

**PLANNING COMMISSION
FINAL BUSINESS MEETING AGENDA**

April 18, 2005

- CALL TO ORDER:** 7:30 P.M.
- MINUTES:** Approval of March 21, 2005 Business Meeting Minutes
- APPROVAL OF AGENDA:**
- PUBLIC COMMENT:** Items Not On Agenda
- PUBLIC HEARING:** **Ordinance Amendments**
1. Subsection 18.08.8, Voiding of Special Land Use Permit of Article XVIII, Administration and Enforcement
- UNFINISHED BUSINESS:** **Site Plan**
1. Sunset Bluffs - **07-12-227-006** -Final
*Note: Please keep these plans or return them need for Town Board-
Thank you*
2. Transient and Seasonal Display of Products or Materials Intended for Sale -- Section 16.24
- NEW BUSINESS:** **Ordinance Amendments**
1. Subsection 18.08.8, Voiding of Special Land Use Permit of Article XVIII, Administration and Enforcement
- OTHER BUSINESS:** **Miscellaneous**
1. Priority List
- NEXT MEETING DATE:** May 16, 2005 – Regular Business Meeting
May 5, 2005 -- Workshop
- ADJOURNMENT:**

The Mission of the Springfield Township Planning Commission is to guide and promote the efficient, coordinated development of the Township in a manner that will best promote the health, safety, and welfare of its people.

**Springfield Township
Planning Commission – Business Meeting
Minutes of April 18, 2005**

Call to Order: Chairperson Roger Lamont called the April 18, 2005 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
Paul Rabaut
Dean Baker (arrived 7:47 pm)
Chris Moore
Bill Leddy

Commissioner(s) Absent

John Steckling
Ruth Ann Hines

Consultants Present

Randy Ford
Sally Elmiger

Staff Present

Collin Walls
Leon Genre

Approval of Minutes: March 21, 2005

- **Commissioner Leddy moved to approve the Minutes of March 21, 2005 as presented. Chairperson Lamont supported the motion. Vote on the motion. Yes: Lamont, Rabaut, Moore and Leddy; No: none; Absent: Baker, Steckling and Hines. The motion carried by a 4 to 0 vote.**

Approval of Agenda:

Chairperson Lamont asked to add as item #2 under Unfinished Business, a discussion regarding Section 16.24 – Transient and Seasonal Display. There was unanimous consent to approve the agenda with the addition.

Public Comment: None

Public Hearing:

1. Subsection 18.08.8, Voiding of Special Land Use Permit of Article XVIII, Administration and Enforcement

Chairperson Lamont opened the Public Hearing at 7:35 p.m.

There were no public comments.

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

Unfinished Business:

1. Sunset Bluffs – 07-12-227-006 Final

Ms. Elmiger of Carlisle/Wortman explained regarding lots 10 and 12, that she would like the applicant to discuss how they will maintain the wetland buffers with the house configurations in those two lots. Ms. Elmiger said Carlisle/Wortman still believes the lakefront can be better preserved by making a consistent 50 foot buffer or reduce the amount of the area allowed for clearing. Concerning lots 2, 3, 4 and 5, steep slopes were not completely enclosed within the 50-foot buffer, and she believes those lots could be looked at again to possibly protect the lakeshore better. Ms. Elmiger reiterated that this area is part of an MNFI area which is ecologically significant and is covered by the Resource Protection Overlay District. The ecological report on this district mentions that the least impacted area on the whole site is along the shoreline. and it recommends that the development of the shoreline be limited in vegetation.

Chairperson Lamont asked Ms. Elmiger, to comment regarding item 2b of her recommendations – “identify and preserve large trees.” Ms. Elmiger commented that that came out of the ecological report, and it was before we received the information from the U.S. Fish and Wildlife Service and the MDEQ regarding the bald eagle siting. Her first recommendation was to ask the applicant to talk to these agencies and see what kind of protection a resting bald eagle has. The agencies said there is no protection because the eagles are not nesting in this area. If they were nesting there, then there would be protective measures required. However, to protect the bald eagle site, the report recommends protecting the large trees.

[Commissioner Baker arrived 7:47 p.m.]

Mr. Scharl said he has no objections to increasing lots 2, 3, 4 and 5 to a 50 foot buffer from 20 feet.

Mr. Randy Ford of HRC noted that his comments of March 23rd are still relevant to this revised plan. The only changes that have been made are with respect to the wetland delineation on the plans. Mr. Ford said regarding site access, the Township Board previously granted Special Land Use and concept plan approval subject to the vacating of Chippewa and providing access to the four parcels indicated on the drawings. Regarding the T-turnaround, they do recommend it be shifted across from lot 11. The plans were revised to show information for the boat launch construction and a profile was added to the drawings. Mr. Ford said the right-of-way width for Sunset Bluffs Drive is a 60-foot right-of-way and the other shared driveways are designated as 30-foot right-of-ways. Therefore, there will be a situation where the roadside ditches will fall outside the limits of the 30-foot access easement. Mr. Ford said he is comfortable with that as long as the condominium documents and Exhibit B drawings contain provisions for the maintenance of the roadside. Regarding site grading and drainage, it is reflected on the new plans that the applicant limited some of the grading at the north end of the site that was shown on the previous plan by pulling back the disruption area and using boulder walls. Mr. Ford said the Operations & Maintenance Manual needs to be provided prior to Township Board approval of

the community wastewater system, not within 30 days of completing construction of the communal wastewater system as his report indicated.

Commissioner Rabaut asked if there is any direct discharge to the lake? Mr. Ford said no, not directly.

Commissioner Baker asked if the 13% grade on the boat launch is too steep? Mr. Scharl said it will not be used but once or twice a year. Commissioner Baker asked how deep the sewer is installed? Mr. Ford said, about four feet and because it is pressurized, it does not have to be very deep.

Mr. Genre, Planning Director, said near lot 1 there is a small basin with a leaching basin in the center of it and there is also an emergency overflow about one foot higher than the inlet. He asked what the ground conditions of that area are? Mr. Scharl said they are not particularly good. Mr. Genre said if water should have to go towards the overflow, it will head down towards the wetland, which is not self-contained. Mr. Scharl said it is also interconnected with the leaching basin across the street. Supervisor Walls asked if it is possible to reverse the flow from basin to basin and then the overflow could discharge onto the paved portion of the boat launch? Mr. Ford said, he does not see any reason it could not be reversed and that may make more sense because that area of the boat launch is going to be disturbed anyway.

Chairperson Lamont asked Mr. Ford to explain, regarding site grading and drainage and the comments by Mr. Ford, why the applicant needs a variance? Mr. Ford said the Township Design and Construction Standards require a provision of on-site storm water detention but there is a storage requirement that they will store the difference between the agricultural rate of runoff and the improved site conditions. Mr. Ford said, in this case it is more critical in terms of water quality. Chairperson Lamont said we need to have strict fertilizer restrictions on the lakefront lots.

Chairperson Lamont asked the applicant to explain why he has sample homes on the drawings instead of building envelopes. Mr. Scharl said when we get to the Exhibit B drawings, you will not see houses you will see setbacks which will be very compatible with what the Planning Commission is seeing here.

Supervisor Walls said sheet 7 shows a retaining wall, W1 is two 6-foot walls. He does not see that much difference in elevation. Mr. Scharl said one grade is 74 and the contour line running into it is 86.

Commissioner Baker commented that the applicant continues to make steady progress on this development in a responsible and reasonable fashion. With continued modifications and the acquisition of necessary permits, he is supporting the efforts toward a final site plan.

Commissioner Rabaut commented that he is concerned with clearing some of the slopes and he believes the DEQ will say 20 feet is big enough for width. That would be room for a dock and beach. He believes 35 feet is too large and has a problem with it, 20 feet is large enough. Mr. Ford said one shouldn't assume that an individual homeowner will grade and sod up to the

water's edge. Commissioner Rabaut said a lawn is the worst thing someone could plant. He would support the idea of eliminating fertilizer along the lakeshore and does agree with strict control on the vegetation strip. Mr. Scharl commented that there are 4,324 lineal feet of frontage on this plan, that amounts to 8%.

Mr. Genre asked if there will be any provisions in the By Laws with regard to individual landscaping as far as someone overseeing the landscaping? Mr. Franz said the Association would handle that.

Commissioner Moore asked about the possibility of reducing the clearing on lots where they are back to back so it would not end up being 70 feet? Commissioner Rabaut said, we should be consistent throughout the Township. Ms. Elmiger said, perhaps we could come up with general standards for the steep slopes. Supervisor Walls said the bigger issue is to ask the Township Board to make sure there is adequate slope protection in the Master Deed.

Chairperson Lamont commented regarding the bald eagle, based on the letter from Brooks Williamson, they are certifying that there is not a bald eagle nesting and this satisfies his personal view that developing this site will not affect its visitation in a detrimental way. Chairperson Lamont said it appears that most of the comments from the Carlisle/Wortman review were satisfied. However, still left are the large tree preservation plan, the setback lines on lots 2, 3 and 13 and the 50-foot versus 20-foot buffer designation. The conservation easement discussion seems to handle everything. He asked Ms. Elmiger and Mr. Ford if it satisfies the planner's recommendations from the last review? Ms. Elmiger and Mr. Ford said they believe everything has been discussed.

- **Chairperson Lamont moved that, based on the information received from the applicant reflected in the minutes of tonight's meeting, he believes the final site plan for Sunset Bluffs, I.D. #07-12-227-006, date stamped 4/11/05 by Springfield Township meets the criteria contained in Section 18.13.4 of the Ordinance. He moved that the Planning Commission recommend approval to the Township Board with the following conditions: 1) As discussed, there would be a 50-foot lakefront buffer along lots 2, 3, 4, 5 and part of 6; 2) Public shoreline included in conservation easement; 3) Redevelop the buildable area on lot 10 to create a buffer to the existing wetland pocket; 4) Revise construction of leaching basins 3 and 4 adjacent to lot 2 to reverse the flow; 5) Clarify Exhibit B on roadside ditch on 30-foot roadways to provide easement for guaranteed drainage; 6) Upland storm water detention design is to ensure water quality equal to normal design and construction standards; 7) The drive to lot 13 be narrowed to 12 feet prior to crossing the wetland crossing in front of lot 12, further condition to be part of the Master Deed and By Laws, prohibit fertilizer use on lakefront lots between the rear of the building and the lakefront, restrictions on the 35-foot developed area to be contained within the Master Deed and By Laws that no formal lawns be grown within 50 feet of the lake, and there is erosion protection to the satisfaction of the Township Board on slopes, regarding site utilities, all wastewater treatment recommendations contained within the HRC review be followed and the final plan be in compliance with DEQ and Oakland County Health Department, and the**

Operations Manual is delivered to the Township in a timely manner, per ordinance requirement, all necessary permits are approved final before going to the Township Board, protection of the natural buffer strip along the lakefront lots to be contained within the Master Deed and By Laws. Commissioner Baker supported the motion.

- **Commissioner Rabaut moved to amend the motion to reduce the typical area for dock space and beach to 30 feet from 35 feet as a means of providing further environmental protection to the shoreline and the lake. There was no support. The amendment failed for lack of support.**

Ms. Elmiger suggested saying “prohibit synthetic fertilizer use and promote or allow organic fertilizer.” She explained that organic fertilizers will not be problematic, it is just synthetic fertilizers that contain a lot of phosphorous.

- **Chairperson Lamont amended the fertilizer restriction to include phosphorous free or organic fertilizers on the entire site, not to include the shoreline easement area where none will be allowed. Commissioner Baker supported the amended motion.**

Commissioner Leddy said he does not understand “formal lawn.” Chairperson Lamont said his intent with formal lawn was that it would be not grass, but did not want to outlaw native grasses.

- **Chairperson Lamont amended his motion to state that within 50 feet of the shoreline, only naturally listed native vegetation is allowed. Commissioner Baker supported the amended motion. Vote on the amended motion. Yes: Lamont, Baker, Rabaut, Moore and Leddy; No: none; Absent: Steckling and Hines. The motion carried by a 5 to 0 vote.**

2. **Transient and Seasonal Display of Products or Materials Intended for Sale – Section 16.24**

Chairperson Lamont explained that this is a previous ordinance amendment which was recommended by the Planning Commission to the Township Board. Investigation by the Planning Director and the Township Board found that the Planning Commission was remiss in thinking that sales were permitted in all districts without permit and retail sale of products grown on the premises provided that such retail sales are operated by the occupants of the premises. The intent of this would be to include that.

- **Commissioner Rabaut moved that the Planning Commission report back to the Township Board that the Commission agrees with the change to Section 16.24 concerning Transient and Seasonal Display of Products or Materials Intended for Sale, this change indicates that sales are permitted without a permit where the product is grown on the property in which it is being sold. Commissioner Baker supported the motion. Vote on the motion. Yes: Lamont, Rabaut, Baker, Moore**

and Leddy; No: none; Absent: Steckling and Hines. The motion carried by a 5 to 0 vote

New Business:

1. Subsection 18.08.8, Voiding of Special Land Use Permit of Article XVIII, Administration and Enforcement

Chairperson Lamont said this is wording to make the ordinance consistent and changes everything to be worded in months. The other intent of this change is that final review will be extended from six months to twelve months and site plan approval within twelve months versus six months.

- **Commissioner Rabaut moved that the Planning Commission recommend approval to the Township Board the changes to Section 18.08.8 and Subsection 18.11.5.b, there were no comments received at the Public Hearing. Commissioner Moore supported the motion. Vote on the motion. Yes: Lamont, Baker, Rabaut, Moore and Leddy; No: none; Absent: Steckling and Hines. The motion carried by a 5 to 0 vote.**

Other Business:

1. Priority List

Review Screening, Fences and Walls are TBD. Review PL District and RC District is set for June 2nd Meeting. Amend Section 18.08.8 is complete and deleted. Build Out/Traffic Study is TBD. Innovative Storm Water Management is TBD. Pathway Systems is set for May 5 meeting. ZBA/PC Workshop with Greg Need is TBD. Review Waste Water Treatment Ordinance is TBD. Review Lot Coverage is set for May 5.

Adjournment:

Hearing no other business, Chairperson Lamont closed the meeting at 9:47 p.m.

Susan Weaver, Recording Secretary