

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF JANUARY 14, 2016**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairperson McGuirk called meeting to order at 7:05 p.m.

Present: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker
Recording Secretary: McDonald
Absent: Warren

APPROVAL OF AGENDA:

Chairperson McGuirk suggested the order of business be changed to hear the new business before the public hearing to consider the ordinance amendments

Motion to approve the agenda as amended

Motion by: Tucker

Seconded by: Hemeyer

Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker

Nays: None

Absent: Warren

Motion carried

NEW BUSSINESS:

SP15-004 Steve Steffey, Assisti Care, LLC. 1012 N. Leroy, Fenton:

Part of 06-33-400-032

4031 Vicinia Way

Preliminary and final site plan approval for a 26 unit assisted care facility, phase 3 of Vicinia Gardens

Chairperson McGuirk reviewed the file. Kevin Cook, CHMP, 5198 Territorial, Grand Blanc was sworn in to represent Steffey who was present. Cook explained this is the 3rd phase of a multi unit assisted living complex. The request is for preliminary and final approval of a 26 unit transitional facility. He noted currently 2 of the buildings have been built and are in operation, an assisted living facility and a memory care facility. Access will be from the private drive Vicinia Way and the building exterior will be of the same material and general appearance of the 2 existing buildings. He addressed the comments in the review letter from the Township Engineer dated 1-11-16. First there was an error in the parking calculations which has been corrected by stretching the parking area in the front and adding 2 parking spots at the east end of the lot bring the total to the required 20 parking spaces. All existing and proposed utilities will be shown on the final engineering plans. He explained that they are unable to submit to the County until the Township has approved the site plan. Dimensions between parking spaces have been noted at 24 ft. A picture of the existing sign for the memory care was provided, the new sign will match this existing sign and will located at the entrance drive for this building. Compacted sand will be depicted on the utility plan. Utility note 2, sheet 2 will be revised to include sleeves for sanitary sewer and water leads. The detention basin shown could be eliminated in the future it will not be located under a parking lot. Existing problems with disposable wipes, undergarments and other products have been addressed by the policy put in place. Policy has been provided. He added discussion about how to remedy the sanitary sewer issues are ongoing and Steffey is working with the Township Engineer to find a solution. Cook showed an example of the light fixture they are proposing to use. He noted that until they have the Townships blessing on the fixture they did not want to provide an illumination plan. He said if this fixture is approved they will provide the illumination plan. Tucker asked if they had seen the memo from the Fire Chief dated 1-14-16. Cook said he had not. Tucker read memo stating the fire suppression plan has not been provided for review and approval of his

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MINUTES FOR REGULAR MEETING OF JANUARY 14, 2016**

department. Steffey said that will be provided and the system will be NFPA compliant as are his other buildings. Steffey also explained he has been talking with the Township Engineer about installing a separation tank to catch the first flush from the sanitary sewer prior to it entering the Township sanitary sewer system. Tucker explained the Township is paying approximately \$2500.00 a month to clean and unclog the impellers and pumps in the sanitary sewer system. Tucker said this is not acceptable and something must be done. Steffey said they had implemented a policy that should have corrected this problem and referred to a document submitted prior to the meeting. Tucker noted he had spoke with the Township Engineer yesterday and as of then there had been no change. Tucker asked about their projected construction schedule. Steffey said they would like to start in the spring. Hemeyer stated concerns about the lack of easement area for the proposed sanitary sewer line that runs along Silver Chase on the west side of the property. Cook said there would be room to provide an easement on Steffey's property and said that will be added. Hemeyer also noted the detention pond shown has no way to outlet storm water to the existing ditch in the event of an overflow. Cook stated they can cut a route to the ditch and supply rip rap filter on the low side of the basin. Tucker asked about the dumpster location and screening. Cook pointed out the location and said it will be screened on all sides with additional plantings of arborvitae and white spruce on 3 sides. Tucker noted a table depicting the landscaping calculations has not been provided to verify the 10% requirement has been met. Steffey stated they have and will exceed the 10% as is noted on the plan. Tucker said this should be clearly indicated on the plan showing the square footage calculation and how the requirement is being met. Steffey said that will be quantified. Tucker asked if the water supply has been upgraded. Steffey replied they had upgraded from the type 2 well to a type 1 system that is arsenic compliant. Tucker stated there are too many items missing on the site plan presented to grant a final approval and suggested the items discussed be added to the plan, a new site plan be presented for final approval for all to review and most importantly the issue with the clogging of the sanitary sewer system be addressed prior to granting a final approval that is likely exacerbate an existing serious problem. The Commission agreed.

Motion to grant preliminary approval for a 26 unit assisted care facility, phase 3 of Vicinia Gardens.

Motion by: Tucker

Seconded by: Marko

Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker

Nays: None

Absent: Warren

Motion carried

PUBLIC HEARINGS:

Amendments to Fenton Township Zoning Ordinance #594:

Article 4, Section 4.02 Accessory buildings in residential and agricultural districts C. requiring completion of the principal structure prior to building the accessory building.

No building permit for a detached accessory building in a residential or agricultural zoning district shall be issued prior to the issuance completion of the building permit for its principal structure.

Tucker explained this issue has been in front of the Planning Commission and the Township Board several times. He noted that some Township Board members were not in favor of making a change to the ordinance that would make it more restrictive when this situation is a rare occurrence. There was discussion about making a change to the existing language and the consensus was a change may not be necessary.

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF JANUARY 14, 2016**

Motion to recommend approval of the language change as presented.

Motion by: Tucker
Seconded by: Marko
Ayes: Marko
Nays: Cypher, Hemeyer, McGuirk, Richard, Tucker
Absent: Warren

Motion failed

Article 8, Section 8.05 Site Plan Review to change reference from the time the building permit is issued to the time of certificate of occupancy.

*The Zoning Administrator or Planning Commission may require a deposit into an escrow account for the estimated cost to cover consultant review fees prior to being placed on the agenda for final site plan review. **The estimated costs shall be calculated according to the Fenton Township Schedule of Fees, which may be changed from time to time by resolution of the Township Board.** Any and all fees must be paid prior to the issuance of a ~~building permit~~ **certificate of occupancy** for the site.*

Recording secretary McDonald explained the first portion of the amendment is just to clean up language. The language is proposed to be changed from requiring fees be paid prior to the issuance of the building permit to all fees being paid prior to issuance of a certificate of occupancy. She said the reason is that fees continue to be incurred from the time the building permit is issued until the project is finished. The Commission agreed to the change.

Motion to recommend this amendment as presented.

Motion by: McGuirk
Seconded by: Tucker
Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker
Nays: None
Absent: Warren

Motion carried

PUBLIC COMMENT CONCERNING ITEMS NOT ON THE AGENDA: 5 Minute Limit - There were none

COMMUNICATION:

MINUTES: November 21, 2015 stand approved as submitted

ADJOURN: 8:18 pm.

Jim McGuirk, Chairperson
Minutes Posted 11/24/15

Donna Warren, Secretary