

**WEST TRAVERSE TOWNSHIP
PUBLIC HEARING & REGULAR PLANNING COMMISSION MEETING
JANUARY 23, 2019**

Chairperson Mooradian called the meeting to order at 7:00 p.m.

Roll Call: Repasky, Wallin, Moore, Mooradian, Uutinen, Gorman, Baiardi.

Visitors: Elaine Keiser, Mary Catherine Hannah, Tom Adams, Hildegard Bonesteel,
Steve Schnell, Dave White, Sue Matsko.

The Pledge of Allegiance was recited by all.

Approve Agenda: **Wallin made a motion to approve the agenda as presented. Baiardi seconded the motion.**

Vote: All yes.

Public Comments: None.

Approve Minutes: **Baiardi made a motion to approve the meeting minutes of December 12, 2018 as presented with one correction: Page 2, line 9 – delete the reference to legal costs and change to “The third point is regarding costs and whether it will cost the Township more to pay for all the County’s costs.” Wallin seconded the motion.**

Vote: All yes.

Election of Officers: **Uutinen made a motion to nominate Paul Mooradian for Chairperson.**

Repasky made a motion to nominate Uutinen for Vice-Chair.

Baiardi made a motion to nominate Moore for Secretary.

Wallin made a motion to nominate the above proposed positions. Baiardi seconded the motion.

Vote: All yes.

Approve 2019 Schedule of Planning Commission Meeting Dates: **Uutinen made a motion to approve the meeting ~~minutes~~ dates as presented. Gorman seconded the motion.**

Vote: All yes.

NEW BUSINESS

Public Hearing for Preliminary Site Plan Perry Farm Memory Care Unit Case #1-2019, Fourth Amendment: Mooradian reviewed the procedure for a Public Hearing.

Mooradian opened the Public Hearing at 7:09. This Public Hearing is for the Preliminary Site Plan Review for the Perry Farm Memory Care Unit in Perry Farm Village, an amendment to an existing PUD; Case 1-2019, located at 4241 Village Circle, Parcel #24-16-15-11-480-003.

Proposed: January 23, 2019

Approved: February 13, 2019 with one correction: Page 1 under approve Meeting dates: change “minutes” to *dates*.

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The West Traverse Township noticed this Public Hearing on January 8, 2019 in the Petoskey News Review.

Steve Schnell, Township Planner, presented an overview of the Site Plan for the Perry Farm Memory Care building. He had presented a written report to the Planning Commission that covered the pre-application conference, application, exhibit list, general findings, standards for a PUD approval, standards for a Special Use approval and Site Plan Review standards. This parcel is located in the R-2 zoning district. Schnell reviewed the items that were included on the Site Plans. He did point out that this project needs to be consistent with the Township's Master Plan. Schnell reviewed the different sections of the Zoning Ordinance that regulate the PUD, Special Use and Site Plan Review approvals. These sections are 706, 308:2, 727:11, 727:9A, 727:5.A, 727:14, 604 and 506. Schnell went over the parking requirements and what information Birchwood Construction had provided as to number of residents and employees in order to calculate what parking would be needed. Density was reviewed and how it was calculated. He stated that a lot of the licensing required by the State will ask that the approved zoning permit be shown.

Tom Adams, from Birchwood Construction, said that there remains an unmet need for the type of services that would be offered in the Memory Care unit. He thinks that it is a natural extension of Perry Farm Village as a continuing care, retirement type of community. Adams pointed out that there is a change in the density because there are several lots that Birchwood Construction owns and they are being deeded back to Perry Farm Village in exchange for Perry Farm forgiving a land contract that Birchwood Construction has on them. All of that vacant land will become all common land. There will not be any more cottages or duplexes built on the north side of Perry Farm.

Hilde Bonesteel asked whether this proposed project would be a licensed community and if so, under what licensure. Mary Catherine Hannah said that they will be applying for an AFC license. There will be 20 beds in this new unit. Bonesteel asked about the six apartments that are in the main Perry Center that are on the second floor and stated that they are currently not licensed. She said that the State of Michigan is requiring that all Adult Foster Care home for the aged, assisted living type communities are required to be licensed. She wants to know if the current six apartments that are being provided this type of care would be converted into the twenty that they want to be approved, or will there actually be 26 apartments total on the property. Hannah said that the six beds were originally licensed as an AFC when Perry Farm first opened. Later on, the license was voluntarily released because of the rules at that time. They have just recently re-started the licensing procedure with LARA. She said that the plan is not to continue to have those assisted living units on the second floor and to no longer provide care to those units. Those people living in one of the six units will be moved over to the new building when it is ready and the existing six units will be converted into other uses. The six units will be part of the twenty being proposed. Bonesteel said that she had tried to purchase Perry Farm Village years ago, and at that time she was told that the six bed units were never actually licensed.

The Public Hearing for the Preliminary Site Plan Review was closed at 7:36.

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Preliminary Site Plan Review for Perry Farm Memory Care Unit at Perry Farm Village Case #1-2019,
Fourth Amendment:

Mooradian said that the Planning Commission has to decide how this PUD amendment fits into the Township's code as it is being petitioned. Zoning Ordinance Section 727:11 says that it may permit both a preliminary and a final PUD plan review to occur at the same meeting for a simple single use PUD. Schnell reviewed the definitions for Assisted Living Home and Convalescent or Nursing Home. These are the definitions under which they are requesting their application be considered as a single use. Schnell stated that it is up to the Planning Commission to decide if this is a single use or not. Mooradian pointed out that looking at the whole site plan, it looks complex. He said that the Memory Care is an added function of the whole. Gorman said that he thinks the verbiage has changed when referring to "nursing/convalescent, assisted living," but memory care is much more specific. Hannah stated that all of the care that is provided throughout the whole campus is of a whole and there is not care that is being provided in one place that would not be provided somewhere else. She said that they see this as completely an expansion and a way to provide more people the same type of care that they are already doing throughout the entire Perry Farm campus.

Mooradian asked if when Perry Farm was first opened, if assisted living was required to have licensing at that time. Hannah said that in 2000 when the plan was approved, the second floor was not conceived in its current configuration. She does not know if licensing was required at that time, but they did apply for licensing when the six bed unit was approved. After a few years, the licensing was discontinued. So, there has not been any licensing for those six units, but a license has been applied for at this time. Repasky wanted to verify what kind of licensing would be needed if a memory care unit was approved, if it would be a more comprehensive license, if it was different than what covers the rest of the units. Hannah said that it has some higher standards around training to make sure the staff is adequately trained. Repasky stated that his questions regarding the licensing goes to whether it is a single use in the definitions. Bonesteel stated that when you get above 20 people in assisted living, then that is the max you can have under the license for Adult Foster Care. She said that any number of residents over 20 would be a different level of licensing and that would be considered convalescent and home for the aged. She asked if the Memory Care unit would be a locked community. Mooradian said that the application does show a locked building for the Memory Care. Wallin said that if you put assisted living and memory care together, that is a big umbrella. He thinks that there is a big difference between assisted living and memory care, they are totally different. Adams stated that there is nothing that they would get involved in that they didn't obtain licensing for. Schnell said that determining if this project is a single use goes to the chart in the Zoning Ordinance under Section 305, Special Land Uses. The Nursing/Convalescent Homes/Assisted Living Homes is allowed with a Special Permit. He said that they have to determine whether all of the differing levels of assistance meet the definitions for nursing/convalescent homes/assisted living homes. If it does meet those definitions, then it meets the Zoning requirements to be a single use application. Schnell pointed out that in the Zoning Ordinance, the three terms are to be treated similarly and they will have a similar land use impact. Utinen pointed out that there are really 14 new beds being asked for since the six from the Perry Center will be transitioned to the Memory Care building when it is ready.

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Mooradian asked what will happen with the six beds in the Perry Center after the transition. Hannah said that they had not decided yet what they will be doing. She said that it may become common space for the current members. Mooradian said that whenever an applicant puts an application on the table, the whole plan is opened up. He stated that if there is a change, the Planning Commission can address it. They can condition that area so that they have to be common space. They have also talked about leaving the beds there and using them as guest suites. There was discussion as to what could be done with those units. Mooradian polled the Commissioners as to whether they thought this was a single use. There were 6 yes and 1 no. Baiardi said that she has a problem with this project and wants to know if it will be for people from Perry Farm Village or is it going to be bringing people in to rent the spaces out. According to the Perry Farm documents, Perry Farm was designed for independent living and a mix of cottages, apartments and assisted living. The whole thing was not designed as assisted living. She said that this project is at the next level. The six beds in the Perry Center were approved at a higher level of care. She feels that the Memory Care becomes a commercial use because she doesn't think that all of the 20 beds will be used by people making the progression from Perry Farm. Mooradian pointed out that one of the conditions of Perry Farm is that you have to be an owner and you have to be in perpetuity, you have to be a member of the club. They have new documents that have not been approved yet, but they state that you don't have to be a member if you are in the Memory Care unit. Mooradian said that that kind of goes against the original operating agreement. Hannah stated that all of the owners are bound by their covenants. The owner passes on the responsibility to the tenants who are in those units to be bound by the covenants and restrictions. The owner of the unit has the responsibility to make sure that a tenant is aware of the covenant and they are bound by them. The owners designate the member if they are being rented out. The Memory Care unit is going to be owned by a company, so the company is a member. Birchwood Construction will own the Memory Care building. Adams stated that Birchwood Construction would pay for the 20 memberships in the memory care unit. Perry Farm will be the tenant. Mooradian pointed out that there would be 20 memberships.

Repasky made a motion that the Planning Commission approves the Preliminary Site Plan for the Perry Farm Memory Care unit, Case 1-2019 Fourth Amendment; preliminary meaning the general concept and the approval of a single use for twenty beds. Uutinen seconded the motion. Roll Call Vote: Repasky – yes, Wallin – yes, Moore – yes, Mooradian – yes, Uutinen – yes, Gorman – yes, Baiardi – no.

Public Hearing for Final Site Plan Perry Farm Memory Care Unit, Perry Farm Village, Case 1-2019, Fourth Amendment: West Traverse Township noticed this Public Hearing on January 8, 2019 in the Petoskey News Review.

Mooradian opened the Public Hearing at 8:30 p.m.

Steve Schnell said that he did not have anything further to add from what he had already given the Planning Commission in the preliminary review.

Bonesteel pointed out that the actual licensure is not given until the project is completely built.

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Mooradian closed the Public Hearing at 8:35 p.m.

Final Site Plan Perry Farm Memory Care Unit, Perry Farm Village, Case 1-2019, Fourth Amendment:
The Planning Commission reviewed the Standards for PUD Approval from Section 727:14 of which there are 17.

1. The Planning Commissioners agreed that the PUD is consistent with the Township Master Plan.
2. Six members felt that the PUD is harmonious with the character of adjacent property and the surrounding area. One member did not feel that it fit that description because it was felt that it is a commercial venture.
3. There was a lot of discussion regarding the subject of landscaping and buffering. The plans depicted some landscaping being removed and other landscaping being new. It was not just a landscaping plan. Elaine Keiser talked about how the landscaping had been incorporated in the plans. She said that the landscaping would be done the same way that has already been done around Perry Farm.
4. Repasky noted that the Planning Commission would like to know what the actual plans are for landscaping. There was discussion regarding having a landscape architect produce a detailed plan for the landscaping. Repasky wants to see a more defined landscaping plan. The trees need to be identified with sizes. Gorman asked for the plan to be isolated in its own plan. Repasky stated that he wanted to let them know that just because they bring back a landscaping plan, that doesn't mean that it will be approved. He wants to be able to see everything before he says it is consistent with anything. Baiardi counted 24 trees being taken out due to the construction. It was agreed that the applicant needs to come back with a detailed landscaping plan.
5. The Planning Commissioners agreed that any vegetation needs to be maintained and if dead, it shall be replaced.
6. It was agreed that the PUD will not change the essential character of the surrounding area. There was a question as to what are the hours for employees, deliveries by commercial trucks or employees and at what times. Food service for the memory care unit will be supplied by the kitchen in the Perry Center, so it will be the same as what is being done now. There will be a maximum of seven employees per 12 hour shift for the memory care unit. All of the new lighting will be downlights.

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7. The memory care will have a fire suppression system which will not place more demands on the water system than is already at Perry Farm. The septic system has been reviewed by the Health Department.
8. There are no known historical features on this property. The Planning Commission has asked for a detailed landscaping plan.
9. The internal drives are changed from the existing layout in order to accommodate the new building. The driveway entrances are not changed. The Planning Commission thought that a sidewalk should be added on the west side of the complex on Cemetery Road and north to the northwest property line. This sidewalk would be for pedestrian safety. It was pointed out that there are a lot of people who walk around Perry Farm's interior circle and the sidewalk would help to keep pedestrians off the roadway.
10. The proposed parking areas and current parking areas were reviewed as well as the parking requirements. The current plan shows the maneuverability for the parking spots west of Building 2 is not really feasible. A backup space needs to be added for the parking spots on the north side of the building.
11. The storm water runoff is stated to be integrated into the existing storm water management system. The Planning Commission is requiring that Benchmark actually stamp the plan to reflect that their calculations are correct.
12. The new memory care building will be designed similar to the existing structures on the site.
13. There is currently one dumpster enclosure on site. There are no other garbage areas being proposed.
14. There is only the one phase of construction proposed in this application.
15. The Fire Chief, John Cupps, has given a verbal approval for the proposed plan. A written approval is required to be submitted.
16. The applicant has to meet all the standards of other governmental agencies where applicable.
17. The Planning Commission can ask for double stamped plans when the project is completed to verify that the building was completed in compliance with the approved plans.

The Planning Commission reviewed the Special Land Use Standards in Section 604.

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A-1. The new building would be compatible with adjacent uses because it will be similar in design to the existing buildings and located where it is connected to an existing building.

A-2. This project is primarily a residential facility with nearby residential use, a cemetery and a religious institution.

A-3. The additional employee's working hours are not indicated on the application. It was already decided that the additional traffic would not be substantial.

A-4. The proposed building is a continuation of what is already there. The sign that is proposed for the side of the new building needs to be deleted because it is not allowed.

A-5. The proposed use of the building is an allowable use in the zoning district and is constructed to be compatible with the existing structure. There have been no objections to the proposed project.

B. There will most likely be more vehicular traffic off Cemetery Road, so the addition of the sidewalk on that side of Perry Farm would be beneficial to any pedestrians along Cemetery. There is a residential development on the west side of Cemetery Rd with children and it would be beneficial to have a sidewalk for their safety.

C-1. It was decided that this project is a public convenience to continue this project where it is, on an already established piece of land.

C-2. The site layout and location of the structure is in compliance with the zoning ordinance and compatible with surrounding land uses.

C-3. There have been no public comments received from public safety entities indicating any issues with the site. The applicant has reached out to public safety personnel.

Repasky had some questions regarding the density calculations. Adams pointed out some discrepancy in the density calculations presented. These density calculations will be corrected. There was no acreage noted on the property descriptions. The property descriptions need to be noted correctly on the site plans. He also pointed out that all property lines are not noted on the submitted plans. Repasky stated that in the past meetings of two years ago with Perry Farm Village, there was a lot of discussion as to who is actually verifying the calculations. Adams stated that Benchmark is the one who has done the calculations. Mooradian asked if the plans could be shaded to delineate what the open space features are and then shade the setback lines and density areas. It will be easier to look at the site plan to know what the different areas are that are being discussed.

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Mooradian made a motion to postpone this review, since the Planning Commission is not able to finish it, until the next regularly scheduled meeting of February 13, 2019. Uutinen seconded the motion.

Vote: All yes.

Adjourn: The meeting was adjourned at 10:14 p.m.

The next regularly scheduled meeting will be February 13, 2019 at 7:00 p.m.

Submitted by:

Dawson Moore, Secretary

Transcribed by:
Susan Matsko
Township Secretary

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