

**SPRINGFIELD TOWNSHIP BOARD MEETING**  
**July 8, 2004**  
**SYNOPSIS**

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

CONSENT AGENDA:

- a) Approved Minutes: June 10, 2004 Regular Meeting with bills and additional disbursements of \$221,723.38
- b) Approved Minutes, June 10, 2004, Show Cause Hearing
- c) Accepted June Treasurer's Report
- d) Received June Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire, & Ordinance
- e) Authorized payment of bills as presented, total \$184,998.43
- f) Renewed Microsoft Software Assurance Coverage
- g) Adopted revision to Township Fixed Asset Capitalization Policy to \$10,000, minimum, from \$500
- h) Authorized transfer of \$45,836.08 from Bridge Lake Rd. Fund to General Fund, representing 2003 principal loan repayment and interest
- i) Approved notice to RCOC that the Township has no objection to abandonment of a portion of Bridge Lake Rd., no longer needed due to realignment of Holcomb Rd.
- j) Received communications and placed on file

PUBLIC HEARING:

- 1. Special Land Use Request – 07-03-451-005 (McCulloch): No comments received

OLD BUSINESS:

- 1. Leddy's Woods: Conditionally approved final site plan
- 2. Civic Center Signage: Authorized re-bid for exterior signage; established General Fund budget and authorized expenditure not to exceed \$10,000 for interior signage
- 3. Received Assessing Department Update from Supervisor
- 4. Amended Sunset Bluffs Special Land Use approval to conditionally allow all private roads

NEW BUSINESS:

- 1. McCulloch Automotive Repair Facility; Conditionally approved Special Land Use Request and Concept Plan
- 2. First Reading Proposed Rezoning:
  - a) Properties from R-1 to PL (Public Lands) 07-35-203-008 & 009: Referred back to Planning Commission
  - b) Properties from R-2 to R-1; 07-04-400-008, 07-03-300-026, 032, 022 & 023: Referred Back to Planning Commission
  - c) Properties from R-3 to R-2; 07-26-126-002, 004, 005, 011, 017, 018 & 019: Authorized publishing for Second Reading
- 3. Authorized placement of Police Millage Renewal on November 2, 2004 Ballot
- 4. METRO Act Fund: Discussed uses for State disbursements

PUBLIC COMMENT: None

ADJOURNED: 9:40 p.m.

NANCY STROLE, Clerk

**Call to Order:** Supervisor Collin Walls called the July 8, 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:**

Trustee Vallad asked to pull from the Consent Agenda, the letter from State of Michigan regarding the disbursement of the Metro Act Funds. There was no objection. **Metro Act Funds Discussion was added as Item #4 under New Business.**

**Public Comment:           None**

**Consent Agenda:**

- **Trustee Hopper moved to approve the Consent Agenda as amended. 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; June 10, 2004, Regular Meeting with bills and additional disbursements of \$221,723.38.
- b) Approval of Minutes; June 10, 2004 Show Cause Hearing
- c) Acceptance of June Treasurer's Report
- d) Receipt of June Reports: Bldg., Elec., Plbg., Mech., Litigation, Fire, Ordinance, Assessing
- e) Authorized payment of bills as presented, total \$184,998.43.
- f) Authorized Renewal of Microsoft Software Assurance Coverage

- g) Adopted revision to Township Fixed Asset Capitalization Policy from \$500 to \$10,000, minimum
- h) Authorized transfer of \$45,836.08 from Bridge Lake Rd. Fund to General Fund, representing 2003 principal loan repayment and interest.
- i) Approved notice to RCOC that we have no objection to abandonment of a portion of Bridge Lake Rd. No longer needed due to realignment of Holcomb Rd.
- j) Received Communications:
  - Independence Twp. Senior Center Transportation Report
  - Oakland County Board of Commissioners - Infrastructure Fund Reimbursement
  - Township Application to Oakland County for West Nile Virus Program
  - Holly Area Youth Assistance Report
  - Oakland County Resolution opposing Governor's Budget Plan to change County tax collection period
  - Civic Center Landscape Report

## **Public Hearing:**

1. Special Land Use Request - 07-03-451-005 (McCulloch)

**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. Leddy's Woods Final Site Plan

Supervisor Walls explained that Board Members all received revised documents and Attorney Need's review of the Master Deed and ByLaws. There are still some items, according to this review, that need to be addressed. Mr. Need said that he felt all of the outstanding items he noted could be handled administratively and, in his opinion, would not need to come back before the Township Board.

Supervisor Walls said a major concern is with the absence of provisions for environmental protections and conservation easements, which was a condition of the Special Land Use approval. In part, that has been addressed, but he asked Mr. Leddy what his goals are for the common area and reasons for how he divided the preservation area versus the balance of the common area. Mr. Leddy said there are certain areas he felt needed to be protected. The heavily wooded area on the peninsula, the wetlands, and the pine forest areas will be protected. He would have a buffer zone which is also a natural protected area. Out of the 40 acres, Mr. Leddy said there are approximately ten acres of sites, four acres of road and right-of-way, ten acres of recreation area and 16 acres of protected land that would not be disturbed.

Supervisor Walls asked why the slopes and the wetlands were not included in the Preservation Protection Area in the Master Deed and ByLaws? Mr. Scharl said those are already protected by Township Ordinance and State Law. Supervisor Walls noted that the Master Deed and ByLaws do not allow for pathways to the gazebo and language needs to be added. He asked Mr. Leddy what type of limitations or future rules did he have in mind for the active recreation area? Mr. Leddy said he was going to leave it up to the Association members but perhaps it could be tennis courts. Supervisor Walls said there is a provision that allows the developer to dedicate to one or more conservancies in the future, but it is not clear that that right also goes to the future Association and he believes it should. Mr. Leddy said he has no objection to adding a provision that would allow the Township or some third party chosen by the Township to monitor if it is found in the future that the restrictions and preservation provisions were not being met.

Supervisor Walls said the environmental study made special reference to sites 3 and 4 that included species that were south of the northerly wetland. He asked Mr. Leddy if those areas are included in the preservation area? Mr. Leddy said they attempted to include those. Mr. Scharl confirmed they were in the preservation area.

Clerk Strole noted that some of the plant species prohibited by the Township are not listed in the list provided by the applicant and suggested some revisions. Mr. Scharl said he has no problem adding those that were missed. Clerk Strole noted in regard to the recreation areas, it is important to have unfragmented areas as much as possible and what is being shown now is very fragmented preservation areas. Mr. Leddy said there were be 13 lots with very limited building envelopes. He feels that one acre per lot is not an unreasonable amount of play area.

Trustee Vallad commented that the list provided by the attorney were items that could be taken care of administratively.

Trustee Hopper noted that the ByLaws state that all driveways shall be surfaced with asphalt, concrete, paving bricks, etc. at the time of construction. However, the common drives are referred to as being gravel. He noted that underground sprinklers are encouraged according to the ByLaws but noted that if more native landscaping is utilized, the applicant may be able to eliminate installing underground sprinklers.

Trustee Hopper commented that he believes ten acres of park is too much and would like to see more preserved areas.

Trustee Baker commented that he concurs with comments made by Trustee Hopper and he would like this area retained into the future as far as possible.

Supervisor Walls commented that the guidance from the environmental study has been followed. He also agrees that the tree preservation provisions and the penalties for cutting, apply to the common area but should be clearer in the document. It would help if the wetlands, natural features and the slope protection areas were changed on Exhibit B to be preservation areas. Supervisor Walls said he would like added to the Master Deed provisions that the right to grant the easement run to successors and include more of a description and limitation as to what he means by "activities" within the common area. He would like provisions added that would allow

the Township to monitor and enforce the preservation area provisions if it is found in the future that the Association is not acting properly. Supervisor Walls said he believes conditional approval could be granted providing that everyone agrees these issues could be handled administratively.

Trustee Bloom commented that she concurs with all of Supervisor Walls' comments and would agree to the items being handled administratively.

Clerk Strole said she is not comfortable with handling all of these concerns administratively.

Mr. Douglas Basberg, 5500 Farley Road, suggested that the Board state how many square feet could be removed from vegetative surface to other surfaces.

Treasurer Dubre commented that she was glad to hear that the applicant does not intend to clear the area and use it as complete recreation with asphalt all the way across. She does concur that the Township should be added as an overseer with the ability to step in if necessary. She believes that the items outstanding could be handled administratively.

- **Supervisor Walls moved that Leddy's Woods plans received June 24th 2004 and Master Deed and ByLaws and Exhibit B's, be conditionally approved with the following conditions: that the wetlands, natural features setback areas and slope protection areas be included as part of the preservation areas within Exhibit B and the Master Deed and ByLaws; that the tree preservation provisions be more clearly applied to the common areas; that the preservation areas include pathways as an allowed use except within the wetlands; that the active recreational uses and areas of the various uses be clarified; that a maximum limit on tree removal for active recreational areas be placed within the Master Deed and ByLaws; that the conservation easement provisions extend to the Association and other assigns of the developer; that the Township or a third party chosen by the Township be allowed to monitor and enforce the preservation area and tree preservation provisions and restrictions in the development, if it is determined by the Township that the Association or the developer is not following through; that the attorney's comments be addressed and changes requested take place; that the provisions of the prohibited species list and irrigation be revised; that the changes be reviewed with the developer and approved administratively by a committee made up of the Director of Planning, Leon Genre, Greg Need, Nancy Strole and the Supervisor. Treasurer Dubre supported the motion.**

Attorney Need asked if the enforcement provisions would also allow the Township to dedicate a conservation easement to a conservancy? Supervisor Walls said it was not specifically mentioned and his concern is that we do not have any property rights allowing the Township to make that dedication. Mr. Need said language could be inserted that would compel the Association to make that dedication. Supervisor Walls said that could only be after a clear indication that the developer or the Association has failed their responsibility.

- **Supervisor Walls amended his motion to include that the enforcement provisions would allow the Township to dedicate a conservation easement to a conservancy if the developer or the Association fails in their responsibilities.**
- **Vote on the amended motion. Yes: Walls, Dubre, Hopper, Baker, Bloom and Vallad; No: Strole. The motion carried by a 6 to 1 vote.**

## 2. Civic Center Signage: Entry Sign Bids and Interior Signs

### Exterior Signage

Supervisor Walls noted that on one quote received from Visual Entities, states it would provide the sign on the Township's columns and bases. Supervisor Walls suggested a budget not to exceed \$7,500.

Mr. Dennis Brown, representing the Sign Studio said he believes his plan will benefit the Township and make the sign maintenance free for many years.

Trustee Vallad said he would prefer that this be re-bid. He cannot compare the Sign Studio's bid with the other bids because it has no detail attached. It is obvious every sign company is quoting different things because there are very different prices. Treasurer Dubre suggested that the bidders provide specifics as to materials. The Board unanimously concurred.

### Interior Signage

- **Clerk Strole moved to establish a budget not to exceed \$10,000 using General Fund Civic Center Capital Outlay Funds and for development and securing internal signage for both the upper and lower levels, the library, meeting room and Township offices and to appoint Cathy Forst and Supervisor Walls to administer the project in consultation with Clerk Strole and Treasurer Dubre. 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.**

## 3. Assessing Department Update

Supervisor Walls explained that Vicki Sievers was offered the job of Assessor. Ms. Sievers started officially as the Assessor on July 1st and has been doing an excellent job. Treasurer Dubre said she has worked with Ms. Sievers and agrees that she does an outstanding job.

## 3. Amend Sunset Bluffs Special Land Use - Allow All Private Roads

Supervisor Walls explained that Special Land Use was granted with a condition that some internal roads be public. In addition, Jim Scharl received a letter from the Road Commission indicating that they will not accept the roads within this project. Supervisor Walls recommended granting the request to allow all private roads with a condition that Ellis Road, south from Rattalee Lake Rd., be included in the maintenance responsibilities and a condition that the

O'Neill's, Thorn's, Zilka's and Ortwine's agree to sign off on the existing Chippewa and use the new private road.

- **Supervisor Walls moved to amend the action of May, 2004 to indicate that Chippewa within the development be vacated and private rather than public road access be provided to the four parcels surrounded by the project and to the O'Neill parcel with the understanding that all roads within this project will be private. 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.**

## **New Business:**

### **1. McCulloch Automotive Repair Facility; Special Land Use Request and Site Plan**

- **Supervisor Walls moved that the Special Land Use and Final Site Plan for Carl McCulloch for the property at 10375 Dixie Highway, Lot 5, Holly Greens Industrial Park be approved as shown on the site plan received June 4, 2004 with the following conditions: It apply to no more than 9,000 square feet of the referenced building; no salvage or dismantling operations will take place on the property; no more than three vehicles waiting to be repaired will be parked outside and those will only be behind the screen as shown on the site plan; the Building and Fire departments will verify initially and periodically during operation that all wastes are being handled properly; the air handling unit shown on the front or Dixie Highway side of the building on the site plan be relocated to the north side and no modifications to the Dixie Highway building face take place other than an approved sign and that there be continued compliance with Section 10.02, paragraph 1 and 12.02, paragraph 4 of the zoning ordinance and the site plan; with those conditions and restrictions the property will meet the Special Land Use conditions and the provisions of Section 18.07. Trustee Baker supported the motion.**
- **Supervisor Walls amended his motion to include that this portion of the building read as a separate address as requested by Fire Chief Oaks. Trustee Baker supported the amended motion. Vote on the amended motion. Yes: Walls, Dubre, Hopper, Baker, Bloom, Vallad and Strole; No: none. The motion carried by a 7 to 0 vote.**

### **2. First Reading: Proposed Rezonings:**

- a) **Properties from R-1 to PL (Public Lands) 07-35-203-008 & 009**
- **Supervisor Walls moved that the Township Board refer the proposed change of zoning of parcel # 07-35-203-008 and 009 from R-1 to Public Lands, back to the Planning Commission for the following reasons or requests: 1) there is no urgency for this change, 2) the Planning Commission should review Public Lands zoning**

**provisions and clarify them because in the Ordinance, as currently drafted, the residential zoning may provide better protection for area residents and the community as a whole. Treasurer Dubre supported the motion.**

Clerk Strole agreed that the Planning Commission should take a strong look at the PL District and make sure it includes what the Planning Commission intends it to include and make any revisions that may be necessary.

Trustee Vallad commented regarding the issues raised by the residents in the area of these parcels. He noted there is no section in the Master Plan related to fire and police planning and he believes it should be included in a community's Master Plan.

Mr. Basberg asked if Oakland County is also involved and how are fire stations normally positioned? Supervisor Walls said the Public Land area can be reviewed to make sure it does what the intent is of the community.

Mr. Robert Schultz, 5315 Farley Rd., commented that he is concerned about any future uses and does not want anything but residential on this piece of property.

- **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) Properties from R-2 to R-1; 07-04-400-008, 07-03-300-026, 032, 022 & 023

- **Supervisor Walls moved that the Township Board refer the proposed zoning change from R-2 to R-1 in Sections 3 and 4 back to the Planning Commission with a request that they meet with the owners of Heather Highlands and the other property owners to discuss the owners plans and request that they review the Master Plan and the total area zoning and review the basis for the suggested change and its result as it relates to surrounding property. Trustee Vallad supported the motion.**

Clerk Strole commented that, in fairness to the Planning Commission, many of them are more recent appointees than the last very massive review of the Township and rezonings. At that time, the Township indicated to Heather Highlands that we would discuss the issue with them before any changes are made.

- **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) Properties from R-3 to R-2; 07-26-126-002, 004, 005, 011, 017, 018 & 019

- **Clerk Strole moved to authorize publication for Second Reading, proposed rezoning of parcels bounded by Big Lake Road and Andersonville Road as**



**published for Public Hearing. 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.**

3. Police Millage Renewal

- **Clerk Strole moved to place on the November, 2004 ballot, a police millage renewal, a question to be renewed at .7289 mills and levied for a period of 10 years for the years 2006 through 2015 for the purpose of maintaining police protection within the Township. 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.**

4. Metro Act Funds

Trustee Vallad explained that in the May Board packets, there was a letter from Dot LaLone dated April 22, 2004 related to the Metro Funds with a request that the funds be set aside for the Headwaters Trail funding. Trustee Vallad said he believes the request is appropriate and does not know that it should all go to the Headwaters Trail but would propose to set up a separate line item within the budget with the Metro Funds for the specific purposes to support the Headwaters Trail work that Mrs. LaLone is doing and any other related issues.

Clerk Strole said the types of items we can use Metro Act funds is wider than we initially thought. She had no objections to Trustee Vallad's suggestion but suggested making sure this would be a permissible use. The Board unanimously agreed.

**Public Comment: None**

**Adjournment:**

Hearing no other business, Supervisor Walls adjourned the meeting at 9:37 p.m.

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Collin W. Walls, Township Supervisor

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Nancy Strole, Township Clerk