use permit to establish a group daycare at the same address. Parcel # 28-07-706-008-00

The Zoning Administrator gave an overview of the request.

The Planner, Leslie Sickterman, asked the applicant the ages of the children in her care.

The response was 5 ½ to 11 year olds.

The Planner asked if any of them were picked up by the school bus from her location.

The response was yes.

The Planner asked if she intended on having a sign.

The response was no.

The Planner asked if she had health department approval for her well and drainfield.

The response was yes, it was required by the State of MI before licensing.

The Planner asked if she had adequate trash receptacles.

The response was yes that she had two.

The Planner asked if she would be willing to provide obscuring fencing for the play area in the front yard.

The applicant responded that she had already started installing ribbon material through the chain link fence that would obscure visibility.

The Planner said that the yellow school bus on the property seemed to be an issue with the neighbors and asked if it could be moved out of site on the property or could be stored at another location.

The applicant said that she had moved it as far back as she could. She said the soils on her property are sandy and it got stuck trying to move it back further. She said she uses it as part of her daycare business and needs it accessible.

The Chairman asked the commissioners if they had any questions for the applicant.

Commissioner Jackowski said that he lives around the corner from this daycare on Sullivan Road and drives by there often. He said his concern was that Section 9.4 B. of the Green Lake Township Zoning Ordinance could not be adhered to because this is a small of record and the only space available for an outside play area was the front yard. Section 9.4 B. requires that all uses of property be designed, constructed, operated and maintained so as to be harmonious, and compatible and appropriate in appearance with the existing vicinity and will not change the character of the area. He also had a concern that the school bus was just being used for storage.

The applicant said she only uses it for storage in the winter. She said she knows that the outside of the bus is an eyesore, but she has refurbished the interior and the children love it. She said sometimes they just get on the bus and pretend to go on field trips and does use it for day trips with the children.

Commissioner Jackowski asked if she would consider moving the bus to a different location. He offered his property for her to store it on.

The applicant said that other people in her neighborhood store their boats and recreational vehicles on their property, and play equipment in their front yard. She does not see that she is using her property differently than anyone else.

Commissioner McDonald asked if the bus could be moved behind the plow truck in the backyard.

The applicant said that they had tried that and the bus got stuck in the sand.

The Chairman asked the members of the public if anyone had a comment.

Chris Haight of 1553 Pinetree said that he lives two doors down from this home. He said lately he has notices that there has been some clean up and upgrading going on at this location. He said that most of the clean up was just moving things to the backyard. He said the outside play area needs to be in the backyard. He said this property is an eyesore. He said he respects her right to operate her daycare there, however, she needs to respect their rights too. He said there is no speed limit posted on this street, this means that the speed limit is 55 mph. He suggested that the applicant take the necessary steps to get a children at play area sign and get the speed limit changed to 25 mph. He said the bus needs to go. He also said that he cannot believe that she received health department approval, he has problems with his drainfield and only has his family use. He said he does believe that this use does affect property values. Mr. Haight said he found it hard to believe that she could meet the square foot standard set by the State for number of children per square foot in the home and outside play area.

Peggy Handy of 1571 Pinetree said she lives north of this property. She doesn't have a problem with a daycare there, but she does feel it affects her property value. She asked if the drainfield was in the front yard or to the side.

The response was to the side.

The Planner said that she noticed in the report provided this evening, that the applicant was proposing a fenced in play area in the backyard by the summer of 2012. She asked if this would eliminate the play area in the front yard.

The applicant responded no. The proposed play area in the backyard would be for the big kids for free play only.

Commissioner McDonald asked what the State law was in regard to Township review of a group daycare.

The Zoning Administrator read the law to the Commissioners.

All of the allowable standard evaluation has been met by this applicant except possibly "maintains the property consistent with the visible characteristics of the neighborhood".

The applicant said that she wanted the Commissioners to know that she does meet State standards for children per square foot in her home and outside play area.

The applicant said that the neighbor at the end of road has horses and another neighbor has a swimming pool in their front yard. She said she is required to have sand in front yard for the safety of the children. She also wanted the Commissioners to know that she has her septic tank emptied every other year to ensure that it works properly. The applicant said that as far as property values go, some people might consider it to be a benefit to have a daycare close by.

The Chairman read the Planners recommendations. He commented that good screening can also buffer noise.

Commissioner Schworm asked when the applicant would be done screening the fence.

The response was by Thursday.

Commissioner Schworm asked if the applicant would consider storing her bus at Commissioner Jackowski's property.

The response was yes.

Commissioner Schworm asked the rest of the Commissioners if they agreed that she could have the bus at her property during her working hours.

The response from all was yes.

Commissioner Kopriva asked if she had a sign now.

The applicant responded that the sign she had wore out, so she did not have a sign.

The Planner told the applicant that if she wanted another sign she would need a sign permit from the Township.

Commissioner Kopriva commented that the property does look better than it did and she has not seen the bus or truck in the road right of way for quite some time now.

The applicant said she knows the bus is an eyesore but the children love it.

Marc McKellar of 1644 Innwood North said he has tried to get the speed limit lowered for over a decade in his subdivision. He said it is impossible to get done without a lot of money for studies and may even require a special assessment district.

CLOSE PUBLIC HEARING: Motion made by Jackowski and seconded by Kopriva to close the public hearing. Motion carried. 7:16 pm.

#### ACTION ON PUBLIC HEARING:

It was noted that the Planners review concerns in her letter dated July 18, 2011 under D. 1 have been addressed in the submittal provided this evening.

Commissioner Kopriva said that she could see approving this request if the screening of the fence was completed by the end of this week and the bus was moved to Commissioner Jackowski's property or moved back one full parking spot and screened.

Commissioner Schuster asked what kind of screening could be used for a bus. He said screening the bus is not the answer it would look worse. Moving it back farther may be an answer.

Commissioner Jackowski said there is a lot of activity in this front yard. The bus has just been used for storage. He said the bus will not make or break this business.

Motion made by Jackowski and seconded by McDonald to approve this request conditioned upon the front yard play area being screened with obscured fencing , and within one year from now, three bushes be planted along road side property line, and one bush per every ten feet be planted along the north property line to make this property compatible with the neighborhood.

All existing landscaping must be maintained, also conditioned upon the bus being stored off site during the hours the daycare is not open for business. Motion carried.

#### NEW BUSINESS:

Rod West representing US31 Motors and Buddy's Transmission told the Commission that the seven pine trees in front of his business were dying from road salt damage so he had to cut them down. He was here before the Commission to get direction on what landscaping could be used to replace them. He said the seven pines were obstructing the view of his business from US31. He said because he has no access from US 31, it is important that the business can be seen. He said he wanted to do some clustering of trees and burning bushes on the west side and east side and around the pole sign in the middle.

Motion made by Schuster and seconded by Jackowski to approve the landscape changes to the US 31 side of 7225 Scotchwood, with clusters of trees at the east and west end of the property and burning bushes clustered between, and landscaping around the base of the sign. Included in this motion was a motion to set a public hearing on the fence changes requested. Motion carried.

Landscaping to be completed by September 2011.

#### Laying Hen Ordinance

Motion made by Schworm and seconded by McDonald to have the Zoning Administrator and the Planner work on some language similar to Traverse City's laying hen Ordinance to consider allowing for laying hens in Green Lake Township. Motion carried.

The Township Planner did a rezoning overview with the Commissioners. She said that the Fun Country property is now zoned commercial. The commercial use of the property now is just in the southern portion of the property. The Plachetka property on the corner of US31 and S. Long Lake Road is approximately 200 acres. Most of this property is zoned R-5, only the southern 600 feet is zoned commercial. The Master Plan calls for only the southern 600 feet of the Fun Country property to be zoned commercial. The northern part of this property is shown as 1 acre residential zoning. As a stop gap before we adopt the gateway design plan it would be wise to rezone the northern part of the Fun Country property to R-1 as Commissioner McDonald suggested. The Gibbs Planning Group should have the gateway design plan complete soon. The property to the east of Fun Country is R-1 now. To the west of Fun Country the property is zoned R-5 except for the front 600 feet which is zoned commercial. The

Master Plan calls for the northern portion of the property to the west be zoned 1 acre parcels. Since the gateway design plan is not in place yet, rezoning the northern part of the Fun Country to R-1 would make an easy transition into the gateway plan.

Motion made by McDonald and seconded by Schworm to set a public hearing for next month's meeting to consider rezoning all but the front six hundred feet of the Fun Country property from Commercial to R-1 Residential. Motion carried.

Public Input:

Marc McKellar attended representing the Grand Traverse County Road Commission. He told the commissioners that the Road Commission had recently been approached by the MEDC to partner in some grant money that will be coming available. He wanted the Planning Commission be aware of this for any upcoming development.

Adjournment: Motion made by Karle and seconded by Hintz to adjourn. Motion carried. 8:30 pm.

Minutes respectfully submitted by Krysti Baker

