

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF FEBRUARY 11, 2016**

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

Chairperson McGuirk called meeting to order at 7:03 p.m.

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

**APPROVAL OF AGENDA:**

Chairperson McGuirk suggested the order of business be changed to hear the new business before the old business

Motion to approve the agenda as amended

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

Motion carried

**NEW BUSSINESS:**

**SP16-001 Midwest V LLC, Peter Oleszczuk, 403 Oak St. Spring Lake, MI:**

06-03-200-037 part of Thompson near Torrey

Preliminary site plan approval: Dollar General Store

Chairperson McGuirk reviewed the file. James Milanowski, Milanowski & Englert Engineering and Surveying, Inc. 927 Beechtree St. Suite 3, Grand Haven was sworn in to represent Midwest V, LLC. Milanowski explained the location and orientation of the proposed site. He showed the conceptual plan presented to the Commission in October of 2015 when they had applied to amend the PUD to add a third driveway. He noted that the only change to the concept plan is, after preliminary conversation with Genesee County, the storm water detention basin has been relocated from the front of the property to the rear away from Thompson Rd. The basin is shown with an outlet to a private easement to be obtained then to the wetlands along the south of this parcel. Tucker cautioned the Township will not approve storm water to flow onto an adjacent property. Milanowski said it is possible that the storm water can be released at a rate from the detention basin at the rear of the property along the west property line to Thompson Rd. that would be acceptable to the County and this would eliminate the need for the private easement. He showed the landscape plan and building elevations. He indicated that being aware of the Township design standards this is not the typical Dollar General elevations. They have added brick fascia with a different colored brick to mimic windows. He explained that having widows along the side of the building will not work with the way Dollar General stores are laid out. Tucker noted the landscape plan was only given a preliminary review and it appears to be insufficient. The ordinance requires 10 percent of the site and for the 10 percent site landscape requirement to be clearly indicated on the landscape plan with the square footage calculation for the 10 percent required. The 10 percent landscape area proposed shall be described and/or denoted on the landscape plan. Tucker also noted the dumpster screening shall be vinyl or wood, chain link with slats will not be acceptable. Tucker asked if the applicant had seen the letter from the fire chief requiring one of three options, fire suppression, a fire well or dry hydrant in the detention basin. Milanowski said he had not seen the letter however the building will not be suppressed. He said he would meet with the chief to decide which of the other options would be best. Tucker also indicated a parking calculation

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has not been provided. Milanowski said he is sure the parking proposed will not meet the requirements of the ordinance. He assured the Commission that this use does need the required parking. Tucker said that a reduction would require a variance from the Zoning Board of Appeals. Milanowski said he thought because the property is zoned PUD there would be some flexibility. Tucker said there is flexibility in the landscaping and the design standards however a reduction in required parking would necessitate a variance. McGuirk stated a photometric plan is required. Milanowski said that will be provide, the lighting will be building mounted there are no stand alone lights planned. Cypher indicated the west elevation needs to be dressed up either with building elements or landscaping or both. The Commission concurred. There was a lot of discussion about the design elements of the building. The Commission indicated a blacked out glass is preferred rather than the colored block. The Commission said it is their desire that they include glass along the south elevation and at least the first 3 window looking sections of both the east and west elevations. Tucker said the Commission will be reasonable and asked the applicant provide some pricing with regard to the design elements the Commission is looking for.

Motion to grant preliminary site plan approval with all of the insufficiencies noted above to be provided prior to final site approval.

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

Motion carried

**UNFINISHED BUSINESS:**

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

06-33-400-032 part of

Vicinia Way

Final site plan approval: 26 unit assisted care facility

Chairperson McGuirk reviewed the file. Kevin Cook, CHMP, 5198 Territorial, Grand Blanc was sworn in the represent Steve Steffey who was also present at the meeting. Cook explained the request is for final approval of the third building in Vicinia Gardens which is proposed to be a 26 bed transition facility. Steffey addressed the letter from the fire chief stating that they are required by the State Fire Marshal to provide suppression as they have in the other buildings to be NFPA 13 compliant. This will be done. Cook explained that since the last meeting the following items have been addressed. A landscape calculation is included on the landscape plan showing the required 10 per cent landscaping to be 5400 sq. ft. they are providing 6000 sq. ft. He said Steffey will address the proposed solution to sanitary sewer issue. Illumination plan is included as well as a photometric plan. The storm water outlet overflow has been verbally approved by Genesee County and a 10 ft. easement has been provided along the west property line. Steffey explained the proposed septic tank like system that has been designed to control the flow of solid non biodegradable material. He showed a drawing of a manhole like structure with a separator which should allow solids to settle or be screened before reaching the grinder pumps. Tucker explained he had met with the Township Engineer and they have talked at great length about the problems at this location and possible solutions. Tucker said this is a untested proposed system. He said all indications are that it will work but it has not been tested or done before. He explained there are several ways to implement the system either with 3 small septic type manholes located on the applicants property at each of the leads or this single larger system placed in the Townships sanitary sewer line. Tucker said whichever system is used the Township is expecting the applicant to pay for the system, the installation, the

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maintenance and sign a release that the Township will be held harmless for any liability, maintenance or design of the system. Steffey said he felt the one larger system would be better than 3 individual systems and that if it is installed in the Townships line it should be the responsibility of the Township to cover all of the cost. The Commission disagreed stating the use of the property is more intense and because the applicants use is the cause of the problem it is the applicants responsibility to cover the cost. There was a lot of discussion about who should pay for the system, installation and maintenance. Steffey argued that the burden of payment for a public system is being placed on him, a private citizen, who has paid substantial tap in and use fees. The Commission agreed that the use of the property has necessitated the system and the user should be responsible for the cost. Steffey agreed to pay for the system and installation but not maintenance. Tucker said the Township will still require a hold harmless agreement. He said he could not make the sole decision to accept Steffey's offer he said he would propose this to the Township Board.

Motion to grant final approval for phase 3 of Vicinia Gardens with the following conditions:

- Final approval letter from the Township Engineer stating all issues listed in the 1/11/16 review letter have been addressed.
- Fire Chief approval of the fire suppression system
- Sewer agreement acceptable to Township Board

Motion by: Tucker

Seconded by: Marko

Ayes: Cypher, Marko, Tucker

Nays: McGuirk

Absent: Hemeyer, Richard, Warren

Motion carried

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

**COMMUNICATION:**

**MINUTES:** January 14, 2016 stand approved as submitted

**ADJOURN:** 8:45 pm.

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Jim McGuirk, Chairperson

Minutes Posted 02/19/16

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Donna Warren, Secretary