

## ROYALTON TOWNSHIP PLANNING COMMISSION

Regular Meeting

March 2, 2015

Members Present: Chairman B. Lieberg, J. Ackerman, R. Bernard, J. Heil,

Absent: W. Foust, T. Kalin, J. Pater

Also Present: W. Boyd, Royalton Township Building Official/Zoning Administrator

Chairman Lieberg called the meeting to order at 7:00 p.m.

### **I. Roll Call and Recognition of Visitors**

Planning Commission members Lieberg, Ackerman, Bernard and Heil were present. Planning Commission members Foust, Kalin and Pater were absent. Visitors present were: Ms. Jamie Rossow, Executive Director of the Berrien County Council for Children; Ms. Patricia Ceresa, Assistant Prosecuting Attorney and Board of Directors Chair of Berrien County Council For Children; Ms. Marie Kibler, Vice Chair of Berrien County Council For Children; Mr. Cory Peek and Ms. Laurie Fleming, Board Members of Berrien County Council For Children; Berrien County Sheriff Paul Bailey; Mr. Rod Thomson of Thomson Architectural Services; and Mr. John Olson of Merritt Engineering, Inc.

### **II. Approval of Minutes**

Minutes of the January 5, 2015 Planning Commission Meeting were reviewed. Ms. Bernard made a motion to approve the minutes as presented. Mr. Ackerman seconded the motion and the motion carried.

### **III. Approval of Agenda**

There were no changes to the Agenda. It was agreed by the Planning Commission members that the Unfinished Business would be addressed after the Public Hearing and New Business items.

### **IV. Public Hearing – Amendment/Expansion of an Existing Special Use**

Chairman Lieberg closed the regular Planning Commission meeting at 7:05 p.m.

Mr. John Olson presented the proposed addition/expansion of an existing special land use for an existing counseling facility operated by the Berrien County Council for Children located at 4938 Niles Road/M-139 advising that the existing facility will be expanded but the proposed use will be the same as it has been since originally granted in 2002. They will get a soil erosion permit. The new parking lot will meet Royalton Township parking lot requirements.

Chairman Lieberg asked for comments from the audience:

Support:

Sheriff Paul Bailey, 911 Court St., St. Joseph, stated that it is very important that people who commit sexual assault are held accountable. The Berrien County Council for Children building has run out of room; they need more room to do more interviewing.

Ms. Patricia Ceresa, Assistant Prosecuting Attorney and Board of Directors Chair of Berrien County Council for Children, stated the building means justice for our children. The program has full support of law enforcement and has been used by the FBI, leads to guilty verdicts, and offers free of charge counseling to any children. It's about healing and justice for our kids.

Ms. Marie Kibler, 3780 Park Place, Berrien County Council for Children Board Member, feels strongly about the facility staying here.

Laurie Flemming 6715 Lakeshore Dr., Dowagiac, Berrien County Council for Children Board Member, urged the Commission to approve the special land use application. The program involves much more than healing, almost like receiving a hug.

Opposition:

There were no opposing comments.

Mr. Boyd advised that Royalton Township did not receive any correspondence pertaining to this matter.

Chairman Lieberg closed the Public Hearing at 7:15 p.m. and returned to the regular Planning Commission meeting.

**V. New Business**

A. Special Use Amendment/Expansion for Existing Governmental Facility

Mr. Boyd advised that the property involved is zoned Agriculture with a Special Use Permit for a government building. Special Use Amendment options are Postpone, Approve, Approve with Conditions or Deny.

Mr. Olson and Mr. Thomson presented a model of the proposed Berrien County Council for Children remodeled existing building with expansion showing many details, i.e., dropped height of windows, expanded ambience of original building, therapy rooms, receptionist area, multi-purpose conference room, mock courtroom which will look just like a Berrien County court room to make actual testifying in court easier for the children.

Mr. Ackerman asked what are the operating hours of the facility. Ms. Rossow answered Mondays and Wednesdays they are open from 8:00 a.m. to 8:00 pm. The other weekdays they close at 5:00 p.m.

Sheriff Bailey commented that the facility has been there since 2002 and there has not been any problems.

Ms. Ceresa said they are also leaving open the possibility of having a medical examination room.

Ms. Rossow advised that they had a caseload of 57 clients when the Berrien County Council for Children started in 2002 and they now serve about 550 children per year. She also pointed out that the new facility will have a larger waiting area arranged so that the children won't see police and other officials. There will be a separate law enforcement entrance.

Mr. Olson said there is currently sewer and water hook up.

Mr. Ackerman made a motion, that finding compliance with Royalton Township Ordinance, Section 23.04, Items A-H, to approve the Application for Special Use amendment for the expansion project for Berrien County Council for Children, 4938 Niles Road (M-139), Tax ID# 11-17-0020-0030-00-2. Ms. Bernard seconded the motion and the motion carried. The Special Use Permit Amendment was approved.

B. Site Plan Review for Berrien County Council for Children Expansion Project

Mr. Olson reviewed site plan for building an addition to the Berrien County Council for Children's facility, adding therapy rooms, interview rooms, physical exam room, observation room, conference room, offices and work stations. Parking spaces will increase from 10 to 28, including 2 ADA spaces and meets Township requirements. Storm water discharge is to the MDOT Highway ditch and will meet their standards. Permits from MDOT for drainage and driveway work and to the Berrien County Drain

Commission for soil erosion control have been applied for. Water detention will be accomplished with a Rain Garden. The sign design is pending and will be reviewed with Mr. Boyd at a later date.

Ms. Bernard made a motion, that finding compliance with Royalton Township Ordinance 22.06, Items A-H, to approve the Site Plan dated 2-17-15, for the expansion project for Berrien County Council for Children pending approval of permits from MDOT and Berrien County Drain Commission and approval of sign by Mr. Boyd. Mr. Heil seconded the motion and the motion carried.

C. Property Combination for Berrien County Council for Children Project

Mr. Boyd outlined the property combination: in order to have enough room for Berrien County Council for Children's expansion project and parking lot, a neighboring property was purchased. The house on that property has been demolished. The existing, or parent parcel and all remaining property in this district are classified as non-conforming lots of record. Section 16.04 D-3 allows for property to be combined in a situation where total compliance is not possible.

Mr. Heil made a motion to recommend to Royalton Township Board approval of the Property Combination (Tax ID#'s 11-17-0020-0030-00-2 and 11-17-0020-0001-02-9) for Berrien County Council for Children's expansion project at 4938 Niles Road (M-139) in accordance with Merritt Engineering Legal Description dated 1-27-15 and Merritt Engineering survey drawing dated 12-27-13, and finding compliance with Royalton Township Ordinance, Section 16.04 D-3. Mr. Ackerman seconded the motion and the motion carried.

**VI. Unfinished Business**

A. Master Plan Review

Mr. Boyd advised that he is still working on this. He is waiting for new data and should have something to report in about 60 to 90 days.

**VII. Comments from the Public - None**

**VIII. Open Discussion/Miscellaneous**

A. Correspondence Received – None

B. Planning Commission Interest Group Reports – None

- C. Township Board Report - None
- D. ZBA –The ZBA did not meet in January or February.
- E. Parks and Recreation –Mr. Ackerman met with Jim Soteriou. A request was made to the Board for approval to take bids for a Parks and Recreation Plan review. They are now in the process of getting three bids.

**IX. Building Permit Reports**

The January Building Permit Report showed two new home building permits issued in January, 2015, with an average value of \$225,000, compared to no new home building permits issued in January, 2014. Total new dwelling permits issued year-to-date for 2015 are two (2). The February Building Permit Report showed no new home building permits issued in February, 2015, compared to no new home building permits issued in February, 2014.

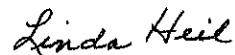
**X. Education**

Mr. Boyd reviewed policy on confidential information.

**XI. Adjournment**

Ms. Bernard made a motion to adjourn the meeting and Mr. Ackerman seconded the motion. All voted in favor. The meeting adjourned at 8:20 p.m.

Respectfully submitted,



Linda Heil  
Recording Secretary