1. CALL TO ORDER / ROLL CALL

Chairman Warner called the meeting to order at 7:00 p.m. with a quorum present.


Members Absent: D. Gunnink

Staff Present: Lynee Wells, AICP, Williams & Works, Township Planner

Others Present: Members of the media and representative from Caledonia Care Center, LLC

2. CONSIDERATION OF THE MEETING AGENDA

Agenda accepted as presented.

3. PUBLIC COMMENTS (BRIEF – UP TO 2 MINUTES)

A. Warner opened the floor to public comment at 7:01, and closed it at the same time, finding no public comment.

4. CONSIDERATION OF MEETING MINUTES

A. Minutes of the August 15, 2011 meeting.

T. Morris made a motion to approve the minutes of August 15, 2011, as submitted. Motion was supported by R. Parent.

VOICE VOTE: All ayes. Minutes of the August 15, 2011 meeting approved.

5. INQUIRY OF CONFLICT OF INTEREST

6. UNFINISHED BUSINESS

None.
7. **NEW BUSINESS**

A. **Public Hearing – PUD Amendment:** Submitted by Caledonia Care Center LLC for an amendment to the Valley Point West Industrial Park Planned Unit Development, and site plan review; for proposed changes to the landscaping and the exterior of the existing building, as well as the addition of a 20’ X 40’ accessory greenhouse building.

James Dally, representative from Adventure Learning Center (Caledonia Care Center, LLC), gave a brief overview of the project. They are no longer operating as an Appletree Child Care Center, but developing their own brand, and as such would like to add architectural details to the existing building, like a flag, columns, paint, and awning changes. They would also like to add a bus stop enclosure, and a greenhouse for students. J. Dally asked for lenience in the requirements of the overlay district ordinance for the trees required, perhaps half. The lot is narrower at the back, too tight to fit in all the required landscaping. Exposure is the goal; they are willing to keep with the spirit of ordinance, but asking for permission to plant less trees.

A. Warner opened the floor to public comment at 7:08; closed it at the same time, finding no comment.

A. Warner inquired about the bus stop, would it be for after school kids? J. Dally replied they are not sure of exact times it would be utilized, but the purpose of the enclosure would be for kids from the daycare who wait for the school bus in the morning. A. Warner asked how kids got to the bus stop; J. Dally replied they are escorted by teachers and supervised the entire time they wait. A. Warner inquired if the applicant was seeking approval for signage; J. Dally responded they were working within the signage allowed and had no signage request at this time.

A. Warner commented that some of the vegetation planned is plants that deer like to eat; J. Dally responded they would change it. A. Warner inquired about the proposed metal roof; J. Dally indicated they no longer intend to replace the roof. A. Warner commented the proposed metal flags could only be earth tones, according to the ordinance.

M. Kelly asked about the tree clearing; found that the township had not been contacted beforehand for permission. J. Dally claimed it was an oversight, apologized, didn’t realize he needed permission to remove dead/dying trees. M. Kelly commented the original PUD site plan had kept the trees there for a reason, probably as a buffer. J. Dally indicated he wanted to make things right and plant new trees. M. Kelly commented he is uncomfortable with rewarding poor behavior. J. Dally admitted it was a violation of ordinance, but he had not been aware of that, now looking to make it right.

L. Wells commented she had noticed the trees had been removed in late July; she had notified Zoning Administrator Ed Rusticus, who investigated and wrote the applicant a letter, citing the violations. J. Dally came in to meet with L. Wells and E. Rusticus; approved site plan indicated landscaping was to remain as is.

M. Kelly asked about the greenhouse, would it be used year-round? J. Dally replied that it would. L. Wells recommended it be placed on the east side so that setbacks would be met. In the approved 1993 PUD ordinance, it indicates that setbacks can be determined by the Planning Commission, but L. Wells feels the east side better fits the ordinance.
A. Warner commented it looked as if there were 2 trees in the footprint of the proposed location of greenhouse; he would like those trees relocated somewhere else on the property. J. Dally agreed.

M. Kelly asked what on the proposed site plan would be happening and what not – plans aren’t jiving with submitted pictures and renderings. J. Dally clarified they would be removing existing shutters, installing awnings but not on every window; metal roof has been deleted. The proposed flags and window canopies would be changed to earth tones. They also plan to paint the building.

A. Warner asked L. Wells to read approved colors from overlay district ordinance; he then asked about the proposed yellow color. J. Dally replied it wouldn’t be neon or metallic, but a mustard yellow. A. Warner suggested J. Dally submit swatches of proposed colors of canopies and flags to L. Wells for administrative approval; J. Dally agreed.

R. Parent asked for clarification of which trees J. Dally didn’t want to replace. J. Dally explained that there was 140 feet of frontage that narrows to only 100 feet in the back of the lot; he would like required landscaping calculations to be figured on 100 feet of frontage, not 140. He also explained there are overhead power line issues; he claimed the trees that were cut were dying and not pleasing to the eye – the new ones would be. R. Parent also expressed his disappointment with the cutting of trees, should have been a buffer, he is uncomfortable with releasing J. Dally from requirements of ordinance.

D. Koopmans asked about the height of the power lines, commented that trees need to be kept away from the power lines; this is a reasonable request from the applicant. D. Koopmans inquired what the citation was for the clear cutting; inquired why applicant didn’t contact the township. J. Dally responded that he hadn’t found anything online that would require him to contact the township about removing trees. L. Wells commented that the ordinance in total is available online.

A. Warner wants to make lemonade out of lemons; applicant is here to make it right. J. Dally should keep trees away from power lines, put shrubs there instead. Another issue is the 11 trees required along Valley Point Drive. A. Warner suggested reducing the 11 trees to 6 shade trees, and still require the proposed 4 shade trees, 7 evergreen trees, and 15 shrubs. He commented the intention isn’t to hide the building; some green would satisfy the township, and the applicant. The number required should remain the same, but they can be moved back and spread out, as power-line easement and lot shape allow.

T. Morris inquired about bus stop, how many times a day would that be utilized, teacher escort, etc.; J. Dally indicated that teachers would supervise kids at the bus stop, and their state licensing would have to approve the bus stop as well. T. Morris asked about the condition of the bus stop enclosure, since it was used; J. Dally replied that it was in excellent condition. He commented that right now the kids are exposed to the weather while they wait, this would give them shelter.
A. Warner asked about additional requirements of Planner Wells; needed dimensions of accessory building height since it relates to height of building. J. Dally estimated the peak on the main building to be about 18-19 feet. L. Wells read the ordinance; it indicates the distance between a principal building and an accessory building should be at least the height of the principal building; therefore, the proposed building needs to be at least 18 feet from the principal building. A. Warner asked about the proposed fence; it is vinyl, but no height was stated. J. Dally replied that it would not be more than 32 inches, it is to be decorative.

M. Kelly clarified that the proposed greenhouse would be required to be located on the east side. A. Warner asked about painting a stripe on the driveway to direct kids to the bus stop; J. Dally agreed.

ARCHIE WARNER ENTERTAINS A MOTION:

A. Warner moved to recommend approval of the PUD amendment to the Township Board, with the following conditions:

1. The applicant must follow recommendations in Planner Wells’ staff report dated 9/13/11.
2. The metal roof was withdrawn from the request.
3. The proposed roof-mounted flags, awnings, and other decorative items shall be of a subtle, neutral earth-tone color approved by the Township Planner; neon-like or high-intensity colors shall be prohibited.
4. Pavement markings shall be provided along the driveway from the shelter to the front of the day care center identifying a place for children to walk.
5. Proposed fencing shall meet the requirements of the zoning ordinance.
6. Six shade trees shall be planted in the front yard along Valley Point Drive, and said trees shall meet the specifications for caliper width and height as required in the ordinance.
7. Four shade trees, seven evergreens and fifteen shrubs shall be planted near M-37, but relocated so as to avoid overhead power lines and Consumers Energy easements.
8. The proposed greenhouse accessory structure shall be constructed east of the principal building in the location shown on the site plan. Any trees currently growing where the accessory structure will be located shall be relocated on-site.

Motion was supported by K. Cavanaugh.


8. PUBLIC COMMENTS (EXTENDED – UP TO 5 MINUTES)

A. Warner opened public comment at 7:48 and closed it at the same time, seeing none.
9. **COMMISSIONER’S COMMENTS**

D. Koopmans asked about penalties; and how is this information being missed online? K. Cavanaugh pointed out there is a fine line between being intentionally deceptive and really not knowing; commission has to look at the request before them and base its decisions on whether the proposed site plan would meet the ordinance requirements and correct the violation. M. Kelly commented this applicant went to the County and the DEQ, but didn’t check with Township. A. Warner asked L. Wells if something could be done with the website/overlay district to make it more visible. K. Cavanaugh commented more information could be communicated in a periodic newsletter. A. Warner thanked everyone for their time and effort.

10. **ADJOURNMENT**

D. Koopmans made a motion to adjourn. Motion was supported by R. Parent.

**VOICE VOTE – all ayes – Meeting adjourned at 7:57 p.m.**