

Draft

**ROSE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
April 2, 2009**

The following residents and guests were present:

Debbie Miller - Rose Township Clerk	Mark Maddock
Lisa Kowalski	Hugh Harroun
Randy Kowalski	Carolyn Milan
Tom Wirth	Guy Cowing
Cathie Toton	Chester Koop
Bernie Toton	Dave Plewes – Staff
Rob Nesbitt – Planner	Alison Kalcec – Rose Township Supervisor

Chairperson Proper called the regular meeting of the Rose Township Planning Commission to order at 7:28 p.m. at the Rose Township Hall, 204 Franklin Street, Holly, Michigan.

Roll Call: Present: Stanczyk, Baum, Proper, Scheib-Snyder, Grice, Lynn

Absent: Brooks

Staff Present: Rob Nesbitt, David Plewes

Moved by Proper, seconded by Lynn, motion carried to excuse Brooks' absence.

Voting Yes: Proper, Stanczyk, Baum, Scheib-Snyder, Grice, Lynn
Voting No: None.

APPROVAL OF AGENDA

Moved by Proper, seconded by Scheib-Snyder, motion carried to approve agenda with additions.

Voting Yes: Proper, Stanczyk, Baum, Scheib-Snyder, Grice, Lynn
Voting No: None.

Additions: Committee's Reports should be: A. Green Infrastructure; and B. RT Recreation Plan.

Proper "changes motion" on #7:

Moved by Proper, seconded by Scheib-Snyder, motion carried to approve agenda with changes.

Voting Yes: Proper, Stanczyk, Baum, Scheib-Snyder, Grice, Lynn
Voting No: None.

APPROVAL OF MINUTES

Moved by Baum, seconded by Proper, motion carried to accept the Minutes of the Regular Meeting of the Rose Township Planning Commission on March 5, 2009 as presented.

Voting Yes: Proper, Stanczyk, Baum, Scheib-Snider, Grice, Lynn

Voting No: None

PUBLIC COMMENTS ON AGENDA ITEMS (excluding public hearing)

None.

COMMUNICATIONS

A. Natural Resources Mapping Service Tips and Tricks

COMMITTEE REPORTS

A. Green Infrastructure

Baum states that the Green Infrastructure Committee has met and the first step of the process is to review information provided by Oakland County. The Committee has conducted its preliminary review and is taking a second look at "action items". At this time will be used only as a tool.

B. Rose Township Recreation Plan

Recreation Plan is overdue to be renewed and changed. Baum has received surveys back from public and is collecting information for residents. Stated that 43 out of 50 residents have not participated in plan and residents are unaware of Plan. Surveys available. Preliminary results available for inspection. He will contact Alison Kalcec to do by email. DNR has a booklet for guidelines when applying for grants.

PUBLIC HEARINGS

A. Special Land Use – Dog Kennel at 11650 Stallion Lane

Applicants Lisa and Randy Kowalski are asking for Special Land Use ("SLU") to operate a dog kennel facility on their property (R06-12-176-010).

Proper opens public meeting 7:34 p.m.

Applicants – Lisa and Randy Kowalski – Informs Board that neighbors have no objections to the kennel. They plan to run a small, boutique boarding facility. Plan will have fifteen (15) rooms for dogs. Estimates capacity at twenty (20%) percent in slow months and seventy (70%) percent in peak months (9-12 dogs at a time). The building will be a two (2) story, cement foundation, insulated building, and not pole barn. Property slopes, so lower level built

into ground which will house dogs and help with noise. Outside the building will be four (4) indoor/outdoor runs with large fenced area (70 x 120). Fenced yard divided into three (3) play areas for dogs. Picking up animal waste daily.

Baum – First floor grooming room? Do you plan to expand to grooming animals not being boarded at facility? Applicant indicates grooming would consist of bathing boarded dogs. Perhaps more services later down the road if the need should arise.

Baum – Questions plans for signage. Applicant answers that there will be one (1) sign along detached garage leading to entrance way of the kennel. Small sign. Majority of business word-of-mouth.

Baum – Inquires as to handling removal of animal waste? Applicant answers it will be picked up and put out to the trash.

Applicant Randy Kowalski - Mentions possibility of enzyme disposal. Baum states that OCHD does not recommend this process and that the southeast corner of the property is a Michigan National Feature site which drains into the Shiawassee River/Rattalee Lake which introduces run-off concerns. Applicant Randy Kowalski explains that the waterline will be coming directly from house and a septic tank injector running to existing septic system. Spoke with Oakland County Department of Health and Lansing and was told they are OK.

Baum: Questions the use of flea baths/chemicals and concerns of run-off? Applicant answers that they will not be used. Baum asks about medical waste contamination? Applicant answers that they would take injured/sick animal to veterinary office.

Proper: Questions that the Warranty Deed provided was not in applicants' name. Applicant answers that the Warranty Deed was the original owner's. Explains that Oakland County told her when private road was put in there were no restrictions on the Warranty Deed. Applicant went to Oakland County and they provided her with the original Warranty Deed which only showed restrictions for first two (2) years.

Proper: Fence on North moved to South? Applicant answers yes. Proper states that Rose Township's Ordinance states that outside runs must be hard surface.

Plewes: Zoning Ordinance states outside run/exercise yard? Nesbitt answers yes and states that some outstanding items are not applicable to such a small of an operation/business.

Baum: Asks Applicants if they have spoke to fire department? Applicants answer no. Applicants state that they have an automatic generator hooked up to the main residence which will also run the kennel.

Proper opens meeting to the public at 7:55 p.m.

Resident, Carolyn Milan, 11600 Stallion Lane (directly next door neighbor (south)) – States that applicants are very clean neighbors, thinks it would be a great asset.

Resident, Hugh Harroun, 11480 Stallion Lane (neighbor of applicants) – states that applicants are very clean.

Residents, Bernie & Cathy Toton, 2455 E. Rattalee Lake Road (north end of Stallion Road) – Expresses excess noise concerns and safety concerns for children (i.e., loose dogs). Asks whether there will be periodic inspections. Applicant answers that the Oakland County Animal Control licenses kennels and they inspect yearly. Plans to become members of a boarding association with strict requirements. Resident asks about re-zoning requirements, commercial.

Nesbitt: Kennel is SLU which requires more intensive review on what is allowed.

Plewes: Township could take applicants to court if they violate the SLU and have it revoked.

Tom Wirth, 11455 Stallion Lane – Questions number of dogs allowed set by Planning Commission? More than one (1) kennel on street allowed? Proper answers that there are no limits in the Ordinance but restrictions can be a part of the SLU.

Plewes: License regulates how many dogs are allowed.

Chester Koop, 11750 Eagle Road - Comments on SLU and states zoning goes with the land not with the owner. Set conditions/limits on SLU.

Proper: Questions the kennels exterior? Applicant states kennel will be cement siding/vinyl.

Proper: Questions if applicants will be breeding? Applicants answer no.

Proper: Questions animal adoptions? Applicants answer no.

Koop: Would that include retail sales?

Proper: That could be a condition.

Scheib-Snider: There would be a lot more traffic if you allowed retail sales.

Baum: If you decided to groom you would see a lot more people.

Nesbitt, Planner – Review of Application.

Recommendations:

1. Dog runs that are accessed directly from the individual animal rooms are to be located on the south side of building.
2. The outdoor fenced enclosure to be a maximum of 8,600 square feet in area.
3. No more than 3 dogs are to be in the outdoor yard at any time.
4. Improvements to the site's water service and septic system(s) must be approved by Oakland County Health Services Department.
5. All animals to be kept inside the building between 10:00 p.m. and 9:00 a.m.
6. A 6 foot high privacy fence is required along the entire north side of the outdoor enclosure.

Also, no grooming (except boarded animals), no retail sales. Dog runs should be covered. Provide a condition as to number of dogs on site. Township has the right to perform inspections.

Baum: Would like to make sure fire department has performed inspection. Nesbitt states that this would fall under building code and the Township does not amend building code.

Unidentified Resident: 9:00 a.m. is unreasonable. Dogs need to go out sooner. People who work have their dogs out earlier than 9:00 a.m.

Proper closes Public Hearing at 8:20 p.m.

Baum: Parking not adequate for additional employees. Plewes states that this can be handled administratively.

Moved by Grice, seconded by Proper to approve Randy and Lisa Kowalski's application as submitted with the following conditions recommended by the Township Planner: (i) thirty (30) dog limit or animal control limit, whichever is more restrictive; (ii) a twenty (20) cat limit or animal control limit, whichever is more restrictive; (iii) no grooming other than boarded dogs; (iv) no retail sales; (v) outside runs will be sheltered and curbed; (vi) no breeding; (vii) Rose Township has the right to perform inspections; (viii) fence on north side of property (play area) will be moved back ten (10) feet; (ix) vegetative buffer/shielding; and (x) exercise runs will be shielded

Voting Yes: Scheib-Snider, Stanczyk, Baum, Grice, Lynn

Voting No: Proper

Absent: Brooks

NEW BUSINESS

None.

OLD BUSINESS

None.

TABLED ITEMS

None.

DISCUSSION ITEMS

None.

ANNOUNCEMENTS

- A. Rose Township Board report – Dianne Scheib-Snider
- B. Comments by Rob Nesbitt– Township Planner
- C. Next Regular Planning Commission Meeting, May 7, 2009, 7:30 p.m., Rose Township

- Hall, 204 Franklin Street, Holly, Michigan
- D. Next Regular NOCFA Board of Directors Meeting, April 20, 2009, 7:00 p.m., Rose Township
 - E. Next Regular Township Board Meeting, April 8, 2009, 7:30 p.m., Rose Township Hall, 204 Franklin Street, Holly, Michigan
 - F. Rose Township Recycling, April 4, 2009, Rose Township Hall, 204 Franklin Street, Holly, Michigan, 9:00 a.m. until 12:00 p.m.
 - G. Zoning Board of Appeals meeting, April 7, 2009, 7:30 p.m., Rose Township Hall, 204 Franklin Street, Holly, Michigan.

OPEN THE MEETING TO THE PUBLIC

Resident, Alison Kalcec, Suggestion, customary to have Township Planner prepare a resolution for your adoption, much more clear for applicants.

Resident Chester Koop, Asks the Board if they approved a SLU and if they approved a site plan? Proper answers that it is a SLU. Nesbitt states that they have come up with conditions.

ADJOURNMENT:

Moved by Baum, seconded by Stanczyk, motion carried to adjourn meeting at 8:28 p.m.

Voting Yes: Scheib-Snider, Stanczyk, Baum, Grice, Lynn, Proper

Voting No: None

Absent: Brooks

Debbie Miller
Rose Township Clerk