

SPRINGFIELD TOWNSHIP BOARD MEETING
June 9th, 2005
SYNOPSIS

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

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: May 12, 2005 Regular Meeting with bills and additional disbursements of \$179,031.06
- b) Accepted May 2005 Treasurer's Report
- c) Received May 2005 Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire & Ordinance
- d) Authorized payment of bills as presented, total \$176,927.43
- e) Authorized 2005-2006 MTA Membership @ \$4,989.00
- f) Authorized Clerk, Planning Director & Supervisor to amend Phase II, Public Education Plan per MDEQ, 6-1-05 letter.
- g) Adopted resolution authorizing Supervisor to request reimbursement from Oakland County West Nile Virus Fund for 2005
- h) Received communications and placed on file

OLD BUSINESS:

- 1. Adopted amendment to Zoning Ordinance 26, Article XVI, Section 16.24 Transient Sales
- 2. Prospectors Industrial Park: Rezoned 07-36-451-022 from M-1 (Light Industrial) to P.U.D. (Planned Unit Development)

NEW BUSINESS:

- 1. Towering Pines: Extended Special Land Use and Concept Plan approval to October 9, 2005; Tabled Final Site Plan
- 2. Approved Lot Split and Combination Request: 07-17-202-008 & 07-17-202-009
- 3. 1st Reading, Amendment to Zoning Ordinance No 26, Section 16.13: Referred to Township Attorney and back to Planning Commission
- 4. Fire Station No. 2 Expansion: Authorized Architectural Services not to exceed \$23,500.00 and Site Plan Development Services not to exceed \$7,000.00
- 5. Civic Center Pavement: Authorized retaining Hubbel, Roth & Clark to prepare repair specs, not to exceed \$35,000.00
- 6. Civic Center: Authorized Leak Repairs
- 7. Civic Center: Authorized Carpet Cleaning
- 8. Civic Center: Authorized Ceramic Tile Cleaning and Grout Repair
- 9. Authorized disposal of Election Equipment
- 10. Amended Fire Department Recruiting & Employment Policy

PUBLIC COMMENT: None

ADJOURNED: 10:05 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the June 9, 2005 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
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
David Hopper	Township Trustee
Marc Cooper	Township Trustee

Board Members Not Present

Jamie Dubre	Township Treasurer
Roger Lamont	Township Trustee

Others Present

Greg Need	Township Attorney
Leon Genre	Planning Director
Charlie Oaks	Township Fire Chief

Agenda Additions & Changes: **None**

Public Comment: **None**

Consent Agenda:

➤ **Trustee Hopper moved to approve the Consent Agenda as presented. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

- a) Approval of Minutes: May 12, 2005, Regular Meeting with bills and additional disbursements of \$179,031.06.
- b) Acceptance of May 2005 Treasurer's Report.
- c) Receipt of May 2005 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire, Ordinance.
- d) Authorize payment of bills as presented, totaling \$176,927.43.
- e) Authorize 2005-2006 MTA Membership @ \$4,989.00.

- f) Authorize Clerk, Planning Director & Supervisor to amend Phase II, Public Education Plan per MDEQ, 6-1-05 letter.
- g) Adopt resolution authorizing Supervisor to request reimbursement from Oakland County West Nile Virus Fund for 2005.
- h) Receipt of Communications
 - 5-20-05 letter from FEMA re: Proposed Base Flood Elevations for Oakland County
 - Hazardous Waste Collection Report
 - Spring Clean-up Statistics Report

Old Business:

1. 2nd Reading: Zoning Ordinance 26, Article XVI, Section 16.24 Transient Sales
 - **Clerk Strole moved for adoption of amendment to the Zoning Ordinance 26, Section 16.24 as published for Second Reading, said adoption to take effect seven (7) days after publication. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**
2. 2nd Reading Prospectors Industrial Park P.U.D.

Mr. Tim Wickersham noted that he made all of the changes requested at the last meeting. He explained, regarding the traffic light and cost, he is willing to split the 25% with the Township. The Road Commission will pay 75% and if the Board agrees to pay 12 ½ %, he would cover the other 12 ½ %. Supervisor Walls asked the Board if they were willing to agree to this? There were no objections by any Board members present to participate in the cost. Trustee Vallad said he is disappointed in the Road Commission's response that after the applicant paid 25% then they would see what they could do about getting this done in 2006. Supervisor Walls said he does not disagree but this is better than what we were initially told.

Supervisor Walls asked the applicant when the gas station may be ready to open? Mr. Wickersham said, they would like to start construction next week and would hope to be occupied within 120 days. However, he has no occupant as of today. Supervisor Walls said, there is a possibility we would have a service station before the traffic light. Mr. Wickersham concurred but said the only way we could get this process rolling is to make a commitment. Clerk Strole said the developer's financial contribution to the cost of the light would be consistent with the requirements of a Planned Unit Development.

Mr. Wickersham said in regard to the requests of the last meeting, he has provided more detail of the boulder wall and he is changing trees from pines to maples. In regard to the traffic pattern, he has reversed the truck flow and provided signage. Supervisor Walls noted that the signage for the northern most drive should direct all service trucks to the other drive, not just the trucks for the industrial building.

Trustee Hopper noted regarding the retaining wall, it is an 11-foot drop and he didn't want a 10 foot wall with the industrial adjacent. The wall detail is much better now but he would still like to see some plantings at the top, to safeguard against someone from coming from the adjacent industrial site falling over the wall. Mr. Wickersham said they also eliminated four pumps from the original proposed 16. The end of the canopy would still be prepped for the future but there are now only 12 pumps.

Supervisor Walls said Trustee Lamont was concerned with the spillway dumping into the roadside ditch coming from the gas pump area. He asked if it is designed so everything will run towards the enclosed storm system? Mr. Wickersham said, yes. Supervisor Walls asked why the leaching basin is not a catch basin? Mr. Jim Scharl of Kieft Engineering explained that because of the permeable soils on the site, it was suggested using leaching basins. All the cars will be underneath the canopy and if some small amount of gas spills on the pavement it won't wash away because there is no water to make it move.

Trustee Vallad said the lighting at this station appears awfully bright and asked how it compares to other gas stations in the Township? Supervisor Walls explained that this proposal is brighter than the BP and Kroger. Trustee Vallad said he is concerned with the lighting and how bright it may appear after a tenant gets in the building, and he is concerned not knowing what color scheme we may be faced with at this time. Supervisor Walls explained that the general indication of the Board of Appeals with the B P application was that we could look at average lighting under the canopy rather than the maximum. Clerk Strole said she would feel more comfortable if any approval was conditioned on the ability to have the applicant come back with color schemes and signage proposals after he does obtain a tenant. Supervisor Walls noted that the applicant did not provide details as to how he will be lighting the gas station sign. Mr. Wickersham said it would be internally lit.

Clerk Strole said, on page A-7, the applicant reversed the east and west elevations. Mr. Wickersham said he would correct that.

Supervisor Walls said the plan shows three wall signs on the canopy and asked if that is the signage area and size he would propose no matter who the tenant is? Mr. Wickersham said he would like to come back with that when he comes back with colors because, not having a tenant at this time, he won't know what colors and signs they will require and some gas stations only use their logo.

- **Supervisor Walls moved that the final site plan and PUD for Prospectors Industrial be approved in accordance with plans date stamped received by the Township May 27, 2005 with the understanding that the sign for the gas station building will be internally lit, that the canopy lighting, canopy colors, signage and other building signage be resubmitted to the Township Board for review and approval prior to the issuance of any Certificate of Occupancy; that wherever there is a conflict between the engineer's drawings and the architect's drawings, the engineer's drawings will be used for site development purposes and the architect's drawings used for landscaping and for building elevation purposes;**

that the notes on the architectural plans relative to signage and lighting are not approved as they are inconsistent with other information and that grades at the pump island and tank fill area be directed to storm drainage systems leaching basin A and B; in addition the Township Board agrees to cover up to 12 ½ percent of the cost of the installation of a traffic light at the intersection of Andersonville and White Lake with the understanding that the applicant will cover 12 ½ percent and the Road Commission for Oakland County cover 75 percent of that cost for engineering and installation; and correct labeling of the canopy elevations and that the proposal meets the criteria for PUD. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Hopper, Vallad and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.

Supervisor Walls asked Mr. Wickersham if, once we obtain a final estimate from the combined engineer and Road Commission, would he have an objection to placing his share of the funds in escrow? Mr. Wickersham said it was no problem, as soon as the Township calls him, he will bring it in.

New Business:

1. Towering Pine Final Site Plan

- **Trustee Vallad moved to grant an extension to the Special Land Use and Concept Plan approval for Towering Pines until October 9, 2005. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

Supervisor Walls said he walked the property yesterday and since has had conversations with Randy Ford and others. They discussed the grading plan and he is concerned with the swale proposed to be constructed along the north line, units 8, 9 and 10, and the conflict that would be created between that and the Special Land Use condition that the hardwoods be preserved and protected there. His other concern is the swale and the drainage in units 4, 5 and 6, primarily that there is a beautiful stand of evergreens 18' to 20' in height that provide excellent screening. By constructing the swale we would rip those trees out and then require the applicant to plant six foot trees; this does not make sense. Supervisor Walls said after consulting with the engineers, drainage can be easily redesigned to follow the existing drainage course. There is a proposed berm through the wooded area which is unnecessary if we are willing to grant the waiver of our design standards. This would eliminate a lot of construction in the hardwood areas.

Clerk Strole noted that along Lot #4, there is no screening or vegetation. Dr. Werner said there is a lot of self-seeded austrian pines growing rapidly and in a couple of years it will be much denser than it is now.

Mr. Jim Scharl of Kieft Engineering asked if it is a municipal requirement to screen residential from residential? Supervisor Walls said, no. Under the definition of our ordinance, screening is 80% opacity. He further explained that the intent with the original motion for this proposal was probably buffering, not a solid screening intent. Supervisor Walls asked where the existing trees are that the applicant intends to transplant? Dr. Werner said they are on lot #4 and he intends to keep lot 4 for himself, therefore, he can move those trees to a better advantage.

Clerk Strole commented that she appreciates the change made in regard to the berm within the park area and with changing the drainage and the swale area along the western boundary. She asked the applicant, with regard to the park area, have they projected any standing water that may end up killing some of the hardwoods? Mr. Scharl explained that there are two upstream, 1000 gallon leaching basins which the drainage begins to pass through. One is located in the island and one is located south of the island. In addition to that, all of the storm sewer pipe is perforated and discharges at the southerly end of lot 3 and runs over the surface into the existing hole located in the park. This is an area that is heavily wooded. They are constructing, in the bottom of the basin, a cut down leaching basin which will cut down through the clay and allow drainage to get into the sugar sand that is located in the bottom of that. Clerk Strole said there is no reference in the documentation to that area having an easement or that it will be maintained in its natural state, which is a requirement. Mr. Scharl said it could easily be added. Clerk Strole said the landscape plan is insufficient because it does not show the existing vegetation and the landscaping does not demonstrate what was required as part of approval. She commented that there is no sign detail included. Dr. Werner said he has to get an idea of how big a sign is needed before proposing one.

Clerk Strole said in the Master Deed and By Laws, what the applicant has in there regarding compatibility with the adjacent development, it seems to be quite consistent with Bridge Valley but she suggested in regard to materials, there should be some kind of transition and to have the majority of homes constructed of brick or stone. She noted that compatibility with the adjacent development is particularly important on lots 4 through 7. Dr. Werner said he will include the word "majority." Clerk Strole noted that markers would be helpful in the 25 foot tree preservation area.

Trustee Hopper commented that he likes everything proposed tonight and has no additional changes to propose.

Supervisor Walls commented that the sign specifications are required and suggested the applicant propose something as large as the ordinance allows. It can always be made smaller. Supervisor Walls said he does not have a problem with the sign being in the wetland buffer area because he believes whatever benefit there was to the wetland is lost by the pipeline relocation. In regard to Exhibit B and the Master Deed, they should both label the park the same as the site plan labels the park. He believes Unit #1 is conspicuous in its lack of information. Exhibit B should show the same type of minimum setbacks that the other units show; and the drainage easement that flows from the wetlands across through unit #1 needs to be depicted since it is part of the drainage system for the development. Supervisor Walls said any portion of the trees that the applicant believes should be preserved on unit #1 should have a tree preservation area over

them so everyone understands the intent. He noted that the drainage easements may need to be revised depending on the changes that get made to the plan. A natural features setback is not referenced in the Master Deed and By Laws and must be referenced with the addition of any applicable restrictions. Tree Preservation Easements are not referenced in the Master Deed and By Laws and must be added with any pertinent restrictions. Supervisor Walls suggested that provisions be added to the Master Deed and By Laws for plan review. The applicant should review the drainage to make sure the natural drainage flow that is being protected gets preserved. He asked the applicant to ensure that the Master Deed and By Law provisions are consistent with what they want to do with unit #1. Supervisor Walls provided the applicant with a copy of the Landscape Ordinance.

- **Supervisor Walls moved that the Towering Pines site plan be tabled to allow the applicant to prepare and have presented a revised landscape plan that meets the minimum standards and informational requirements to Township Ordinance in effect in October 2003 and to provide buffering on the open areas of units 4, 6 and 7 west side, provide sign detail and location, to revise the drainage and grading plans as discussed with the engineers and this evening and a reference to the property line swales and the freeboard berm; present a revised Exhibit B and Master Deed and By Laws dealing with the parks, natural features setback, tree preservation easements, unit 1 and other changes discussed this evening, including the general architecture provisions. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

2. Lot Split and Combination Request: 07-17-202-008 & 07-17-202-009

Supervisor Walls said this request from Ruth Ann Hines, is to keep two tax parcels but take 14 feet off one and add it to the other. This would take a non-conforming area and width parcel and make it conforming.

In response to a question from Clerk Strole, Ms. Hines said it is her intent to construct a house on the vacant lot.

Clerk Strole said she recalls that that area contains a lot of fill such as construction debris and concrete, etc. She asked how that may impact the buildability of that site and how it is handled if one is aware there has been a lot filled with construction debris? Mr. Genre explained that he spoke with the owner about that and she is the one that actually had it filled. Any debris pulled out of there will be trucked off site and they will go through it into virgin ground to support the new home.

- **Trustee Vallad moved to approve the request for the lot split and combination of parcels identified as 07-17-202-008 and 07-17-202-009 per the drawings submitted by the applicant this evening date-stamped received by the Township May 31, 2005 conditioned on all taxes being current. Trustee Cooper supported the motion.**

Clerk Strole asked Mr. Genre if there is a way to flag a lot with construction fill? Mr. Genre said, once a building permit is applied for, he will note the fill in the plans because they will have to inspect the ground before the foundation can be put in. Supervisor Walls said the Building Inspector reviews footings with a micrometer and a microscope to ensure virgin soils.

- **Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

3. 1st Reading: Amendment to Zoning Ordinance No. 26, Section 16.13

Supervisor Walls suggested sending these amendments to Greg Need for review, revision, clarity, intent and for him to review the fence definition in the ordinance. There are two areas talking about exceptions for screening around decks, one allows a fence at six foot in height and the other allows it at eight feet in height. Supervisor Walls said where it states visibility must be present through at least 80% of the fence between the house and the waterfront, he does not understand why the height needs to be limited to three feet.

Mr. Arthur Armstrong, 8509 Waumegah, said when he put in his fence he was required to have 80% visibility. However, subsequent to his fence going in his neighbors have put in a vegetative wall that is now about six feet tall and will grow to about 12 feet tall and provides zero visibility. Mr. Armstrong said he doesn't understand what the object is of having visibility enforced for a fence when someone can plant shrubbery that will restrict visibility.

- **Clerk Strole moved to refer this back to the Planning Commission for a report after it has been reviewed by the Township attorney with recommendations and a revised draft based on discussions this evening. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

4. Architectural Service Agreement Fire Station No. 2 – Construction Plans

Supervisor Walls commented that he enjoys working with Mr. Noonan and has the utmost faith in his architectural ability. The budget outlined in his agreement is fair but he would suggest that we let Trustee Hopper and Attorney Greg Need review the agreement and make changes necessary. Supervisor Walls, said after that, he and Trustee Hopper could negotiate.

- **Clerk Strole moved to retain Design Resources for the architectural services for expansion of Fire Station #2 based on the plan before us this evening, such services not to exceed \$23,500.00 and to establish a budget for development of the site plan for expansion of Fire Station #2 not to exceed \$7,000.00 and to delegate to the Supervisor and Township Attorney negotiation, approval and execution of the contract with Design Resources. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

5. Civic Center Pavement Evaluation

- **Supervisor Walls moved to establish a budget of not to exceed \$35,000.00 and retain HRC to develop specs and drawings for parking lot, sidewalk, drainage repairs and the pedestrian path. Clerk Strole supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

6. Civic Center Leak Repair

- **Supervisor Walls moved to authorize Mike Forst to enter into an agreement with Western Waterproofing to repair the Civic Center in accordance with their June 1, 2005 proposal in an amount not to exceed \$6,000.00. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

7. Civic Center Carpet and Tile Cleaning

- **Clerk Strole moved to authorize Mike Forst to enter into an agreement with Modernistic Cleaning Services for cleaning the Civic Center carpeting as set forth in its proposal, and limited application of Dupont Teflon not to exceed \$2,000.00. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

8. Civic Center Floor Grout Repair

- **Trustee Cooper moved to authorize Mike Forst enter into an agreement with Grout Master to repair and clean and seal the ceramic tile in the Civic Center not to exceed \$5,000.00. Clerk Strole supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

9. Authorization to dispose of Election Equipment

Clerk Strole recommended that we authorize offering the equipment to the County Clerk for her proposed school district program. However, she cannot see how the County Clerk can possibly find outlets for all the equipment available from municipalities. Supervisor Walls asked if we are donating it to the Clerk or is the donation only if she finds an outlet? Clerk Strole suggested giving her a deadline to retrieve the equipment.

- **Trustee Cooper moved to donate the election equipment to the County Clerk's Office and she has until July 15, 2005 to have it removed from the Township, if not removed, the Springfield Township Clerk is authorized to dispose of it in the best**

interest of the Township. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.

10. Amend Fire Department Recruiting and Employment Policy

Trustee Cooper noted that if we are going to change the felony conviction provision we are better off not to give a time limit of five years for a conviction because we are opening ourselves up to people saying which felonies will we allow on the fire department. Trustee Cooper said we can still ask the question on the application and the Fire Chief can still make the decision who he wants. Therefore, we don't have to put it in writing that states we will hire people with a felony.

- **Trustee Cooper moved that the proposed amendment read “The department will check an applicant’s driving record and criminal record. To be considered for employment, applicant must not have six current points or more on their driving record.” Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper and Cooper; No: none; Absent: Dubre and Lamont. The motion carried by a 5 to 0 vote.**

Public Comment: None

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 10:08 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk