

**Springfield Township
Planning Commission – Business Meeting
Minutes of August 16, 2004**

Call to Order: Chairperson Roger Lamont called the August 16, 2004 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

Attendance:

Commissioners Present

Roger Lamont
John Steckling
Paul Rabaut
Chris Moore
Dean Baker

Commissioner(s) Absent

Gail Mann-Bowser
Ruth Ann Hines

Consultants Present

Sally Elmiger

Staff Present

Collin Walls
Leon Genre
Mary Blundy

Approval of Minutes: May 6, 2004 & June 21, 2004

- **Commissioner Steckling moved to approve the minutes of May 6, 2004 as presented. Commissioner Rabaut supported the motion. Vote on the motion. Yes: Lamont, Steckling, Rabaut, Moore and Baker; No: none; Absent: Mann-Bowser and Hines. The motion carried by a 5 to 0 vote.**
- **Commissioner Rabaut moved to approve the minutes of June 21, 2004 as presented. Commissioner Moore supported the motion. Vote on the motion. Yes: Lamont, Steckling, Rabaut, Moore and Baker; No: none; Absent: Mann-Bowser and Hines. The motion carried by a 5 to 0 vote.**

Approval of Agenda:

Supervisor Walls noted that, under **Other Business, Harding Leasing** Discussion should be added as **Item #3**. There were no objections to the addition of the agenda.

Public Comment: **None**

Planning Commission Business Meeting - Minutes of August 16, 2004

Public Hearing:

1. **Article II, Section 2 - delete Essential Services definition and delete Section 16.08**

Chairperson Lamont opened the Public Hearing at 7:36 p.m.

There were no public comments.

Chairperson Lamont closed the Public Hearing at 7:37 p.m.

Unfinished Business: None

New Business:

1. **Corner Creek - Final**

Mr. Rizzo of Fenn and Associates, representing Mr. Tony Donato, said he believes he addressed all comments made previously by the planner.

Ms. Sally Elmiger of Carlisle/Wortman explained that they reviewed Corner Creek again, based on the comments of the previous review of May 5, 2003. She noted that the most recent plans do not seem to have modified the setback from the stream as requested. A soil erosion permit and a residential driveway permit have not been submitted as of yet. Regarding the pedestrian walkway easement, there is no indication of this on the plans. There were three access points originally 40 feet wide and one access point has been reduced to 20 feet. Ms. Elmiger said it is her opinion that pedestrian access to the creek of 20 feet or 40 feet is significant and could change the effectiveness of the buffer. The applicant has provided provisions for chemical fertilizes but no restrictions on herbicides or pesticides were shown on the plans. In the landscape plan, a root type of the proposed plants needs to be added to the plan. Unit #2 will have a side facing Holcomb Rd. and the ordinance does require 80% opacity to this unit. Ms. Elmiger said Carlisle/Wortman recommends that the applicant be given more time to address these still outstanding issues.

Mr. Donato commented that regarding the house facing Holcomb Rd., that is not a positive yet. It was located that way on the plans just for planning purposes at this stage and may actually face another direction.

Mr. Rizzo said regarding the setback from the creek, 50 feet is shown from the center line. Ms. Elmiger said the intent of the review is to try to provide as much buffer as possible to the stream and 50 feet is the minimum requirement. Mr. Rizzo said the soil erosion permit and the driveway permits would be obtained when the individual homes are constructed. Mr. Rizzo said regarding the easements to the pedestrian walkway, he does not want to create an easement across the front of units 2 and 3 for liability reasons.

Planning Commission Business Meeting - Minutes of August 16, 2004

Commissioner Baker asked how the applicant would delineate the boundaries of the buffer and would we expect the conservation easement to cover the creek access? Ms. Elmiger suggested that the applicant could put something such as a post at the corner of the properties. It may be necessary to install a smaller marker indicating where the access points are. Commissioner Baker thanked the applicant for reducing the building envelopes.

Commissioner Rabaut said he is happy the applicant proposed a buffering arrangement to protect the stream. He asked if it would make sense to line up the access points. Mr. Donato said he had not thought of that, he was trying to locate the access points so the property owners in the rear of unit 1 could actually see the creek. Commissioner Rabaut said he agrees with the recommendation of Carlisle/Wortman and would support reviewing a new set of plans incorporating these changes.

Commissioner Steckling asked if many of these issues could be handled administratively? Ms. Elmiger said she would be willing to handle it that way, but would depend on Supervisor Walls and Mr. Genre.

Chairperson Lamont commented that he believes more information about the safety path easement and liability issue is needed. He would support Commissioner Steckling that if a non-labile easement could be obtained, it does not appear to inhibit the applicants' right to develop the property. He encouraged the applicants to rethink the building envelopes and setbacks and perhaps come to a compromise at least on unit 3. He supports the Master Deed and ByLaws and having two sets of landscape plans and the screening requirements for unit 2.

Commissioner Baker said he believes lining up the access points may promote access to the creek and he worries about the erosion issues. Ms. Elmiger said she would agree with Commissioner Baker.

- **Commissioner Steckling moved to recommend to the Township Board approval of the Corner Creek Site Condominium, date stamped received on June 14, 2004 for a three lot site condominium, subject to completion to the satisfaction of the engineer and planner and the Planning Director and anyone else in the Township involved, that the necessary permits have been obtained and are satisfactory and that some provision be made for an easement for a pedestrian walkway, that the creek access points be reduced to a size agreeable to the Township and in a location agreeable to the Township, that appropriate Master Deed and By Law restrictions be put in place that restrict herbicides and pesticides, specifically set forth in the letter from the planner dated August 16, 2004, item #7; that the landscape plan is satisfactory to the Township authorities and further that a conservative easement be placed on the buffer adjacent to the stream that embodies the conditions set forth in item #8 of the letter from Carlisle/Wortman dated August 16, 2004; further subject to the applicant showing two plans for the buffer and screening requirements required by Ordinance Section 16.06.7b on Holcomb Rd. and Brook Lane so the house could front on either road and satisfy the requirements. Commissioner Baker supported the motion. Vote on the**

Planning Commission Business Meeting - Minutes of August 16, 2004

motion. Yes: Steckling, Rabaut, Moore and Baker; No: Lamont; Absent: Mann-Bowser and Hines. The motion carried by a 4 to 1 vote.

2. Essential Zoning Ordinance Amendments - Article II, Section 2 - delete Essential Services definition and delete Section 16.08.

- **Commissioner Steckling moved that the Planning Commission recommend to the Township Board that the Zoning Ordinance of Springfield Township be amended by way of deleting Section 2 in Article II, the definition entitled Essential Services, and further that we delete Section 16.08 under Article XVI, General Provisions. Commissioner Rabaut supported the motion.**

Commissioner Baker noted that he is a Consumers Energy employee and asked if it is an issue that he vote on this motion. The Commissioners unanimously agreed that his job has no bearing on this issue.

- **Vote on the motion. Yes: Lamont, Steckling, Rabaut, Moore and Baker; No: none; Absent: Mann-Bowser and Hines. The motion carried by a 5 to 0 vote.**

Other Business:

1. Priority List

Office Services and C-1 and C-2 is set for the September Workshop meeting. Essential Services is complete and should be removed. The Landscape Ordinance is set for the September Workshop meeting.

Mrs. Kathleen Paul, 9780 Norman Rd., asked the Planning Commission to review the Foliage and Fencing Ordinance. She believes that on Susin Lake there is an issue with some homeowners and it is not safe and it is unsightly. Chairperson Lamont added this to the Priority List. Mr. Genre said he would visit the site and speak with Ms. Paul this Friday.

Zoning Review by Sub-Area #4 and #6 should be deleted and sent to the Master Plan update file to be handled at the next Master Plan review. Tree Preservation Plan is to be determined. Hamlet of Davisburg discussion is to be determined. Huron Creek to be deleted. Propsectors Ltd., to be deleted, Corner Creek to be deleted. Sunset Bluffs to be deleted. Saturn North is to be deleted. Leon Genre asked to add a discussion regarding Temporary Uses. Harding Leasing is set for the September Workshop meeting. Springfield Tech Center is to be discussed at the September 20th Business meeting. Proposal to rezone properties is tabled until the September Workshop meeting.

Planning Commission Business Meeting - Minutes of August 16, 2004

2. Proposal to Rezone Properties

Ms. Elmiger said they did reevaluate these parcels and used new parcel boundary limits based on the Township's recommendations.

Commissioner Baker asked regarding area 54A, will no one be able to build on this area due to the soil? Ms. Elmiger said, correct because there is a seasonal high-water table.

Commissioner Rabaut said the way it is zoned now there could be 100+ homes on this property and the thought of that many homes discharging thousands of gallons of water per day into the wetland will cause trouble. He believes the current zoning is unreasonable and would support the change. Commissioner Moore said he would concur with Commissioner Rabaut.

Commissioner Steckling commented that he is not absolutely sure all the data provided by the Oakland County Soils Information is correct. He noted that the property owners may run into a problem developing so much anyway by virtue of the natural features and that will cut the density down. Therefore, we may not have to rezone it in order to get what we want. Supervisor Walls said this is the least reliable piece of information we have and they should not rezone based solely on the soil survey.

- **Commissioner Steckling moved to table this item for further discussion until we get more information. Commissioner Baker supported the motion. Vote on the motion. Yes: Lamont, Steckling, Rabaut, Moore and Baker; No: none; Absent: Mann-Bowser and Hines. The motion carried by a 5 to 0 vote.**

Supervisor Walls noted that one rezoning that was done with no opposition, there was an error in the publication of the Hearing. A portion of this property lies within Section 27, which was not referenced. A new public hearing will be held on the same piece of property at the September Business meeting.

3. Harding Leasing & Equipment Company

Chairperson Lamont explained that Mr. Harding provided a letter requesting to be on the September 2, 2004 agenda if all information required is received by the Township no later than August 24th. The Commissioners unanimously agreed. Ms. Elmiger said it is on the Priority List as "Steelcor."

4. Comments from Commissioner Steckling

Commissioner Steckling commented that the Planning Commission reviews plans and requires many things that the developer may not adhere to when all is said and done. He asked to add to the Priority List a discussion regarding Developer Accountability and our ability to enforce this. The Planning Commissioners agreed to add this to the priority list as a discussion.

Planning Commission Business Meeting - Minutes of August 16, 2004

Adjournment:

Hearing no other business, Chairperson Lamont closed the meeting at 10:15 p.m.

Susan Weaver, Recording Secretary