

**Williams Township Planning Commission
Regular Meeting
January 5, 2009**

The Planning Commission of the Charter Township of Williams held a regular meeting on Monday January 5, 2009 at the Township Hall.

The agenda is attached Exhibit A.

I. Call to Order & Roll Call

Chairperson Steward called the meeting to order at 7:00 p.m. Present: C. Adams, D. Behmlander, D. Putt, P. Wasek, S. Villaire, W. Steward, J. Hurt.

Also Present: B. Klemish, Williams Township Zoning Administrator, J. Hammond, Township Attorney, and L. Miller, Township Planner. Others present are indicated on the sign in sheet, attached Exhibit B.

II. Pledge of Allegiance

The Pledge of Allegiance to the flag was said in unison.

III. Open to the Public

There was no public comment.

IV. New Business

A. Gehring Special Use Permit Application Case No. 09-01 Spu

D. Gehring submitted a Bay County Road Commission permit for work within right-of-way. It says that as long as a 14' x 16' turnaround is constructed in his present driveway, no acceleration or deceleration lanes are required and no curb and gutter required for a 12 maximum child day care center.

The public hearing began at 7:02 p.m.

B. Steward confirmed that all planning commission members and Don Gehring received a copy of J. Hammond and L. Miller's memos dated November 2, 2008 and November 19, 2008.

D. Gehringer explained that he plans to open a day care in his home which is located at 2324 W. Wheeler Road. He will have no more than 12 children at one time.

B. Steward stated that D. Gehringer submitted a revised drawing showing required fencing. The property will remain as shown on the drawing.

D. Gehringer stated the hours of business would be 7:00 a.m. to 6:00 p.m. He said that he didn't have any customers yet. He wasn't sure exactly what their needs were. He said he got 7:00 a.m. to 6:00 p.m. from another operator.

J. Hammond recommended that we should set a 16 hour flexible window for operation of the day care so that D. Gehringer will not have to come back at a later time to make changes. We could say that children may not be delivered earlier than a certain time with a 16-hour cap on operations in a given day.

B. Steward asked if it would just be weekdays.

D. Gehringer confirmed that they will not be open weekends.

B. Steward stated that if there will be a sign the sign regulations must be met.

D. Gehringer stated that he is not sure at this time whether he will need a sign.

B. Klemish explained that he must file for a permit and submit a drawing of the sign. The sign must be no larger than 10 square feet and it must set back 43 feet from the center of the road.

J. Hammond stated that he must make sure the sign does not obstruct the visibility of the drivers pulling in and out of the driveway and the maximum height of the sign should not exceed 3 feet.

B. Steward confirmed with D. Gehringer that there shall be no parking on Wheeler Road.

B. Steward explained that it would be desirable for the special use permit to terminate if the Gehringer's sell or vacate the property. Ordinarily, special use permits run with the land.

The planning commission discussed that the licensing will be based on inspections done by the Bay County Health Department and the Michigan Department of Human Services.

S. Villaire asked if any employees will be hired.

D. Gehringer explained that it will be himself and his wife.

D. Putt explained his concerns on granting another special use permit to that residence if the house is sold.

After discussion the planning commission set a daily start time of no earlier than 5:00 a.m. with a maximum 16 hour time frame per day.

J. Hammond suggested that weekends should also be allowed in case circumstances change at a later date with the applicant.

D. Gehringer agreed with the above stipulations.

B. Steward asked D. Gehringer what steps must be done to comply with the drawing.

D. Gehringer stated that a 50 foot fence must be installed across the width of the back yard and a turnaround must be constructed.

B. Steward stated requirements agreed-to by planning commissioners and Mr. Gehringer.

- May not receive children before 5 a.m., or operate more than 16 hours in a given day.
- May operate seven days per week.
- Special use permit approval shall expire at such time as state licensure is terminated.

The public hearing concluded at 7:25 p.m.

A Motion was made by D. Behmlander and J. Hurt to approve the special use permit and site plan for Gehringer with the following requirements:

- The back yard fencing shall be installed as shown on the site plan.
- The 14 x 16 foot turnaround must be constructed per the Bay County Permit.
- May not receive children before 5 a.m., or operate more than 16 hours in a given day.
- May operate seven days per week.
- Special use permit approval shall expire at such time as state licensure is terminated.

7 Ayes 0 Nays. Motion Carried.

B. Gushow Land Development Rezone Request Case NO. 09-01 Rz

B. Steward confirmed that the planning commission and J. Kline received a copy of J. Hammond and L Miller's memo dated December 3, 2008.

J. Klein explained that they would like to continue with the development of single family homes on the remaining lots.

L. Miller stated that area to be considered for rezoning was intended for housing development many years ago. This is not something new. The Township General Development Plan shows this area for low density residential development. The proposed rezoning is consistent with that land-use designation.

B. Steward stated that the detention pond should help alleviate any future drainage problems.

The public hearing began at 7:45 p.m.

Chris Calkins, 2287 & 2289 W. North Union Road, questioned whether the detention pond is going to help the water problem.

J. Kelin stated that the entire drainage system goes back to the detention pond. There will also be rear lot drainage behind the new building sites.

B. Steward stated that this meeting is for the rezoning. There will be another meeting that will address questions regarding the water drainage.

Connie Warren, 2293 W. North Union Road, questioned whether the subdivision layout will be similar to what it is now.

J. Kein stated that they will add an additional 9 lots and then another 36.

C. Warren asked how long it will take to finish all the lots.

J. Klein gave an estimate of 10-15 years, but is unsure at this point. This meeting is for consideration of the rezoning request.

Mike Jamrog, 4554 Eastwood Drive, and Steve Sevener, 4564 Eastwood Drive, asked if there would be another access road. They are concerned with the noise and congestion of the construction.

J. Klein stated that it was their intention to put an access road through Lot 11 of McPherson's subdivision.

Mary Jo Jamrog, 4554 Eastwood Drive, asked the difference between R1 and RE zoned property lots.

B. Steward explained that R1 lots are smaller than RE.

Tom Smith, 2330 W. North Union Road, had concerns whether the construction will be only for single family dwellings.

J. Klein confirmed that it will be for single family construction.

T. Smith also stated his concern over keeping the road maintained. The construction equipment may tear up the roads.

B. Steward replied that the Bay County Road Commission will monitor the condition of North Union during the construction phase of the subdivision.

The public hearing concluded at 7:59 p.m.

B. Steward confirmed that all planning commissioners received the letter submitted by Tim and Tammy Holsworth opposing the rezoning.

A motion was made by D. Behmlander and J. Hurt to recommend that the Township Board of Trustees rezone parcel # 140-020-100-030-01 from Re Rural Estate to R1 Low Density Single Family District.

7 Ayes 0 Nays. Motion Carried.

V. Other Business

A. 2009 Election of Officers

A motion was made by D. Putt and seconded by D. Behmlander to elect the same officers for 2009. B. Steward will remain chairperson, P. Wasek, vice chairperson and J. Hurt will serve as secretary.

7 Ayes 0 Nays. Motion Carried.

P. Wasek let the Planning Commission know that the Board of Trustees had concerns regarding windmill lot sizes.

After some discussion L. Miller stated as the technology and size of windmills change the ordinance can be reviewed.

VI. Adjournment

A Motion was made by C. Adams and seconded by D. Behmlander to adjourn the meeting at 8:17 p.m.

7 Ayes 0 Nays. Motion Carried.

Pam Reinhardt
Williams Township Deputy Clerk