

Springfield Township
Planning Commission Meeting
Minutes September 19, 2017

Call to Order: Commissioner Hopper called the September 19, 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:

Dave Hopper
George Mansour
Jason Pliska
Kevin Sclesky
Linda Whiting

Commissioners Absent

Dean Baker
Ruth Ann Hines

Consultants Present

Doug Lewan, Carlisle Wortman, Associates

Staff Present

Collin Walls, Supervisor
Erin Mattice, Planning Administrator

Approval of Agenda:

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

Public Comment:

None

Consent Agenda:

1. Minutes of the August 15, 2017 Planning Commission Meeting

Commissioner Sclesky moved to approve the minutes of the August 15, 2017 meeting as presented. Supported by Commissioner Pliska. Voted yes: Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: Baker, Hines. Motion Carried.

Public Hearing:

1. Dixie Lake Manor – Request to Amend Planned Unit Development (PUD)

Mr. Doug Lewan provided an overview of the PUD Amendment process.

Donna Ventimiglia, Dixie Lake Improvement Board Secretary, 9958 King Road, provided an overview of the project.

Commissioner Hopper opened the Public Hearing at 7:43 pm

Don Hammond, 10038 King Road, expressed his concerns with the project. He asked if the MDEQ has signed off on this project regarding the wetlands. He asked for assurance that this will not become a public boat launch. He also expressed concern over the location of the proposed boat launch because people backing into the launch will cause a traffic jam.

Jacalyn Raab, 10040 Davisburg Road, stated that she has the same concerns. She stated that she looked at the Google map overlays and this shows the destruction of the wetlands in this area. Before all the homes went into this area, all the wetlands were removed in this area and they were supposed to replenish the wetlands and this never happened. She is also concerned about traffic.

Donna Pauly, 8929 Loughheed Island, expressed her concerns about the proposal. She does not think this is the right thing for the lake. There are two other platted lots that could be used. She is concerned about the traffic on the lake and the security of the “punch” access system. She thought the original development had no more boat access other than the six lakefront lots. She is also concerned about the liability insurance.

Mr. Hammond stated that on Tuesday nights, there is a volleyball game that takes place on King Road and there are cars parked down both sides of the road. On those nights, the road is impassable for Fire Rescue Truck 25. This goes from the curve where the boat launch is proposed all of the way down Zeerco. There is already a traffic issue on that street.

Kathy Hammond, 10038 King Road, expressed her concerns with the project. She asked who was going to access the monitoring system and who is going to monitor the monitor. She stated that if the Plat 9 boat launch was brought up to better standards, the weed harvester and equipment could use this launch. It is already in place and if it were improved, the harvester would not be an issue. The Plat 9 issue with the boat launch happened in 1991 and she doesn't see an issue with other people around the lake using this launch. She has not heard of any issues or seen any issues. They should revisit the Plat 9 order that says only Plat 9 can use that boat ramp. Another concern about the new site is the tow-away zone and she asked if it was on the boat launch property or on King Road.

Ms. Pauly asked how much money has been spent so far to develop this boat launch that does not benefit many people other than the subdivision development. It would have been cheaper to develop one of those other lots that are already platted or improve Plat 9. They have another spot to use for weed harvesting but the Dixie Lake Board didn't pay the lease. There are other options.

Steve Felix, 9152 Sherwood, thanked the Dixie Lake Improvement Board who are doing their due diligence to do this right. He does not have access to Plat 9 and the new access would give them access to the lake. Weed harvesting is very important to his area of the lake and he understands that Plat 9 is not ideal for this equipment for several reasons that Ms. Ventimiglia already mentioned. He likes the fact that there will be better control over who can get in and off the lake and nobody that doesn't have access right now will get access. He is in favor of this access and it is a great idea.

Joan Falk, 10346 King Road, stated that there are two access points that they are talking about. One is off Dixie Highway and the power lines are in the way. It would've cost \$25,000 per pole. to move those power lines to make it safe to put all boats in and out using this access point. The other access site is off Patrick which is a very low area and to put a boat in here going down a dirt road to get there was very difficult. The Plat 9 access does not have proper access for the weed harvesters. All the different options were investigated a long time ago.

Mike Mulligan, 9218 Sherwood, Dixie Lake Homeowners Association President, stated that they endorse this new access. The Plat 9 boat ramp has already been deemed legally to only be available to those that live in Plat 9. He believes the Dixie Lake Improvement Board did a good job thinking through the fact to only provide access to the lake to those that had legal access to the lake and he supports this plan. This plan will allow them to monitor who has access. This includes both motorized access and walk-on access which they legally have, but these people have not had an opportunity to use. There are benefits to everyone who lives on the lake and the Association support this proposal.

Ms. Raab asked if this were to go through, would they allow the entire Dixie Lake Manor to have access.

Ms. Ventimiglia clarified that many of the Dixie Lake Manor residents have non-motorized access and have always had this type of access legally.

Mr. Jim Ventimiglia, 9958 King Road, stated that first responders will now have immediate access to the lake through the new access. He does not have a legal platted boat ramp to put his boat in the water nor does other people along Dixie Highway. This proposal will provide access to the lake for those who currently do not have access but have legal rights to put a boat on the lake. This problem has been there since the lawsuit involving Plat 9. If the people who are opposed would come to the meetings and understand all the facts, this would be a much shorter meeting.

Mr. Brad Jernigan, 10502 King Road stated that he does not have access although he has legal right to the lake and he uses a private boat launch. He stated that nothing is changing. If anything, this proposal is more secure because he has watched people back up and put their boat or jet ski on through the vacant pieces because there is no gate or anything to stop it. He supports this project. It will not create any more traffic because the same people who have boats on the water will have the same boats on the water. People are not going to park there, they are going to take their car back to their house. For

example, he puts his boat in once a year and takes it out once a year and that is not going to change. He thanked everyone who put all their hard work into the project.

Mr. Mike Gregory, 8735 Sherwood Drive, stated that access to the ramp was a concern of his too because they do not want it to be a public access. The people who have legal access will have a key card, much like his key card to Oakland County Sportsmen's Club. This card can electronically control the gate. There is also a way to put a limit on the number of times it can be used. This can be monitored through web access. He supports this new access.

Mr. Ben Holloway, 10118 King Road, stated that Plat 9 ramp is in bad shape and using it is not feasible. There would be no more traffic issues at this new access than there would already be at the Plat 9 access. He supports this new proposal and stated that it would benefit everyone to have a new paved area.

Ms. Judy Hensler, 10520 King Road, stated that this issue is about changing a PUD and she feels that it is an advantage to change the PUD for all the residents of the Dixie Lake Manor development. They are supposed to have access but they never have because it has not been improved. It is also a benefit to all the other residents who can't get their boat on the lake and it is a benefit because the Fire Department and first responders will have access to the lake. Also, they can draw water from the lake in case of a fire.

Paula Ventini, 9987 Dixie Highway, stated that she is a homeowner that does not currently have access. There is no additional cost because they have already paid this money in with their taxes and they are not going to go over that budget. This project benefits everyone.

Commissioner Hopper closed the Public Hearing at 8:11 pm

New Business:

1. Dixie Lake Manor – Request to Amend Planned Unit Development (PUD)

Mr. Doug Lewan summarized his review letter dated September 1, 2017. He stated that the latest submittal did a good job addressing the comments from the last review. The Planning Commission should determine if the site qualifies for a PUD amendment and he noted the criteria for that. The Planning Commission also must determine if this plan meets the PUD regulations in the ordinance and he summarized those regulations. He stated that a MDEQ permit has been issued for the site regarding the wetland impacts. During the Planning Commission's preliminary review, they also had some concerns about traffic backing up or that the turning radius for trailers might not be adequate. They also had a concern that the area for non-motorized boats was not adequate. Non-motorized boats will not have access to the main ramp, only to a 6-foot-wide gated area. In the response to the preliminary review, Dixie Lake Improvement Board provided comments addressing these concerns. The boat launch is not open to the public so they do not anticipate high traffic and residents who launch their boats here typically do it once in

the spring and once in the fall. So, high traffic is not anticipated. There are also restrictions as to how many times the residents can use the boat launch. The responses to their preliminary comments seem reasonable and he is satisfied with the responses. They also provided some turning templates but he added that the weed harvester turning templates would also be needed at next submittal. Parking will not be anticipated in this area. Township Engineer made some comments regarding grading on site and there are some minor outstanding issues. Mr. Scharl, Kieft Engineering, has submitted a letter acknowledging those issues and they will be corrected moving forward. Landscaping that is proposed is reasonable and since it is a PUD, it can be whatever the PUD proposes. There is no anticipated signage except that it is a private boat launch. Dixie Lake Manor is a site condominium so there are Master Deed, By-Laws and Exhibit B drawings that will have to be amended. These should be reviewed by the Township Attorney and this can occur during the time it goes to the Township Board. He stated that other than the legal documents that need to be reviewed, the comments from the preliminary review have been addressed. He stated that the monitoring question should be answered by the applicant. The existing PUD is being amended and it will have the full extent of zoning enforcement. The ultimate monitor would be the Township. He stated that he is recommending approval of the PUD amendment.

Commissioner Hopper stated that there were two changes recommended by HRC in Mr. Ford's review letter and in a letter from Kieft Engineering, Mr. Scharl issued a response saying that they would agree to amend the plan for the Township Board.

Ms. Ventimiglia stated that they do have the MDEQ permit and what the former developer did in the past has nothing to do with what they are trying to accomplish. She stated that they have been very transparent throughout this process and have had a representative available at all the homeowner's association meetings. There is also a document on the website that outlines the project and talks about where they are in the project. She stated that they have also been concerned that this will not allow extra boats on the lake and they are confident that it won't because of the way it is monitored. There is an open lot right now which is used but the new gated access will eliminate that problem. She stated that lake property owners on the lake put their boat in the spring and take it out in the fall. There is not a lineup of cars using the access. If it is being used, you would go back home and come back later. She summarized the key pad access and how it will be monitored. There will be a fee for the key and the fees collected will be used to maintain the lot including the landscaping and mowing. She reiterated the problems with using Plat 9 access.

Commissioner Sclesky thanked Ms. Ventimiglia for her efforts. He reiterated that they have a RCOC permit and they are working toward amending the Master Deed and By-Laws. He confirmed that the small changes to the prints will be done prior to the Township Board presentation.

Ms. Ventimiglia agreed.

Commissioner Sclesky stated that he lives on the lake and his impression is that if there is a strange boat on the lake, everyone pays attention to it. He is in support of moving it to the Township Board.

Commissioner Whiting asked if there was someone appointed to monitor the key card access.

Ms. Ventimiglia replied that the Dixie Lake Improvement Board will manage the entire site as well as the key card. It will be a modern software application.

Commissioner Whiting asked if the people who currently have access through Plat 9 will now also have access with motorized boats through this with a key card.

Ms. Ventimiglia replied that anyone that has access to the lake will have the access that they are entitled to.

Commissioner Whiting agreed that lake front home owners use an access twice per year only. She likes the idea of the key card and controlling it. She is concerned about the fees collected and making sure that the site is maintained.

Ms. Ventimiglia stated that Dixie Lake Manor is a nice subdivision and they want to make sure it stays looking well-kept. If the key card access money is not enough to maintain it, the Board would look to use monies in their budget for it, called Capital Improvements.

Commissioner Mansour stated that he lives across the street from the ramp but he is in favor of it because it is a benefit to the community. He suggested having the system flag a card if it is used too much.

Ms. Ventimiglia agreed.

Commissioner Mansour urged them to not use any type of chirping or beeping for the gate during opening or closing.

Commissioner Whiting moved to recommend approval for the Dixie Lake Manor PUD amendment which conforms to the criteria located in Section 40-514, PUD Requirements, of the Springfield Township Code of Ordinances, the purpose of which is to install a boat launch for the use by the current lake residents who have access now to the lake and along with a 6-foot pedestrian gate to allow non-motorized boats (canoes, kayaks, etc.) for the back lot residents of Dixie Lake Manor with the following conditions:

- **The Township Attorney has reviewed the amendment and since anyone who currently has legal access to the lake will continue to have that access, the Township does not have to go through a full review regarding lake access regulations in Section 40-595**

- **Take into consideration the Engineer's and the Planner's review comments as provided**
- **Legal documents are provided to the Township attorney before construction begins including the Master Deed, Access Easement from Dixie Lake Manor**
- **Discussion about the Common Area and its uses**
- **Dixie Lake Manor's By-Laws are revised and approved and given to the Township Board.**
- **Site Plan is amended to include the retaining wall details which is the wall that will hold the fill that is dredged out as well as the turning radius for the harvesters**

Supported by Commissioner Mansour. Voted yes: Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: Baker, Hines. Motion Carried.

Supervisor Walls urged the applicant to not wait until the two groups have approved the legal documents before they submit them to the Township Attorney for review. When the documents are done in draft, it is much easier to make changes than to wait until after they are signed.

Other Business:

1. Priority Task List

Commissioners reviewed and made changes to the Priority Task List including additions and amendments to the list and adding end dates to many of the items.

Public Comment:

Adjournment:

Commissioner Mansour moved to adjourn the meeting at 8:58 p.m. Supported by Commissioner Whiting. Voted yes: Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: Baker, Hines. Motion Carried.

Erin A. Mattice, Recording Secretary