

**CHARTER TOWNSHIP OF YORK PLANNING COMMISSION  
REGULAR MEETING MINUTES  
YORK TOWNSHIP HALL  
July 28, 2008**

**CALL TO ORDER**

Chairperson Alexander called the meeting to order at 7:30 P.M.

**ROLL CALL**

Present: Joan Alexander, Keith Fineberg, Jane Kartje, Sandy Shearer, Paolo Visioni.

Absent: John Hargrove, Aimee Kay

Others Present: Rodney Nanney & Don Pennington of Land Use Planning and Consulting

**DETERMINATION OF A QUORUM**

A quorum was present.

**ADOPTION OF AGENDA**

Motion by Shearer, seconded by Visioni to adopt the agenda as presented.

**Motion carried: 5-0-2**

**APPROVAL OF MINUTES**

Motion by Fineberg, seconded by Kartje to approve the minutes from the July 14, 2008 Regular Meeting as amended. Change next meeting date from "July 14" to "July 28".

**Motion carried: 5-0-2**

**CALL TO PUBLIC**

Mr. John Jarvis, 9203 Mirage Lake Drive, spoke on behalf of himself and his wife, Theresa. He noted that has lived on Echo Lake, part of Phase IV of Mirage Lake, for 6 years and he is "100%" in favor of developing the south end of the lake. He stated that it is currently a field of weeds which is mowed by the petitioner and which he states does not "add" to the development. His home is adjacent to the site proposed to be used for community waste treatment. He has served as a board member for Mirage Lake and helped to work out an agreement that addresses the issuance of maintenance and liability for the proposed waste treatment facility. He states that the petitioner had developed a landscaping plan acceptable to the Mirage Lake Board which he asked the Planning Commission to review and consider as part of the current petition.

**CORRESPONDENCE**

Correspondence was noted and filed. Motion by Kartje, seconded by Fineberg to accept the correspondence as presented.

**Motion carried: 5-0-2**

**REPORTS**

Report of Chairperson

None

Report of Township Board Representative

Kartje reported she was not able to attend the special meeting of the Board held on July 24, 2008 but stated that the meeting addressed road improvements currently taking place in conjunction with the Toyota Technical Center and the alignment of entrance and exit ramps at Highway 23 and Willis Road.

Report of Zoning Board of Appeals

None

Report of Planning Consultant:

None

Report of Engineering Consultant

None

Report of Parks Committee Representative

None

Report of Citizens Environmental Advisory Committee

None.

Report of Zoning Official

None

**PUBLIC HEARING**

Motion by Shearer, seconded by Visioni to open the public hearing at 7:40.

**Roll Call Vote:**

Alexander-yes, Fineberg-yes, Hargrove-absent, Kartje-yes, Kay-absent, Shearer-yes, Visioni-yes.

**Motion carried: 5-0-2**

Calvary Bible Church/It's a Small World Daycare, LLC special Use Permit Expansion Application

Petitioner Danielle DeSano-Smith approached the Planning Commission and spoke. She stated that she was seeking an expansion of the daycare to as many as 77 children to serve a younger population because the Church expressed an interest in leasing additional space to house toddlers. She said that the fire inspection was completed, the licensing inspection was scheduled for this Wednesday, and the environmental health inspection would take place Friday.

She stated that the Nursery space would be separated from adjacent spaces by partition and that this configuration may result in licensing for some number of children less than the stated target of 77.

Pennington reiterated his report and emphasized the need for the petitioner to submit the various inspection reports with the petition.

No public comments were offered.

Motion by Kartje, seconded by Visioni to close the public hearing & reopen the regular session at 7:52.

**Roll Call Vote:**

Alexander-yes, Fineberg-yes, Hargrove-absent, Kartje-yes, Kay-absent, Shearer-yes, Visioni-yes.

**Motion carried: 5-0-2**

Alexander restated that the petitioner must submit copies of the license and health and fire department reports.

**NEW BUSINESS**

None

**OLD BUSINESS**

Mirage Lake PUD, Phase IV

Attorney Timothy Stoepker appeared for the petitioner and presented a letter requesting consideration of Mirage Lake's application for approval of a Phase IV Site Plan and asked that it be considered a minor amendment. He also stated that the petitioner had prepared and submitted a new and complete packet of information and supporting documentation.

Various commissioners stated that it would be beneficial to obtain a second opinion from an

additional planning consultant. Such an action would provide further analysis and a different viewpoint on an issue the Commission has not considered before.

Pennington stated that his report was preliminary based on preliminary information and a new report would be based on the packet of documents newly submitted.

Discussion touched on the concern to avoid unnecessary delay but to give the matter all necessary consideration. Further discussion addressed the need for additional information regarding whether the new petition constituted a major or minor change.

Visioni suggested that the Commission begin the review process and, consistent with a suggestion from Nanney, defer the decision to consult with additional planners until the reports of the customary planning consultants are delivered.

Motion by Fineberg, seconded by Shearer, to accept the application received by York Twp on July 28, 2008 and turn it over to the consultants for review.

**Roll Call Vote:**

Alexander-yes, Fineberg-yes, Hargrove-absent, Kartje-yes, Kay-absent, Shearer-yes, Visioni-yes.

**Motion carried: 5-0-2**

It was further stated that the Consultant's report would be presented in two weeks and the petitioner to be placed on the agenda for August 11, 2008

Zoning Discussion

Discussion covered sections 40.402, Big Box Commercial Uses, through 40.407, Outdoor Cafes and Eating Areas. A number of typographical and grammar errors were identified. A phrase addressing screening of trash, loading and mechanical areas was uniformly removed from a number of sections. Outdoor storage at Service Stations was changed from prohibited to limited and required to be shown on the site plan.

**NEW BUSINESS**

None

**ANNOUNCEMENTS FROM THE COMMISSION**

It was agreed to convene at 6:30 on August 11, 2008 to engage in a work session. It was further agreed to request a report from the Zoning Official regarding Bemis Farms Day Care facility and lighting at the trailer sales facility at Carpenter and Willow.

**FINAL CALL TO PUBLIC**

None

**NEXT REGULAR MEETING**

August 11, 2008 at 7:30 p.m.

**ADJOURNMENT**

Moved by Fineberg, seconded by Visioni:

**Motion to adjourn. Motion carried 5-0-2**

The meeting adjourned at 9:13 p.m.

Keith Fineberg  
Planning Commission Secretary

Prepared by Keith Fineberg, June 28, 2008

Date approved: August 11, 2008