

Springfield Township  
Planning Commission Meeting  
Minutes April 18, 2017

Call to Order: Chairperson Baker called the April 18, 2017 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker  
Ruth Ann Hines  
Dave Hopper  
George Mansour  
Jason Pliska

Commissioners Absent

Kevin Sclesky  
Linda Whiting

Consultants Present

Doug Lewan, Planner, Carlisle Wortman, Associates

Staff Present

Collin Walls, Supervisor  
Erin Mattice, Planning Administrator

Approval of Agenda:

**Commissioner Hopper moved to amend the agenda moving “New Business” in front of “Old Business”. Supported by Commissioner Hines. Voted yes: Baker, Hines, Hopper, Mansour, Pliska. Voted no: None. Absent: Sclesky, Whiting. Motion Carried.**

**Commissioner Hines moved to accept the agenda as amended. Supported by Commissioner Pliska. Voted yes: Baker, Hines, Hopper, Mansour, Pliska. Voted no: None. Absent: Sclesky, Whiting. Motion Carried.**

Public Comment:

None

Consent Agenda:

**1. Minutes of the March 21, 2017 Planning Commission Meeting**

**Commissioner Hopper moved to approve the minutes of the March 21, 2017 meeting as presented. Supported by Commissioner Mansour. Voted yes: Baker, Hines, Hopper, Mansour, Pliska. Voted no: None. Absent: Sclesky, Whiting. Motion Carried.**

Public Hearing:

None

New Business:

**1. Final Site Plan – A1 Management & Storage (Mini Industrial), 5813 Terex, Parcel #07-26-126-010**

Brian Biskner, Powell Engineering, introduced himself to the Commission. He stated that the shaded area on the site plan is proposed to be paved with four inches of asphalt. The four inches of asphalt will go on top of the existing millings. He also pointed out the banked parking based on parking calculations. The outdoor storage will remain and the applicant is asking the Planning Commission for a waiver for this. The applicant added landscaping but along the property line that abuts a residential use, they are asking for a waiver since there are no building changes on that side. They are proposing to maintain all the drainage patterns. He stated that the septic system was approved by the Health Department and was already installed. He pointed out the proposed well locations.

Mr. Lewan summarized his review letter dated April 6, 2017. This is a fully developed site currently used for storage and natural resources are not a concern. The buildings on site are existing and there are no issues with area, width, height and setbacks. Outside storage is allowed in the Heavy Industrial District however, the storage must meet the criteria that is shown on page three of the review which include seven items. Outside storage is not supposed to be found in the front yard of a site. This is a unique site without a traditional front yard. The site has been used for many years for outside storage and is still being used like this. The outside storage would be considered non-conforming use. The Planning Commission should determine that criteria one through seven are met. His only concern is regarding the front yard. The applicant has added turf islands to separate the outdoor storage area from the driveway. His concern is that these turf island get run over, not maintained and become just dirt islands. He wanted to know how those turf islands will be protected from truck traffic.

The Planning Commission would have to grant a parking waiver also. If the site was going to be used for strictly industrial use, it would require 57 parking spaces. At the last meeting, the applicant indicated that this site would not be used as a traditional industrial use and they did not need 57 parking spaces and they are proposing 26 parking spaces and 39 land banked spaces. The Planning Commission would have the right to waive the number of parking spaces if they find the number of parking spaces to be adequate. The biggest issue was the hard surface issue and how it was depicted in the site plan. The applicant's engineer just clarified that the traveled portions of the site and the parking for employees and customers is paved. The other areas on the site plan are temporary parking and the applicant wishes to retain the milling surface; the Planning Commission would need to waive this requirement. The site access and circulation is fine. Engineering still must be worked out with the Township's Engineering Consultant. There is a landscape screening requirement when an industrial site borders a residentially used or zoned property and there is residentially used property to the west of this site. Landscape screening is required to comply with alternative number three and that is nineteen

evergreen trees. Applicant proposes eleven. The Planning Commission can waive certain parts of the landscape ordinance. There is no new lighting proposed. Floor plans and elevations have been provided and they have no issue with that. He stated that the entry sign needs to be moved out of the Terex Road right of way.

Chairperson Baker confirmed that Township Engineer, Randy Ford, was not in attendance but he summarized Mr. Ford's review letter dated April 10, 2017.

Chairperson Baker asked about the seven criteria that the Planning Commission had to be mindful of before they can consider allowing the applicant to continue to have outdoor storage. He asked about item number four which requires that the storage must be clearly incidental to the principal use, only products owned or produced by the principal business and equipment owned by the principal use shall be permitted for storage. He confirmed that this site is currently used for mostly boats which are not principal to this business. The boats that are currently being stored there do not qualify because they are owned by individuals and money is made by storing them there. He asked if this current use would meet the criteria; he thinks that it does not. If it does not, does it preclude the Planning Commission from making a statement because it sounds like all seven have to be affirmative.

Mr. Lewan confirmed that private boats are being stored there and obviously, equipment that is not owned or used by the applicant so that requirement would not be able to be met as well as the front yard.

Mr. Biskner stated that they are getting the site ready for both buildings to be light manufacturing but it is not going to be filled with tenants that quickly. He pointed out that one building will remain cold storage and the other building will be developed. If he got a tenant, storage incidental to that tenant could be stored in the outside storage area. The applicant wants to continue to store items outside as he has been doing. He asked if the Planning Commission can allow the outside storage to continue since it has gone on for so long.

Mr. Lewan stated that they might be able to call this out as non-conforming. If it is a legal non-conforming, then it can continue indefinitely; an illegal non-conforming cannot. He does not know the history of how this started.

Chairperson Baker stated that it appears that the Planning Commission does not have the necessary background to determine whether the storage of items non-incidental to this property would carry with the property given that the applicant is proposing changes. When the Planning Commission conducts their review, they examine through today's standards. The way that Commissioner Baker understands the Outdoor Storage review is that all seven items highlighted from Section 40-886 must be met. He summarized item number four and he sees that the items stored there today are not relevant to the use that is going on today nor to the use that is planned for the future.

Mr. Biskner replied that it is cold storage now and the buildings are not suitable for any other use. He stated that if the one building is cold storage now, then isn't the Outdoor Storage incidental to the principal use.

Chairperson Baker stated that the items stored outside now are pontoon boats.

Mr. Lewan explained that the items stored would have to be associated with the business. For example, when this was Moon Valley Furniture, they stored logs there.

Commissioner Mansour asked what would the applicant have to do to move the original items back on site; would he get a permit or change zoning?

Mr. Lewan stated that the applicant couldn't put the original items back, it would be a violation. It would not be permitted.

Commissioner Hines stated that it would only be permitted if these units were going to be storage units and it was a completely storage use.

Mr. Lewan answered or if they needed outdoor storage for their industrial operation.

Chairperson Baker stated the applicant is talking about getting leaseholders for the one building. He is confused about the purpose of the business and asked if it is for storage.

Mr. Biskner stated that the applicant's intention is to get a light industrial tenant in the one building. The other building would need a septic first to have a tenant occupy it so for now will continue to be cold storage. The applicant is not going to convert now because he does not know if he can fill both buildings.

Commissioner Mansour stated that in the meantime, the applicant is trying to use the income from the Outdoor Storage.

Supervisor Walls stated that the question is "what is the principal use of the property?" The principal use is cold storage.

Commissioner Hines agreed that is the correct use, but they are before the Planning Commission because they want to change that use.

Supervisor Walls stated that they want to change it on one building and possibly two. Does this change the principal use of the property? If it does, then Chairperson Baker is correct.

Commissioner Pliska stated that the square footage of the outdoor storage far eclipses the indoor storage.

Chairperson Baker stated that he keeps going back to the seven item test and Mr. Lewan has indicated that if they want to approve this, they first must go over all those seven steps and then they can make a decision.

Commissioner Pliska asked if there was some criteria from which they could consider overall land usage and examine the percentages of area that is dedicated to those different uses. He asked how to decide the primary use on a multi-use property.

Chairperson Baker answered that he is not aware of an ordinance that makes that determination.

Commissioner Hines stated that there is also the provision that the area needs to be screened on all sides.

Commissioner Pliska asked what defines principal use.

Mr. Lewan answered the primary use of the property. It is the permitted principal use.

Commissioner Pliska asked if this zoning allows both light industrial and storage.

Mr. Lewan answered yes; outdoor storage is a permitted use and storage yards are a special land use. He asked Supervisor Walls when this area became boat storage.

Supervisor Walls stated that a marina that stores boats acquired it from the bank who took it over from Moon Valley.

Mr. Lewan stated that storage became the principal use.

Supervisor Walls stated that the portion of the property that was acquired had all been warehousing or storage.

Chairperson Baker stated that the activities that may take place within the confines of the existing structures are not the principal use. The principal use is storage and they just happen to have two existing structures on the property that are candidates for lease for activities that would be suitable for this zoning district and use.

Mr. Biskner stated that the way the language is crafted it is unclear if the principal use is related to the building of the property as a whole. He would think it would be crafted toward the business. You could have four principal uses in the building with each of them needing storage that is incidental to the primary use. The principal use is different for all the tenants and what they need to store will be different.

Commissioner Mansour stated that if they are saying that the principal use is storage, this is conforming in his opinion. The buildings would be ancillary to the primary use of storage.

Mr. Biskner stated that they will have several different businesses storing different types of things outside.

Commissioner Hines stated they are not charging someone else to store what is there.

Mr. Biskner stated that one of the businesses could be cold storage so this business could store boats outside because it is part of the cold storage business.

Commissioner Mansour stated that if they say the principal use of the property is storage, then it conforms and the buildings can still use that outside storage if needed.

Commissioner Pliska concurred. They cannot assume that the primary use of this site is inside a building.

Mr. Lewan stated that self-storage is a permitted use in light industrial. The ordinance speaks to outdoor storage of trailers and boats. He stated that at this point, they are making it up and they shouldn't have to do that. Addressing this could require the applicant to provide more information on exactly what the use will be.

Commissioner Hines pointed out number five of the requirements which requires screening on all sides. This large outdoor storage area is not screened in this manner.

Mr. Lewan answered that to the west it is screened by the building. There is some vegetation to the south but the north side needs to be looked at.

Commissioner Hopper stated that the aerial photo shows storage on the west side, storage on the north side against the fence and storage on the south side against the fence. He stated that the side yard setback is shown to be 30 feet, but they should not store items in this setback area. They could not store in the rear 50 feet setback. The rear setback is shown at 47 feet and by the aerial photograph, they are storing in this setback area. There are no dimensions on the plan so he does not know. It appears that they are proposing storage further south than the building setback and he is assuming that this is 30 feet.

Mr. Lewan stated that the site plan shows a building envelope.

Commissioner Hopper stated that there is no dimension going from the property line to the building.

Commissioners concurred.

Commissioner Hopper stated that he must assume that the side yard setback is 30 feet but it is not shown and it appears that the storage is five feet closer.

Mr. Biskner stated that the proposal is to have all storage greater than 30 feet from the property line.

Mr. Lewan stated that this was his understanding.

Commissioner Hopper stated that he wants it on the plan.

Mr. Biskner concurred and he will add those dimensions.

Mr. Lewan stated that if the primary use of the property was considered self-storage, it is a principal permitted use in the M-2 district with its own set of standards for outside storage. This might be a way that outdoor storage could continue. This has not been mentioned yet by the applicant that this is what they are proposing.

Chairperson Baker stated that in the northeast corner today, there is large berm that runs the eastern side of this property. It is cut off at the end which allows visibility over Green Lake. He would like this addressed and screened through this last segment by extending berm or additional screening. This would make it more continuous with screening that is around 95% of the eastern side. This is his recommendation. He stated that there are some outstanding issues regarding drainage per the Township Engineer's report. These should be addressed and applicant should work with Township Engineer to make sure those are addressed.

Mr. Biskner stated that they are not changing any of the drainage patterns. The asphalt millings are more porous than fresh new asphalt. He provided an analysis to the Engineer that they are adding the pavement and with the additional landscape islands, the overall coefficient would be lowered.

Chairperson Baker stated that the last communication from the Township Engineer that the Commissioners received does not give him comfort that all items have been addressed sufficiently.

Mr. Biskner stated that they would work with the Township Engineer.

Commissioner Hopper stated that there is a Township standard for asphalt over millings and that has not been addressed. They have no way of knowing how thick the millings are.

Mr. Biskner stated that millings are an acceptable base for asphalt and they will work with the Engineer to verify standards have been met. He stated that they have had borings done and they indicate that there are three to six inches of millings.

Commissioner Hopper stated that if they do not require any additional drainage structures, would a waiver still be required by the Township Board.

Mr. Lewan deferred this question to Randy Ford.

Mr. Biskner explained drainage features on the site plan. He stated that they feel comfortable about the existing drainage patterns.

Commissioner Mansour asked if they are requiring any more borings to be done to make sure that there are 8 inches underneath the asphalt and it conforms to the Township standard.

Commissioner Hopper stated that this is something HRC would have to address.

Mr. Biskner replied that there is an excellent sandy base throughout the site. The applicant will comply with directives from the Engineer.

Chairperson Baker asked Mr. Biskner to comment on other items on Mr. Lewan's review letter that need to be addressed.

Mr. Biskner stated that he will look at how to protect the turf islands and come up with some ideas. He suggested softening the curve and adding posts or signs or widening the asphalt.

Commissioner Pliska suggested pushing the fence out on the roadside.

Mr. Biskner concurred.

Chairperson Baker stated that the Commissioners will be asked to make a decision on the banked parking spaces. He is okay with having the banked parking. He summarized other outstanding issues from Mr. Lewan's letter that they have discussed. He confirmed that the southerly access drive is not necessary. The westerly side required more screening. The applicant has offered eleven trees and the Township requires additional trees and in his opinion, he is in support of more screening in this area because of the neighboring home. The applicant should provide details of the dumpster enclosure. He confirmed no additional lighting is proposed on the site. He confirmed that the ground sign needs to be moved as per Mr. Lewan's letter. Additional dimensioning on the outside storage envelope needs to be added to the plan. He explained that the applicant will have the comments made tonight, the Planner's review and the Engineer's review for consideration.

Mr. Lewan noted that the site plan shows the western building with a septic area and a reserve septic and he asked if this was for the future.

Mr. Biskner replied yes.

Chairperson Baker suggested that the applicant take all this information and that he have conversations with the Township Engineer and Township Planner and come back to the Commission with a revised plan.

Commissioner Mansour pointed out on Sheet S-1, the fenceposts show more than ten feet center to center.

Mr. Biskner concurred.

Commissioner Mansour corrected the typo of “sharked”, which should be “shared”. On the south side of Building #2, he asked about the note on the plan. It looks like it should be a 6-inch conduit with a 4-inch sanitary coming from the building.

Mr. Biskner concurred.

Commissioner Mansour asked where the septic plan was because he did not see the detail.

Mr. Biskner replied that it was separate and went to Oakland County Health Department.

Commissioner Mansour replied that this would answer another question he had. There is a berm on the south west side of the property and he asked if the berm would encroach over the septic system.

Mr. Biskner replied no, this is a buffer.

Commissioner Mansour stated that the landscape plan says that all turf areas are going to be irrigated. He asked if this was being done along the roadway and building.

Mr. Biskner replied yes, all areas that are turf will be irrigated and drip irrigated for the trees. He is sure that they are not going to sprinkle all of it, some might have to be done manually.

Commissioner Mansour asked about the size of the trees on the west side of the property.

Mr. Biskner replied that the trees will be installed by stated caliper; the size of the trees are not to scale on the plan.

**Commission Hopper moved to table Final Site Plan for A1 Management & Storage (Mini Industrial), 5813 Terex, Parcel #07-26-126-010 to allow the applicant time to address Hubbell, Roth and Clark’s April 10, 2017 review letter, Carlisle and Wortman’s April 6, 2017 review letter plus items discussed during this meeting. Supported by Commissioner Hines. Voted yes: Baker, Hines, Hopper, Mansour, Pliska. Voted no: None. Absent: Sclesky, Whiting. Motion Carried.**

**2. Invasive/Phragmites Presentation – Mike Losey, Springfield Township, Natural Resources Manager**

Mr. Mike Losey, Natural Resources Manager, provided a PowerPoint presentation entitled, “Invasive Plant Species Control – Why it Matters” followed by a brief question and answer period with the Planning Commissioners.

**3. Invasive/Phragmites – Ordinance Amendments – Discussion**

Mr. Doug Lewan summarized his memo dated April 7, 2017 explaining the adoption of a phragmites ordinance in Orion Township. This phragmites ordinance provides a program for the Township to identify areas of infestation of phragmites and ask that property owners that have infestations on their property become partners with the Township to remove them. It goes further that if the owner does not want to be a partner, it allows the Township to mandate that some of the material be removed and if they do not, it allows the Township to remove it and charge the property owner. He knows that this has been met with a lot of cooperation for residents in the community because it is a big problem. He stated that CWA also proposed a series of ordinance changes that related to the phragmites ordinance which were not adopted. Supervisor Walls raised this issue and Mr. Lewan provided this sample phragmites ordinance as a starting point to determine if the Commission would like to pursue these types of ordinance amendments.

Commissioners discussed the need for ordinance amendments regarding invasives and phragmites and agreed that they would like to move forward to look at ordinance language that would provide protection and action against these invasive species. They agreed that they need to focus on not only phragmites, but other invasive species as well. Mr. Lewan will work with Mike Losey, Natural Resources Manager, to develop appropriate ordinance language. Commissioners asked to place Invasive/Phragmites Ordinance Amendments on the Priority List.

Old Business:

**1. Ordinance Amendments – Section 40-572, Building Height Measurement**

Mr. Lewan summarized his April 7, 2017 memo. They have come back to grade for the starting point of the bottom measurement and provided a definition for a grade plane. They also simplified what building height means and taking away the idea of midpoint of the basement and the first floor and now using grade plane. The definitions were taken right out of the Michigan Building Code. Mr. Lewan spoke to Craig Strong and the Building Code expert in his office to ensure that they were both comfortable with the definitions. They also should look at an adjustment to the Schedule of Regulations and he provided those changes. Supervisor Walls’ pointed out that the changes that are proposed probably increase building height throughout the Township and Supervisor Walls was not sure if that was the intent. It is Supervisor Walls suggestion to go to the 25 foot instead of the 30 foot building height for the residential districts. Wherever there were three stories

proposed for industrial districts, he reduced that to two stories and a corresponding reduction in height. He also added a subnote #3 to Maximum Height which is the statement provided to him by the Fire Code expert, "No height shall exceed 32 feet as measured from grade plane to the predominant eave. The predominant eave shall be determined by the Building Official." He proposed getting rid of the ½ story definition. Supervisor Walls asked about Mezzanine definition and if it should be eliminated. Mr. Lewan suggested that it should remain.

Commissioners discussed the proposed changes and agreed to move forward with the height determination as suggested by Mr. Lewan and other changes including the changes to the Schedule of Regulations with the additional proposal of changing maximum height in residential structures to 25 feet and eliminating the definition of ½ story.

Supervisor Walls suggested that the language may read, "At no point may the height exceed 32 feet from any grade."

Mr. Lewan suggested that the Subnote #3 might be able to come out but he would like to consult with the expert in building code in his office. Mr. Lewan concluded that he would bring these changes back to the Commission with diagrams for clarity.

Other Business:

**1. Priority Task List**

Commissioners reviewed and made changes to the Priority Task List.

Public Comment:

None

Adjournment:

**Commissioner Hines moved to adjourn the meeting at 9:56 p.m. Supported by Commissioner Mansour. Voted yes: Baker, Hines, Hopper, Mansour, Pliska. Voted no: None. Absent: Sclesky, Whiting. Motion Carried.**

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Erin A. Mattice, Recording Secretary