

PLANNING COMMISSION
Minutes for Regular Meeting of
January 5, 2023

PRESENT Commissioners Dave Roesler, John Warner, John Gloster, Paul Josephson, Mike Holman and Chris Campeau.

NOT PRESENT Chad Kuipers, excused.

ALSO PRESENT Zoning Administrator Jensen, Recording Secretary Sally Dion and 2 interested parties.

CALL TO ORDER Chairperson Roesler called the January 5, 2023 to order at 6:00 p.m.

AGENDA Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, accept the agenda as written

6 AYES
1 ABSENT

MINUTES Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to accept the October 6, 2022 Regular Meeting Minutes as written.

6 AYES
1 ABSENT

PUBLIC COMMENT

None

PUBLIC HEARING

Parcel Number 61-06-444-000-0016-00, 5249 Bittersweet Drive, Alexandra Lorenz, Tennant, requests a Special Land Use Permit according to Article XIV Special Land Uses, Section 14.04 M. Group and commercial child care homes and facilities, for the purpose of operating a Group Care Home in the Medium Density Residential District.

PUBLIC HEARING OPEN 6:03 p.m.

Chairperson Roesler asked Zoning Administrator Val Jensen if he saw any issues with this request. He stated our ordinance is based on the Michigan Zoning Enabling Act 110 of 2006 125.3206 Residential use of property; adult foster care facilities; family, group child care homes, or qualified residential treatment programs which is explanatory, so Commissioners should base their decision using this.

CORRESPONDENCE

1. Brian and Kim VanderMey, 5196 Bittersweet Drive, stated concern with additional vehicles traveling for drop offs and pick-ups, greatly increasing traffic density.
2. Kateri and Charles Petrie, stated concern with increase in traffic and 24 hours a day and weekend care offered.

PUBLIC COMMENT

1. Jeff Marcinkowski, 3767 Jay Road, asked if recent legislation has anything to do with this regarding group care homes?

Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to suspend Robert's Rules of Order to allow Chairperson Roesler address this.

6 AYES
1 ABSENT

Chairperson Roesler explained that a few months ago an amendment was made to change the number of children allowed for Family Child Care Home and Group Child Care Homes. The State requirements say a group child care home shall be issued a special land use permit if it meets all standards.

Supervisor Marcinkowski understands now.

Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to return to regular session.

6 AYES
1 ABSENT

PUBLIC HEARING CLOSED 6:09 p.m.

Consensus of Commissioners is the applicant meets the requirements of Article XIV, SPECIAL LAND USES, SECTION 14.04, SPECIAL LAND USE SPECIFIC REQUIREMENTS M. Group and commercial child care homes and facilities with the stipulation that a fence must be done before begins operation.

Applicant advises it is just her and one employee so there will be no parking issues. She has a total of nine families, twelve children total. Day children are gone by 6:30 p.m. She does have one 3rd shift child that comes from 8:00 p.m. to 8:00 a.m.

After brief discussion consensus was to waive the requirement of not exceeding 16 hours in a 24-hour period. This will allow the applicant to continue with the 3rd shift child.

Discussion was held on number of vehicles that would be in/out daily, consensus is that nine cars would not be considered excessive.

Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to recommend approval to the Township Board of Trustees the special land use permit for 61-06-444-000-0016-00, 5249 Bittersweet, for the operation of a Group Child Care Home, excepting the "do not exceed 16 hours of operation during a 24-hour period" requirement.

6 AYES
1 ABSENT

OLD BUSINESS

1. Solar Farm Ordinance

No update.

PLANNING/ZONING UPDATE

Commissioner Warner advised the Zoning Board of Appeals met in November, on a Sylvan Beach leasehold request for a side setback and height variance for an accessory building, however, there was incorrect information on the application, the applicant was advised it needed to be corrected and re-submitted, the request will be heard this month.

ADJOURMENT

Motion by Commissioner Holman, second from Commissioner Warner, ***ADOPTED***, to adjourn the January 5, 2023 regular meeting at 6:35 p.m.

**6 AYES
1 ABSENT**

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland