

Alaiedon Township Planning Commission Meeting Minutes
Planning Commission Special Use Public Hearing and Work Session

January 7, 2019

The Alaiedon Township Planning Commission met Monday, January 7, 2019 at the Alaiedon Township Hall for a public hearing to consider a Special Use Permit (SUP) and to hold a work session for a proposed zoning amendment.

The meeting was called to order by Chairwoman Laurie Koelling at 7:30 pm.

Roll call was taken. Present were Laurie Koelling, Beth Smith, Kim Hafley, Bill Schneider, Roger Cook, Matt Oesterle and Barb Kranz.

Mark Eidelson of LandPlan Inc. was also present.

Beth Smith made a motion to approve the agenda. Barb Kranz seconded. Motion approved.

Matt Oesterle made a motion to approve the Alaiedon Township Planning Commission meeting minutes from the December 3, 2018 meeting. Beth Smith seconded. Motion approved.

Chairwoman Laurie Koelling asked Planning Commission Secretary, Kim Hafley, to read the item of new business for the public hearing.

“Consider and receive public comment on a Special Use Permit request by property owner Dart Energy Corporation for DBT Institute of Michigan. This property is located at 600 Dart Road, Mason, MI in Alaiedon Township.

If granted, the Special Use Permit would allow the property owners to maintain offices and operate a mental health counseling facility with some overnight residents. This property involves parcel #33-06-06-31-400-040 Section 31 containing 17.55 acres of land A-1 Agricultural District Zoning.”

Chairwomen Koelling invited representatives from DBT Institute of Michigan (DBTI) to present. Erin Smith, Business Director for DBTI and Diane Osborn, Co-owner and Therapist for DBTI provided the following information:

- DBTI has offices in Holt & Novi and sees approximately 300 clients.
- DBTI is a family owned business. Josh Smith is head therapist. He could not be present as he was consulting/training for the opening of another facility.
- DBT (Dialectical Behavior Therapy) is a specialized therapy for suicidal individuals...also effective for personality disorder, anxiety and depression as well as PTSD. DBT treatment is effective for many non-violent conditions and is the gold standard of mental health.
- DBTI sees a range of type of clients, moms, dads, teens, professionals, teachers, doctors as well as many high profile individuals. These clients want a private place. Most clients are professionals and have commercial insurance. Referrals are from hospitals, schools, U of M, and MSU.
- If SUP is granted, this location will also be used as facility to train future DBT therapists.
- DBTI helps clients to lead more fulfilling life. Clients come in emotional misery, suicidal and self-harming. DBT therapy teaches them tools and skills to enhance their life. This is a voluntary program and clients want to change for the better. DBT therapy is not effective for

schizophrenia, violent behaviors, or for sex offenders. DBTI is not a psychiatric hospital and will not offer other services. These are not people who qualify for psychiatric system.

- If the SUP is granted, DBTI will be the largest free standing facility of its type in Michigan. The property meets DBTI's long-term goals. It is a peaceful and quiet spot. This property allows DBTI to add 7 new clinicians. The facility already has a security system suitable for DBTI's needs.
- When opened in 2 years, the residential portion of the DBTI operation will be an all-female adult facility with 12 beds – up to 20. Residents coming from all over the country for these services. DBT is more than talk therapies, there are skills.
- Building is already equipped with necessary security.

These questions were asked by Planning Commission members. DBTI responses are indented and bulleted below each question.

“What qualities make is attractive?”

- Location
- Close to highway – easy access.
- We are growing – running out of space.
- Grounds are beautiful. It has courtyard. Clients won't be wandering.
- Has training room ready to go. (Room will be used for internal training purposes only)

“What licensing required?”

- Clinical practice is regulated by LARA.
- Residential will be regulated by CARP and potential other agencies.

“Why is there a two-year timeline on the residential component?”

- There is significant remodeling including kitchen and bathrooms that needs to happen.

“Have you ever had a security incident?” and “What security systems will you have in place?”

- In over 10 years of operation, DBTI has never had a security incident.
- Security measures include locks on all doors, cameras added on the inside, portions of the building are locked off.
- To best of knowledge no security incidents have occurred at any residential facility that has Josh of DBTI has set up.

“What kind volume on outpatient traffic?” and “What are your outpatient hours?”

- On a daily basis, DBTI sees approximately 80 clients – part of the therapy is individual and part of the therapy is group therapy.
- Hours of operation are Monday through Friday from 7:00 am to 7:00 pm.

Shana Badgely asked to speak. She identified herself as a Director at Community Mental Health (CMH) and also is a part-time therapist at DBTI. She has been offering DBT therapy for over 21 years. She has treated hundreds of people. This treatment is very effective and inspiring. It saves people's lives and never in 21 years has her patients been part of a violent incident. She also clarified that DBTI has no connection with CMH.

“Are any pharmaceuticals kept on site?”

- No drugs are kept on site for the clinic.
- When residential facility opens, pharmaceuticals will be limited to prescription drugs that client bring in.
- There will never be a pharmacy or extra drugs on site so it will not attract criminals.
- They do not do substance abuse unless treating as a co-existing condition.

“If this is not a psychiatric hospital – why all the security?”

- It’s more about preventing outside people from coming in.
- Up front security is for patient confidentiality and HIPAA compliance.

Chairperson Koelling informed individuals attending the public hearing that the Alaiedon Township office had received seven letters of concern regarding SUP. She opened the floor for public comment with the instructions that each person could talk for two minutes after he or she stated his or her name and address.

Amit Masih, MD, Assistant Professor of Neurology at Michigan State University spoke. He stated he has sent patients to DBTI therapists and had very good outcomes.

Karen Kinder 640 Dart Road – She stated she was concerned about safety, type of clients, lights at night and property values. DBT representatives responded:

- Clients are not violent. Erin said she brings her small children to work at the clinic and has for years and has no fear for their safety.
- Lights will be changed and lowered at night.
- DBTI cannot speak to property values. DBTI intends to keep grounds even more beautiful. One of the DBTI representatives noted her husband is a landscape architect.

Merrick Morehouse 641 Dart Road – She expressed concern that the clinic may expand services to treat other conditions where patients who visited/unexpectedly left could be dangerous and pose greater risk to neighborhood. DBTI representatives responded:

- DBT therapy doesn’t work for schizophrenia or similar mental conditions where individuals are likely to be violent.
- DBTI has no desire to expand clinic into other treatments.
- DBTI has stringent requirements for who comes in and we hope to help more people who DBT therapy will help. DBTI will stay true to the model and not expand.
- The design of the building already has extensive security appropriate for the type of clinic they propose in the special use permit including double doors, windows that do not open, extensive camera system.
- When DBTI's residential clinic opens there will be two staff members present.

Patti Reeser 3017 Harper Road - She stated that her problem isn’t the work DBTI is doing but this clinic will be in her backyard. As a clinic, the privacy changes. It brings a new group of people to this ag community. She worries about things she doesn’t know, the influx of new people, people getting confused, clients pulling into her driveway and turning around. DBT representatives responded:

- DBTI does extensive and multiple phone screenings before a patient is accepted.

- The facility will not be rented out as a training facility. The only training will be the training DBTI counselors will be providing to other therapists.
- DBTI acknowledged the roads and signage and Google maps are confusing. They will work with township and county for better signage and send maps to clients before his/her first appointments.

Steve Shuptar 532 Dart Road – he questioned the appropriateness of this facility at this location. He stated this SUP request did not fit the Township’s master plan and approving this SUP request is “Special Use Permit creep.” He also stated that local residents have been approached by DBTI representatives to see if additional adjacent property is available for sale. He hears news of inquiries for more property and fears expansion beyond the SUP.

Karen Kinder stated that she had been approached to sell part of her property.

Eric Rosekrans of Martin Commercial Properties stated that local resident had been approached to purchase property. DBTI's desire for additional property is not for development but because they want to increase the private nature of the clinic. He further stated DBTI is willing to put in writing that they would not develop on newly acquired property.

Chairperson Koelling stated the Planning Commission would review the materials and the master plan before making a recommendation on the Special Use Permit to the Alaieton Township Board of Trustees.

Steve Shuptar asked if the general public had access to all the materials. Chairperson Koelling stated that the general public has access to the same materials as the Planning Commission.

Patti Reeser asked what is the time table for the Planning Commission to make a recommendation.

Trustee Beth Smith said that Planning Commission would need to meet again to discuss and that another meeting would be scheduled soon.

Kim Cook Stewart 595 Dart Road asked when the new meeting would be published. Beth Smith responded she was not sure of exact dates but that notice would be published in the paper and on the website under Michigan Law.

Ken Paullin 951 Dart Road asked if tonight's hearing was published and who received notification. Chairperson Koelling explained it was published in the *Ingham County News* and on the website. Beth Smith added that Virginia sends notices to nearby neighbors and in the range of 300 feet from the property required by Michigan law.

Roger Cook thanked the public for their questions and commented it is good to learn their concerns. He told attendees the Planning Commission will research the facts, review the Master Plan and our role in making the Planning Commission’s recommendation to the Alaieton Township Board of Trustees.

Beth Smith made a motion to delay making a recommendation to the Board of Trustees pending further discussion. Roger Cook seconded. Motion passed.

Ben Peyton 930 Dart Road asked if specifics can be written into the SUP regarding what type of treatments can and can’t be provided at the clinic. Chairperson Koelling replied yes.

The Planning Commission retired to the East side meeting room for their work session on the zoning amendment request at approximately 8:50 pm.

Work Session to consider a zoning amendment for a Dog Daycare.

Chairperson Koelling invited members of the Planning Commission to comment on the draft changes for the possible ordinance amendment regarding dog daycare facilities prepared by Mark Eidelson of LandPlan Inc. as well as the reference materials provided by Virginia.

Members of the Planning Commission requested Mark Eidelson go through each area of question as identified in the December 3, 2018 Planning Commission meeting minutes.

- Specific recommendations regarding noise management that include preferred materials and acceptable decibel levels.
 - Mark Eidelson advised specific sound reduction material recommendations makes it difficult to monitor. In Section 9.7 of the Alaiedon Township Zoning Ordinances addresses and provides reasonable level of protection. If a problem existed the property owners would be contacted by the zoning administrator, given time to correct and if not get legal counsel would get involved.
- Clarification on what zoning classifications are best suited for dog day cares in Alaiedon Township
 - Mark Eidelson stated every community is different. Dog daycares are typically not allowed in residential districts unless it's rural residential area with larger acreage. If added use is allowed in office district or industrial district, the Planning Commission needs to be aware that if they allow acreage in a zoning district to be incrementally consumed by non-office or non-industrial uses the Planning Commission may face pressure to find other areas suitable for offices and industry.
 - Mark Eidelson stated it can be a dangerous practice to give zoning variances for business that doesn't currently fit. The entity attempting to fit its business may need to move to a district that allows its type of business.
- Clarification on the reasoning for proposed different parameters for a dog day care facility in different zoning classifications
 - The Planning Commission determined definitions of kennel, daycare, grooming and pet training businesses can be confusing and hard to differentiate. The Planning Commission wants to combine all these businesses under one business type, "Pet Care" or "Pet Services."
 - Set backs – Set backs in Table 3.5 pertain to outdoor areas not building. Current language for kennels requires extra set-back where runs are. Planning Commission determined they want to keep set-back for Pet Care as in Table 3.5. Mark Eidelson noted the reason communities will require larger set back dog daycares with outdoor areas is that it is an added layer to minimize potential for nuisance.
 - Available land (total) – Mark Eldelson said land requirements varied significantly throughout the state. After discussion the Planning Commission requested Mark Eldelson revise the proposed zoning amendment to a minimum of 1 acre for Pet Care providing set-backs are met.
 - Parking – The Planning Commission agreed that each type of "Pet Care" business has different parking needs. The Planning Commission asked Mark Eidelson to draft language and system that identifies the appropriate number of parking spaces based on square footage and purpose of the space. This would require the SUP applicant to

describe on the application the square footage the facility plans to devote to kennel, daycare, training, grooming and retail. This will be evaluated thoroughly during the site plan review process

- Drop-off/Pick-up traffic – the Planning Commission agreed that different combinations of pet care services generated different traffic situations and similar to parking asked Mark Eidelson to draft evaluation criteria based on building square footage and pet care business types involved in SUP.
- Green space in the amount of how much acreage - See above 1 acre discussion.
- Hours of operations - Maintain that dogs can not be kenneled outside after 9:00 pm and before 7:00 am
- Services offered: kennel vs. dog daycare vs. grooming and related retail to all three and benefits of uniformity of requirements for all three businesses as business may start as one service and expand to one or both of the other services – discussed above in combining kennel, day care, training and grooming to “Pet Care”.
- Determine if there are differences for indoor and outdoor kennels and related operational requirements – Mark Eidelson will draft language to include in next version of amended ordinance as it relates to the new combined “Pet Care” category.
- Information on what are considered industry “Best Practices” for zoning and physical requirements for dog daycares – Mark Eidelson reported that there is not a lot of definitive information and there is a lot of variance in zoning and physical requirements for dog daycares depending upon the geographic area and population density.

The Planning Commission asked that next draft of the proposed amended zoning ordinance that "Pet Care" businesses be allowed in A-1 General Agriculture, OW Office Warehouse District, B-1 General Business District

Deb Dansby of 10410 Van Orden Road of Fowlerville, MI asked to speak. She requested that I-1 Light Industrial District be added to the districts where Pet Care businesses could locate, which the Planning Commission decided to add.

The Alaideon Township Planning Commission will set a special meeting to discuss the Special Use Permit for the Dart Road property and the next draft of the proposed zoning amendment. The Planning Commission has requested Mark Edelson will be present for the special meeting.

Matt Oesterle made a motion to adjourn meeting. Bill Schneider seconded. Motion passed. Meeting adjourned at 10:00 pm.

Minutes respectfully submitted by Kim Hafley, Secretary