

SPRINGFIELD TOWNSHIP BOARD MEETING
October 12, 2006
SYNOPSIS

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

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: August 28, 2006 Budget Meeting and September 14, 2006 Regular Meeting with bills and additional disbursements of \$270,962.32
- b) Accepted September 2006 Treasurer's Report
- c) Received September 2006 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire and Ordinance
- d) Authorized payment of bills as presented, total \$73,026.66
- e) Appointed Christopher Benedict Township Representative to Huron River Watershed Council
- f) Received communications and placed on file.

PUBLIC HEARING:

1. Special Land Use Request: Received comments on proposed Lil Mac Residential Development

OLD BUSINESS:

1. Discussed Hillsboro Road Paving Questions
2. Dixie Baptist Church – East Holly Road: Conditionally approved Special Land Use Request and Concept Plan
3. Fire Dept. Tanker Truck: Awarded bid to Circle K Service for \$203,981.00

NEW BUSINESS:

1. Lil Mac Residential Development: Tabled Special Land Use Request and Concept Plan
2. Received Civic Center HVAC Report
3. First Reading: Tabled Amendments to Zoning Ordinance Sections 2.00 and 18.10
4. Commented on Draft Zoning Map Changes
5. Street Light Request at Big Lake and Clark Roads: authorized obtaining cost estimate
6. Declined County No Haz Program to stay with Independence Township program
7. CDBG Program: Authorized advertising for reprogramming of uncontracted 2004 funds

PUBLIC COMMENT: None

ADJOURNED: 10:12 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the October 12, 2006 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
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee

Board Members Not Present

Jamie Dubre	Township Treasurer
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Others Present

Greg Need	Township Attorney
Charlie Oaks	Township Fire Chief

Agenda Additions & Changes:

Supervisor Walls asked to add as Item #7, under New Business, 2004 Block Grant Funds. There were no objections to this addition.

Public Comment:

Supervisor Walls noted that the Meals On Wheels program is now available to homebound seniors in Springfield Township.

Consent Agenda:

*** Trustee Lamont moved to approve the Consent Agenda as submitted. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

- a) Approval of Minutes: August 28, 2006 Budget Meeting and September 14, 2006 Regular Meeting with bills and additional disbursements of \$279,962.32.
- b) Acceptance of September Treasurer's Report.
- c) Receipt of September 2006 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire and Ordinance.
- d) Authorize payment of bills as presented, totaling \$73,026.66.

- e) Appoint Christopher Benedict Township Representative to Huron River Watershed Council.

Receipt of Communications:

- Resolution by Orchard Lake Village opposing the K-12 Initiative ballot proposal.
- Letter from Comcast Cable regarding channel changes.
- Holly Area Youth Assistance report.
- Letters from Donna Landry and Fred Beaudoen opposing or expressing concerns about proposed Springfield Market Place.
- Letter from Area Agency on Aging 1-B regarding Meals on Wheels Program for Springfield Township
- Senior Citizen Transportation Report.

Public Hearing:

1. Special Land Use Request: Lil Mac Residential Development

Mr. Jim Scharl of Kieft Engineering explained that this proposal is a 17 acre parcel located off Dixie Highway. The access is located immediately south of Savoie Insulation. It does have access to Bridge Lake in the extreme southerly portion and currently contains one home. The site is split into two parcels and the main body of the parcel contains the existing home. There is currently a 30 foot easement for ingress and egress located along the southerly portion of Savoie Insulation. That is currently where the existing driveway comes in and that driveway is used by the owner, Mr. Patton and partially by Savoie Insulation. The applicant is proposing to construct a five unit, cluster single-family site condominium.

Supervisor Walls opened the Public Hearing at 7:45 p.m.

Mr. Tom Brown, 9280 Lake Ridge Dr., commented that he thinks this will be a beautiful piece of property.

Mr. Gerald Savoie said he approves of the proposal made by the applicant.

Supervisor Walls closed the Public Hearing at 7:46 p.m.

Old Business:

1. Hillsboro Road Paving

Supervisor Walls said this is a request from three property owners who have been working for several months on an attempt to get a petition signed to pave a portion of Hillsboro Road.

Supervisor Walls asked the applicants, what is different now than in April when the Township Board indicated that we couldn't give specific direction or action until a petition was submitted? Mrs. Nicole Prokopetz, 11310 Hillman, explained that they have done their own research and spoke to other Township Supervisors. Most of them have agreed that they usually do not send people out on a petition until they have informed all the constituents with as much information as

possible. When she asked specifically about common areas, one Township Supervisor indicated that he thinks that common area should be distributed throughout the whole assessment district. Another commented that they were working on a new law to get the Road Commission to do all Special Assessment Districts. Mrs. Prokopetz said they are asking for units of benefit designated per parcel and if the Township refuses to do that, they are essentially asking people to sign a blank check.

Supervisor Walls said he does not feel differently than he did in April. The statute (Section IV, Public Act 188 of 1954 as amended) is very clear that we cannot answer the questions being asked without jeopardizing the project.

Clerk Strole commented that we cannot make public decisions prior to initiation of the process and prior to submission of the petitions that would start the process, and that under statute would trigger a public hearing.

Mr. Don Paul, 6077 Hillsboro, said as we talk to people in this community, they all want to know approximately how much money they will be faced with before they sign the petition.

Attorney Greg Need, said there is a very specific process and the residents will have the opportunity to know what they will pay through two public hearings.

2. Special Land Use Request and Concept Plan Review: Dixie Baptist Church, East Holly Road

Mr. Jeff Ferweda, representing Dixie Baptist Church commented that they resubmitted more engineering after comments made at the last meeting. This includes the topographical survey, landscape plan and storm water plan. They did not change much from the previously submitted plans other than they took the maintenance facility on the east of the property and moved it so it is screened from the commercial parcel to the east. They relocated the baseball and soccer fields approximately 20 feet away from the borders of the existing trees. Supervisor Walls noted that although the applicant states they have moved the fields, they are in the same place on the plans as they were last month. The applicant said they made a dimensional change but did not change drawings. They do plan on adding more pines but they do not know exactly what to add yet.

Trustee Hopper asked the applicant if he is aware that there will be a few variances required? Mr. Ferweda said at this point they are asking for three variances: 1) they are requesting to have three signs; 2) they would like a required acreage variance; 3) the steeple will need a height variance.

Supervisor Walls said the plans include a monument sign and a pylon sign. He asked what is proposed to be on them and why the difference? Mr. Ferweda explained that the main pylon sign will have the name of the church. The monument signs are directional signs.

Trustee Cooper asked the applicant if he looked into doing one drive versus two as recommended at the last meeting and if he has met with the other possible proposed church? Mr. Ferweda explained that they looked into one driveway but feel it will cause a major internal

traffic jam in the parking lot. He said they have a proposal to do a traffic study and at this point now have an agreement with the other possible church to split the traffic study cost. Trustee Cooper said he can't see this as a feasible project without a passing lane.

Trustee Lamont said he supports the center left turn lane and he thinks the drives do need to be lined up.

Trustee Vallad asked about the report from DEQ and its reference to a non-regulated wetland boundary. Mr. Ferweda said they received a letter from DEQ saying it is regulated and he has tried to discuss it with them to no avail. Right now the existing wetland per DEQ is 1.73 acres so if they move it, they are required to provide 1 ½ times that.

Supervisor Walls asked why all three ground signs are within the front greenbelt area. Mr. Ferweda said for directional reasons.

*** Supervisor Walls moved to approve the Special Land Use for Dixie Baptist Church on the East Holly Road property with the following conditions:**

- **The final landscape plan have landscaping equal to or greater than the plan presented for SLU this evening except screening on the west line must meet the screen 2 standards or greater of the Township ordinance.**
- **The ball fields will be shifted both dimensionally and on the drawing to the east to accommodate the required screening and to accommodate dugouts, bleachers, paths, visitor seating areas and any other areas accessory to the fields so that they do not encroach in the required screen width.**
- **Access will be provided by a single drive or a traffic engineering study that supports multiple drives with emphasis on East Holly Road traffic safety would be submitted. The studies conclusion to be reviewed and concurred with by the Township.**
- **A left turn lane and full acceleration and deceleration lanes will be provided on E. Holly Road no matter what the conclusions of the traffic study.**
- **Excluding the steeple, the height of the church and school building will not exceed 35 feet using the measurement method in the Township ordinance.**
- **Final plan will provide lane widths on driveways and maneuvering lanes that do not exceed 11 feet or the applicant will provide support and acceptable justification for wider widths.**
- **Provide permanent parking spaces at the maintenance building as needed based on the buildings size and use.**
- **The ballfields cannot be lighted unless Special Land Use approval is amended by the Township Board.**
- **Subject to a variance from the Board of Appeals for the acreage for density requirement and conditioned on MDEQ permits being received prior to submittal of final plans.**

*** Trustee Cooper supported the motion.**

Clerk Strole asked, regarding storm water management, how will this plan comply with our standards when they have the sedimentation and retention basin all being constructed within

already existing wetlands, because our standards do not allow that? Supervisor Walls said the motion doesn't imply that they don't have to meet ordinances. Mr. Ferweda said they will make sure they meet the standards. His understanding is that that is a man-made wetland and looks nice now, so he believes they can do the same thing. They will mitigate the wetland, move it and make it larger and nicer than it currently is. Supervisor Walls said a wetland is a wetland whether made by man or God.

*** Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

3. Bids: Fire Department Tanker Truck

Trustee Cooper moved to award the bid to Circle K Service out of Midland for a U.S. Tanker truck for the amount of \$203,981.00. Trustee Lamont supported the motion.

*** Trustee Cooper amended his motion to include that attorney Greg Need review and approve the purchase agreement. Vote on the amended motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

New Business:

1. Special Land Use Request and Concept Plan Review: Lil Mac Residential Development

Trustee Hopper said he believes this site definitely qualifies for cluster because of its steep slopes. He does have trouble seeing how this development as designed for the cluster plan meets the intent of the section of our cluster ordinance. He does not believe a nine acre lot was intended as part of a cluster in the ordinance. He does not question that the density is appropriate but questions a few things about it. He is against someone putting a dock out to Bridge Lake; he questions that a 14 foot drive is needed; he thinks all the houses could be put in 3.75 acres and still have ample building sites and septic fields; he questions why the open space isn't part of the conservation area. Trustee Hopper said he feels the only reason they are clustering this is so they can preserve lot 4. All the lot lines must be pulled out of the wetlands and the front entrance access is questionable. Trustee Hopper said the home on lot 5 is ok in his opinion.

Trustee Cooper said he concurs with Trustee Hopper and reinforces the comment regarding the driveway at the beginning. He believes a deceleration lane is necessary. Mr. Scharl said they are not against whatever will be required.

Supervisor Walls commented that clearly the property has all the attributes for clustering but he would have difficulty voting this evening on SLU because he doesn't see any difference between the cluster plan and the non-cluster plan. The applicant did not present a narrative on how the cluster plan will meet the intent of the criteria of the cluster provisions and the SLU provisions. In reference to the road, this will meet AASHTO standards and the entire road can be cut down

to 18 foot and still meet the minimum of our fire lane. He believes it could be adjusted almost into the existing drive location. He agrees the drive back to unit 5 should be clearly marked and reduced in width as much as possible. The building area on unit 5 needs to be moved northerly about 150 feet. He believes there is lots of opportunities to expand the area that is protected by a conservation easement or some other preservation means and agrees that there should be limited and restricted riparian access to Bridge Lake.

Trustee Lamont concurred with Supervisor Walls' comments.

Clerk Strole said she concurs that the land qualifies for clustering and has no issue with the density of five units, but believes the cluster plan as proposed does not qualify and does not meet the criteria and requirements of the ordinance. She concurs the cluster plan is almost identical to the density plan and believes lot five could be reduced significantly and pulled back more to the clearing. She believes the open space areas need to be expanded and preserved to protect the sloped areas.

Trustee Vallad said he is concerned with lot 3 in the cluster plan and any availability for a reserve septic. He agrees lot 5 could be pulled back and the road could be made narrower. Mr. Scharl said they have a lot of work to do on the drive yet.

- * Trustee Cooper moved to table the request for Special Land Use in the Concept Plan Review to give the applicant time to take the ideas from the Township Board and make adjustments to the plans and come back to the Board to vote as soon as available. Clerk Strole supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

2. Civic Center HVAC Report

The Board thanked Mr. Forst for all his work to compile the information requested.

Trustee Hopper said he agrees the best way to heat the Civic Center would have been with two separate units. Trustee Vallad asked about a separate unit for the meeting room.

The Board concurred with the report submitted by Mr. Forst received October 8, 2006. [A copy of the full report is on file at the Office of the Clerk, Springfield Township].

3. First Reading: Amendments to Zoning Ordinance Sections 2.00 and 18.10

- * Supervisor Walls moved to authorize the Clerk to publish Amendments to Section 2.00 and 18.10 for Second Reading. Trustee Hopper supported the motion.**

Clerk Strole noted ambiguous language on page 5, paragraph 7, where it states that Master Deed and ByLaws amendments to site plans shall be reviewed and approved by "The Township" when it used to be "Township Board?" Later in the paragraph it states the "Township Board may require its review and approval of an amended site plan if, in its opinion, such changes in the

Master Deed or By laws required corresponding changes in the site plan.” The proposed language, however authorizes administrative approval of amendments to the Master Deed and By Laws that affect the approved site plan. Attorney Greg Need said he would review the document and bring it back.

- * Supervisor Walls moved to table this to allow Greg Need to review the document, specifically paragraph 7. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

4. Draft Zoning Map Changes

Trustee Lamont explained that the Planning Commission is seeking overall input from the Township Board regarding the proposed zoning map changes.

Supervisor Walls mentioned changes being considered by the Planning Commission.

Supervisor Walls asked, assuming we check for consistency with the Resource Conservation provisions, does the Board have an objection to adding the open space areas in site condos that are not under easement? The Board members thought it was a good idea.

Trustee Vallad said he prefers not to do what we are doing but it sounds like the rest of the Board is willing to go that way. He is not comfortable with split zoning and designating areas after developments are in.

Supervisor Walls said he would research open space uses and give it back to the Planning Commission for review.

5. Street Light Request: Big Lake and Clark Roads

Supervisor Walls said he would ask Detroit Edison to provide an estimate for a street light at this area. The Board concurred.

6. County No Haz Program

The Board agreed to continue the No Haz Program with Independence Township and not get involved in the County program as the county program is not as convenient to our residents.

7. CDBG 2004

- * Supervisor Walls moved to advertise for Public Hearing the reprogramming of 2004 CDBG Funds Planning/Management from Parks and Recreation Master Plan to Planning/Management for the Township Master Plan Update and to reprogram the 2004 Public Service Funds Emergency Services – Katrina Relief to Minor Home Repair – Mobile Home. Trustee Vallad supported the motion. Vote**

on the motion. Yes: Walls, Strole, Vallad, Lamont, Hopper and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.

Public Comment: None

Adjournment:

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

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk