

SPRINGFIELD TOWNSHIP BOARD MEETING

June 10, 2004

SYNOPSIS

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PUBLIC COMMENT: Paula Jarjosa commented about an alleged unauthorized business operating in a residential district.

CONSENT AGENDA:

- a) Approved Minutes: May 13, 2004 Regular Meeting with bills and additional disbursements of \$392,853.50
- b) Approved Minutes, June 3, 2004, Special Meeting
- c) Accepted May Treasurer's Report
- d) Received May Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire, & Ordinance
- e) Authorized payment of bills as presented, total \$147,606.66
- f) Authorized 2004-05 MTA Membership at \$4,763.70
- g) Authorized Fire Department purchase of a floor buffer not to exceed \$900.00
- h) Receipt of 2003 Audit Report
- i) Received communications and placed on file

PUBLIC HEARING:

- 1. CDBG Reprogramming, 2001 funds: No verbal or written comments received

OLD BUSINESS:

- 1. Discussed Dixie Highway Street Lighting Plan and requested Supervisor to request plan modification by Detroit Edison

NEW BUSINESS:

- 1. Lot Splits: Conditionally approved splits of Lot 8, Supervisor's Plat No. 3
- 2. Tabled Leddy's Woods Final Site Plan
- 3. CDBG, 2001 Funds: Reprogrammed \$3,060.73 from Historic Preservation to Home Improvement
- 4. Softwater Lake Weed Harvesting: Conditionally authorized Supervisor to execute contract
- 5. Pebble Creek: Approved Master Deed Amendment to permit 35 foot rear yard building setback on Unit 6
- 6. Zoning Ordinance Amendments:
 - a) First Reading, Screening between Land Uses – Sections 15.01 and 16.06: Referred to Planning Commission for report
 - b) Second Reading, Sections 2 and 16.23: Adopted Amendments
 - c) Second Reading, Sections 2, 18.08 and 18.11: Adopted Amendments

PUBLIC COMMENT: Diane Wozniak commented about parade; Joseph Jarjosa about activities in a residential district

ADJOURNED: 9:30 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the June 10, 2004 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Jamie Dubre	Township Treasurer
David Hopper	Township Trustee
Dean Baker	Township Trustee
Margaret Bloom	Township Trustee
Dennis Vallad	Township Trustee
Nancy Strole	Township Clerk

Others Present

Gregory Need	Township Attorney
Leon Genre	Building and Planning Director

Agenda Additions & Changes: None

Public Comment:

Mrs. Paula Jarjosa, 10560 Davisburg Rd., commented regarding a dumpster business being run against Township Ordinance at 10590 Davisburg Rd. This business has been ongoing for over a year. She is concerned with the noise problems, dumpsters being brought back to the business full, pollution running into the water and digging by the employees at night. Mrs. Jarjosa said there has been raw sewage buried on the property. Supervisor Walls asked the Building and Planning Director to follow up on this issue.

Consent Agenda:

➤ **Trustee Hopper moved to approve the Consent Agenda as published. Trustee Bloom supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

- a) Approval of Minutes; May 13, 2004, Regular Meeting with bills and additional disbursements of \$392,853.50
- b) Approval of Minutes, June 3, 2004, Special Meeting
- c) Acceptance of May Treasurer's Report
- d) Receipt of May Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire, Ordinance, Assessing
- e) Authorized payment of bills as presented, total \$147,606.66

- f) Authorize 2004-05 MTA Membership at \$4,763.70.
- g) Authorize Fire Dept. purchase of floor buffer not to exceed \$900.00.
- h) Receipt of 2003 Audit Report
- i) Communications
 - RCOC letter re: request for left turn signal at Dixie & Davisburg
 - Comcast letter - re: pricing
 - MDOT letter - re: I-75 Construction
 - Holly Area Youth Assistance Minutes
 - E-mail from Genesee County Resource Center re: Twp. Native Vegetation Project
 - Comcast Cable Scholarship Program 2004
 - Notice of MPSC Public Hearing: Proposed Consumers Energy West Oakland Pipeline

Public Hearing: CDBG Reprogramming: 2001 Funds

Supervisor Walls explained that this is a proposal to reprogram 2001 funds from Historic Preservation to Home Improvement. The reason for this reprogramming is that funds were set aside in 2000 for roof replacement of the Harress Shop in downtown Davisburg to be coordinated by the Historical Society. Davisburg Rotary has volunteered the labor, therefore, the total cost of the project is \$1,430.27, which, leaves \$3,060.73 of the original allocation not spent.

Supervisor Walls opened the Public Hearing at 7:36 p.m.

There were no public comments

Supervisor Walls closed the Public Hearing at 7:37 p.m.

Old Business:

1. Dixie Highway Street Lighting

Supervisor Walls explained that Detroit Edison is proposing to place lights on the southbound side in front of the current Kroger development and Randy Hosler which, in his opinion, is already well lit. They are proposing a fourth street light at the intersection of Davisburg and others south of Cedar Crest Academy. They are not proposing to put streetlights near driveways or all road intersections. Supervisor Walls asked if Board Members concur that we should attempt to use existing poles on the northbound side wherever possible, with the exception of intersections and that we should not have lights in any more areas than before the project began. Supervisor Walls said he sees no reason to put streetlights in front of Bordine's growing area.

Clerk Strole said the plan provided by Edison does not do what it is supposed to do. Supervisor Walls asked if there is any objection to him trying to improve on the plan? There were no objections.

New Business:

1. Lot Splits: Supervisors Plat #3

Supervisor Walls explained that the drawing submitted confirms minimum width, size and width to depths. There is a parcel D within parcel A which was set aside for the possible future dedication to the owner of the adjacent property with only 40 feet of road frontage. Mr. Garrison, co-applicant, said they would not be going with that and the end lot will be one lot, so the Board should consider parcel A as is.

Supervisor Walls noted that if someone comes to the Board in the future and asks to add a portion to the Ledbetter property to the west, that still would only be four divisions of the platted lot and would be allowed within the state law. As long as it is no greater than parcel D, the balance of parcel A would still conform to the requirements of the ordinance.

- **Clerk Strole moved to approve the requested lot split of Lot #8 of Supervisors Plat #3 into parcels A, B and C, as depicted on the survey by Grant Ward dated February 4, 2004, subject to payment of summer taxes for 2004. Trustee Bloom supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

2. Leddy's Woods Final Site Plan

Supervisor Walls explained that this proposal received conditional Special Land Use approval in September, 2003. He noted that conditions of the SLU approval have not all been met and the Master Deed and ByLaws have not been reviewed yet by the Township Attorney. Supervisor Walls said, in his review, it does not appear to contain all the provisions required by Special Land Use.

Mr. Jim Scharl, Kieft Engineering, explained that several items recommended by the Planning Commission have been dealt with or have had other considerations prior to tonight's meeting. Supervisor Walls said he does not think there is anything about construction plans or the Exhibit B drawings and Master Deed and ByLaws that cannot easily be taken care of if we can deal with dedication of part of the open space to a land conservancy of the owner's choice. That was a condition of Special Land Use approval and now Mr. Leddy is indicating he chooses not to do that.

Mr. Leddy explained that the property west of him has been dedicated to a land conservancy and ever since then the property has been abused by recreational vehicles. He believes he can take care of it better than a land conservancy as he has been caring for his property for many years. He would like to put some parkland in this area and is afraid of tying up that option. Supervisor Walls said the abuse on the aforementioned property started long before it was dedicated to a land conservancy. He explained that the land conservancy initiates regular, periodic visits and requests local police authorities to monitor and curtail abuse. Supervisor Walls said he understands that Mr. Leddy will maintain the property but this property will not always be held by this family and future owners may not take care of the property in the same manner. He

believes some mechanism must be made to maintain the property and urged the applicant to reconsider.

Clerk Strole commented that a land conservancy is there if needed and is not there to take over the property from the owner. She said she would want to know if there is a viable alternative to a land conservancy and if so, she would carefully consider it. Supervisor Walls explained that dedication to a land conservancy was a condition and unless the Board agrees to changing it, the applicant needs to work out the details with a land conservancy.

Trustee Hopper said he understands the applicant's reasoning but would feel safer if there is an extra set of eyes to watch the property in the future.

Treasurer Dubre commented that she believes all the Board members agree that Mr. Leddy has done a fabulous job with that parcel. Personally, she believes there will be concerns in the future but given the fact that this division is for his family, it could be worked within the ByLaws to have Mr. Leddy oversee it now and, when he can no longer do so, a conservation easement could then go to a third party.

Trustee Baker said he concurs with Treasurer Dubre's suggestion and is open to placing language in the Master Deed or ByLaws. Trustee Bloom said she also concurs with this suggestion. Trustee Vallad said he does not need to see this in a conservation easement but he does need to see it in a Master Deed and ByLaw restriction.

Supervisor Walls said he strongly encourages the applicant to reconsider a land conservancy because it is the best way of ensuring that the applicant's goals for this property will be carried out. Clerk Strole said she concurs with Supervisor Walls.

Trustee Hopper asked if the utilities would be overhead? Mr. Scharl said they would be underground. Trustee Hopper asked regarding lot 3, is a 55' x 42' building envelope big enough for a house? Mr. Scharl said it is difficult to tell because there is no house plan yet.

Clerk Strole asked regarding lot 13, if the buffer is to maintain the setback? Mr. Scharl said, yes. Clerk Strole asked where the location is for the turn-around of fire trucks? Mr. Scharl said it could happen directly opposite unit 13 or where the combined driveway is at units 10 and 11.

Clerk Strole noted that if the applicant does go with a conservation easement to a land conservancy, he should identify the location of the active recreation area, which should be excluded from the conservation easement area. She believes there should be language that would deal with the ability to manage vegetation and restrictions on exotic, invasive species.

- **Supervisor Walls moved to table Leddy's Woods Final Site Plan and allow the applicant to address the concerns expressed this evening and revise the Master Deed and ByLaws. Trustee Baker supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

3. CDBG Reprogramming 2001 Funds

Supervisor Walls noted that the actual amount to be reprogrammed is \$3,060.73.

- **Clerk Strole moved to reprogram 2001 Block Grant Funds in the amount of \$3,060.73 from Historic Preservation to Home Improvement. Trustee Bloom supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

4. Softwater Lake Weed Harvesting

Supervisor Walls noted that we did receive a third proposal from Midwest Marine Services for \$150 per hour, per harvester, with a minimum of \$4,500.00. Supervisor Walls said that Mr. Schaller and Mr. Walters, on behalf of the Softwater Lake residents, recommend Inland Lakes Weed Harvesting with a fixed rate.

- **Clerk Strole moved to authorize the Supervisor to enter into and execute a contract with Inland Lakes Weed Harvesting at a price not to exceed \$5,000.00, conditioned on the development of a contract satisfactory to the Township Attorney and the Supervisor, and if such a contract is not satisfactory to the Supervisor and Township Attorney, to authorize the Supervisor to negotiate a contract with acceptable language with Midwest Marine Services with review and approval by the Township Attorney. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

5. Pebble Creek Amendment

Supervisor Walls said this is a request to amend the Exhibit B perimeter setback from 50 feet to 35 feet for unit 6 in Pebble Creek. When this development was approved, the Township Ordinance required a 50-foot setback adjacent to all other properties. Since that time, that provision has been removed from the ordinance.

Trustee Hopper asked about the pool equipment and screening. Leon Genre explained that he spoke with the contractor and the pool equipment is in the setback and will need to be relocated.

Supervisor Walls encouraged the applicant to blend the new landscaping into the existing natural landscaping. Clerk Strole concurred. The applicant, Karen Shea, said she would agree. Supervisor Walls noted that there is dense woods for 150 + feet from the unit line back to Mr. Sawyer's house at the rear and the two neighbors within Pebble Creek have no objection.

- **Supervisor Walls moved that the amendment to the Pebble Creek rear setback on unit 6 be approved from 50 foot to 35 foot. Trustee Baker supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

6. Zoning Ordinance Amendments

A) First Reading - Screening between Land Uses - Sections 15.01 and 16.06

Trustee Hopper asked, regarding the charts on page 6, he understands the intent is to put all the screening in one spot but wonders if there is a better way than clustering. He would like it mentioned that screening should be naturalized.

Clerk Strole asked, regarding the alternatives, what was the intent of the Planning Commission for spacing? Chairperson Lamont said the intent was for "net total." Supervisor Walls noted that there is no spacing standard in the chart.

Supervisor Walls said in Section 15.01.k, the word "native" should be deleted because the surrounding vegetation is not necessarily native and the intent is to match the surrounding vegetation; or, they must include native and delete "surrounding area." Page 4, 16.06.d, the second paragraph requires a wall. He noted that it is the Township that makes that determination of need. Page 4, paragraph C 1, Supervisor Walls said he is concerned that the intent of the chart on page 6, 7 and 8, is to show which of the four landscaping options can be used in various scenarios. Nowhere does the document say that. Supervisor Walls said he cannot approve of anything that calls for standards based on future growth and what something will look like fifty years from now without having any idea which plant material meets that standard.

- **Supervisor Walls moved that we refer the Ordinance Amendments for Landscaping back to the Planning Commission for a report on the following changes: deletion of the word "native" from 15.01.1.k.1; an addition to 16.06.3.d or the chart accompanying to explain that the numbers in the chart, 1 through 4 on the interior are meant to indicate which alternative or alternatives should be considered in those circumstances; the addition of the ultimate height of various trees to be added to the chart in Section 16.06.9 and the deletion of the examples shown on page 9, 10 and 11 of what was presented to the Township Board this evening; and removing the word "spacing" from the alternative charts or including actual spacing minimums; 16.06.3.b.3.d on page 4, add "in the opinion of the Township for determining when a wall would be required" and correct the word "end" in 16.06. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

B) Second Reading - Sections 2 and 16.23

- **Clerk Strole moved for adoption of Amendments to Article II, Section 2, Definition for Façade and Section 16.23, Architectural Site Design Standards as published for Second Reading and presented to the Board this evening. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

C) Second Reading - Sections 2, 18.08 and 18.11

Clerk Strole noted some typographical errors for correction.

- **Supervisor Walls moved for adoption of the Ordinance Amendments to Article II, Section 2, 18.08 and 18.11 with the two clerical corrections listed this evening in accordance with the document that was published for Second Reading. Trustee Baker supported the motion. Vote on the motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

Public Comment:

Mrs. Diane Wozniak, 11938 Big Lake Rd., thanked the Board for allowing the permit for the parade. It was a success with 2,000 spectators. Supervisor Walls thanked the Business Association and commented that it was a nice parade.

Mr. Joe Jarjosa, 10560 Davisburg Rd., asked, regarding the dumpster business at 10590 Davisburg Rd., what is the position of the Township if they do not remove that business? Supervisor Walls explained that new information was presented this evening and until he investigates cannot answer that.

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 9:33 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk