

Springfield Township
Planning Commission – Business Meeting
Minutes December 17, 2012

Call to Order: Chairman Baker called the December 17, 2012 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
Bill Leddy
Kevin Sclesky
Neil Willson

Commissioners Absent

Staff Present

Laura Moreau, Clerk

Consultants Present

Brian Oppmann, Planner

Approval of Agenda:

Chairman Baker removed the “3. AT & T Final Site Plan – Parcel ID #07-20-100-021” from the agenda.

Commissioner Willson moved to approve the agenda with the removal of #3, AT & T Final Site Plan – Parcel ID #07-20-100-021”. Supported by Commissioner Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Public Comment: None

Consent Agenda:

1. Minutes of the November 19, 2012 meeting

Commissioner Hopper moved to approve the minutes of the November 19, 2012 meeting as presented. Seconded by Commissioner Willson. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Public Hearing: None

New Business:

1. Above Board Construction Concept/Final – Parcel ID #07-14-476-026

Vic Gerhardt, property owner and Jim Scharl, Engineer introduced themselves to the Board.

Mr. Scharl stated that because of the zoning and the Dixie Highway Overlay District, the property owner couldn't use the property as he wanted to. The property owner went to the Zoning Board of Appeals and asked for time to evaluate the property and find out what variances had to be obtained in order to use the property. Above Board Construction deals with residential repairs after flood, fire or other natural disasters. The Zoning Board of Appeals granted a 6 month occupational use variance to use the property as it was with the idea that they would evaluate where to go from there. Within six months of time they have looked at a variety of alternatives like expanding to the north, which is not possible. To use the property to accomplish all of Mr. Gerhardt's needs, this property is not adequate because the Dixie Overlay District render this property impossible to use other than for current use. Mr. Gerhard has made some improvements to the site including removing overgrown vegetation and improving the gravel parking lot and they would like to use it as it is right now. This is a low intensity use. This property cannot be developed without a massive number of variances but the Master Plan designates its zoning and use. The OS zoning is correct but a lot has to happen in terms of combining it with other parcels in order to use it according to the Master Plan. This does not solve the problem for Mr. Gerhardt right now because these combinations are not possible at this time. This property is very visible, but it is a low intensity use. To establish a paved parking lot would have devastating effects to the residential pieces close to it because of the grade. The aggregate that is there now is working great and they are proposing adding a dumpster and landscaping and retain its residential nature. To go to the Road Commission for a driveway permit would not be successful. The proposal is to use the property exactly as it is being used right now.

Mr. Oppmann summarized his report dated December 10, 2012. He stated that it is qualified to go right to final site plan because they are not making any substantial changes and that is the way their report is written. There are some issues that Mr. Scharl could clarify. Carlisle Wortman is in favor of keeping the gravel drive and parking area and the Planning Commission would have to decide if they want to waive the parking and paving requirements. Because of its low intensive use, there are only 4 parking spots required and he asked if they could be shown on the plan. The ordinance says that you cannot park in the front greenbelt; due to the limitations on the property it puts them in a really small area and requires that the parking should be located on the side which appears to be where they are parking now. It does not look like any of the ordinance landscaping standards are met; he understands what they are trying to do by keeping the residential quality of the property but they need to go through the process of breaking down the ordinance standards of what is required and what is there based on existing vegetation. The Planning Commission has the opportunity to waive certain requirements in the landscape ordinance. If the goal is to keep it as residential as possible to stay in the character of what is there now, they may want to do this. The dumpster should be moved to the western side of the parking area. The overlay district is really designed for larger sites and the thought was that smaller lots would be purchased and combined to create a large project. There are items that they can meet in the overlay district guidelines like

having parking in the side and rear yards. The Dixie highway overlay district guidelines do apply and this is a priority location for a Dixie Highway pathway so a safety path allocation should be provided. This could be approved with many of the items being handled administratively.

Commissioner Hopper asked what they could do about the safety path item because he does not see this occurring on either side. He stated that there is substantial grade in the front and the back.

Mr. Oppmann stated that the Commission has to decide how the overlay district applies on this site because the intent of the district is designed for larger parcels and new developments. It might be that safety paths are not even possible here and the Commission may choose to waive it because it is determined by the Supervisor that it is not possible based on grade.

Mr. Scharl stated that if he puts the dumpster on the back edge flush with the stone, it will seriously affect movement in parking spaces and he doesn't think that they want the dumpster doors facing the road. He did not show the parking spaces outlined on the site plan because he does not know how to show parking spaces in a gravel parking lot.

Mr. Oppmann answered that all he needs to do is delineate them.

Mr. Scharl stated that the dumpster can be moved to the back.

Mr. Gerhardt stated that the power lines would interfere with the garbage truck picking up the dumpster.

Commissioner Hopper stated that he would like to see the dumpster moved. They are trying to make it look like a residence and he would like to see it relocated to the back end and not so prominent. He concurred with the gravel parking lot and maintaining the residential character.

Chairperson Baker asked him if he was thinking about a particular spot for the dumpster.

Mr. Scharl suggested the most northerly corner. Commissioners concurred. Mr. Scharl suggested 20 feet from the north and 50 feet from the back. Commissioners concurred.

Commissioner Hopper stated that he has no issue with lifting the hard surface requirement. He asked if they were going to be storing additional equipment besides trucks.

Mr. Gerhardt stated they would not be storing additional equipment.

Commissioner Hopper stated that there is very little impact on this site and verified that they are not proposing any additional lighting.

Mr. Scharl answered no.

Commissioner Hines asked what the landscape requirements for this site would be.

Mr. Oppmann answered that they would be looking at front green belt landscaping along Dixie Highway and some parking lot landscaping. You could probably count the shrubs that are proposed around the home. Also, since there are so few parking spaces, the parking lot landscape requirement probably does not apply. He mentioned that they do have a fence in the back that provides the screening required by the ordinance.

Chairperson Baker asked if there was any additional screening required.

Mr. Oppmann answered no.

Chairperson Baker asked if there was something that they would want to include that would assure that if the volume of traffic increased, they would be able to reevaluate it prior to conditioning the new use.

Mr. Oppmann answered yes, they could limit it to this use and if it changes, they would have the chance to reevaluate.

Chairperson Baker stated that a lot of this information is relevant to only the information that they have been given about this business and this could change in the future.

Commissioner Hines asked if a different use would have to come to the Township for approval.

Mr. Oppmann stated that potentially if there was a change of use, it would have to come back.

Commissioner Hines stated that they do not have to address future uses because they would have to come back to the Planning Commission anyway.

Commissioner Sclesky stated that he is looking at the plan to extend a walking and bike trail over where the old Bridge used to be and wouldn't this close off that possibility on the Dixie Highway Corridor Plan.

Mr. Oppmann stated that there is more opportunity for a safety path on the west side of Dixie Highway than the east side because of grade. It could be a long term goal but realistically it is a better fit on the west side. They are going to be talking about pathways and where it is going in the next few months.

Commissioner Sclesky stated that they need to think about this and determine which side of the road is best.

Mr. Oppmann answered the west side of the road. The pathways plan is such a long term vision and without a millage, it is difficult.

Commissioner Leddy asked if they could grant an easement on the boundary for future safety path use.

Mr. Oppmann stated that yes, they could do that but he would have to review the ordinance to determine if this requires money to be posted or what the requirements are.

Commissioner Sclesky stated that they have to address the needs of the business owners on Dixie Highway and at the same time protect aspects of the Dixie Highway Overlay District that are beneficial for the residents long term.

Chairperson Baker asked Mr. Scharl about where the parking would be located.

Mr. Scharl pointed it out and said he would delineate it on the updated plan. He stated with the dumpster in that corner, they would extend the concrete in front.

Commissioner Hopper stated that he does not know how to handle the Dixie Highway Overlay District in reference to the safety paths and he cannot see any interconnection because the whole intent was the larger parcels.

Mr. Oppmann stated that they discussed it to determine whether or not it even applied and he believed that the intent does not even apply. He stated that it is an existing building with all of the site features except the dumpster and they can make a determination as a Commission that it doesn't apply.

Commissioner Sclesky asked if the Overlay District continues to go down there, that this should be an easement established to continue the long term vision that they have been working on with the Dixie Highway Corridor Plan.

Mr. Oppmann answered that there is always a way to establish a pathway along an existing road past existing houses by acquiring easements and follow through on the engineering.

Mr. Scharl stated that there was more than enough room to put a safety path in the public road right of way.

Commissioner Sclesky stated that his biggest concern is that they take care of the business owners and follow through on the Dixie Highway Corridor plan and do it simultaneously.

Mr. Oppmann stated that he does not think there has been enough work on the pathway plan yet. They have not done any of the legwork yet to determine where the pathway is going to go.

Commissioner Baker stated that they want to make sure that in keeping with the pathway and Overlay District that they are not missing an opportunity for the citizens. He stated whether an easement affords them flexibility in the years to come and whether or not it is buildable.

Mr. Scharl stated that there is a well right in the front.

Commissioner Sclesky stated that he just moved his well on his property.

Commissioner Hines stated that they would have to determine another place on the property where the well can go.

Mr. Scharl stated that the well is about 8 feet off of the property line.

Commissioner Leddy responded that there is still room for a path there.

Commissioner Sclesky stated that the problem is taking care of his needs and also fulfilling the long term vision. He stated that they have a long way to go on the pathways but they have to start somewhere.

Commissioner Hines stated that it doesn't matter to the applicant if the path is going to be on the other side of Dixie Highway.

Mr. Scharl stated that if it ever became necessary to install a safety path on the eastside of Dixie Highway, Mr. Gerhardt would be more than willing to work with the Township to help this happen. An easement across the front does not have any impact on the site and there should be a neutral understanding that years in the future they would have to work together.

Commissioner Leddy stated that they should write it into the zoning agreement for either present or future owners.

Chairperson Baker stated that if it is the Commission's desire to condition approval on establishment of an easement of some dimension than it goes beyond the current owner and travels with the property. If the property changes hands and changes uses, it will come back to the Commission and they would have another opportunity to establish an easement.

Commission Hopper asked if he would be amenable to establishing a location, not an easement. He stated that he would like something delineated on the site plan as a future safety path. He asked if Mr. Scharl if he could put something together to fulfill the landscaping requirement.

Mr. Scharl responded yes, he would look at the landscaping requirements.

Commissioner Hopper stated that he would like that reviewed in house.

Commissioner Hopper moved to APPROVE Final Site Plan for Above Board Construction at 9158 Dixie Highway subject to the following requirements:

- 1. Any future proposed change in use or occupancy will require additional review by the Township**
- 2. As recommended by applicant and concurred with by Township Engineer to waive Ordinance Section 18.07(2)(b), requirement for accel/decel lane and approach. This is due to the proposal's limited use**
- 3. Due to limited use of the site as proposed, the Township waives the hard surface paving requirement and requires applicant demonstrate to the Township that the required parking count can be met. (Note: The Ordinance does allow 40% which may be located in the front setback)**
- 4. Demonstrate to the Township that they do meet Ordinance Section 40-721, the Landscape requirement. If they do not meet this requirement, applicant will add additional landscaping so that the Landscape requirement is met.**
- 5. To address the Overlay District requirement and due to existing size and location the applicant will provide the location for future safety path if and when adjacent properties are improved**
- 6. Per Township Planner and to retain residential character of the site, relocate the dumpster and pad and associated screening to the eastside of the parking lot**
- 7. No new exterior lighting is proposed. Any additional lighting in the future will require Township review**
- 8. The Township recognizes that the proposal is limited in size and scale and that nonconformities are present on the site and no expansion of nonconformities are proposed by this proposal. Any changes in use or occupancy will require further review by the Township.**
- 9. Waive the community features as required in the Overlay District.**

Seconded by Commissioner Hines. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

2. Ellis Barn Amendment Concept – Parcel ID #07-20-201-016

Mr. Mike Donnellon and Mr. Jon Noyes introduced themselves to the Commission and gave an overall summary of their request to allow the Ellis Barn to be used as a Special Events Facility.

Mr. Oppmann stated that this requires a Special Land Use review. They did get a Special Land Use when the barn was originally moved for historical or livestock purposes and because of the nature of the use that they are proposing, it requires Special Land Use. They do have in the Parks and Recreation District specific Special Land Use provisions relating to Special Events Facilities. In the first part of their review they covered the Special Event standards and adherence to the Master Plan. It goes beyond the Planning side because they need to know more about what may happen to the barn because if the use changes, it may require substantial changes in accordance with Building Code which could jeopardize the historic nature of the barn. The Commission and the

Township Board will have to weigh the pros and cons of potentially negating some of the historic structure inside. There may be impact on the historic nature of the barn. He understands that they are trying to generate sources of income for Park and Recreation facilities. They needed some clarification of some points as outlined in their review. For example, making sure that they are not going to be using loudspeakers during any of the events. The site is not changing at all and by clarifying that they can meet certain standards and knowing that the historic nature of the barn will be modified, the Commission can recommend Special Land Use approval.

Mr. Donnellon stated that the Parks is dedicated to maintaining the historic nature at many of their facilities. They recognize that there is a significant impact to the barn as far as fire suppression and structurally. They do not yet have a specific design analysis but he feels confident that they can keep the historic value of the barn and they are working through these processes. They have made many improvements in the last few years in sanitary and water lines, etc. to improve the site. There is area lighting in the form of temporary light towers that they can use to address safety issues and next year they are looking to paint the entire structure.

Commissioner Hines asked if there are covenants and agreements that they have made to maintain the historic nature of the barn.

Mr. Noyes stated that they received a T21 grant for the relocation of the barn which is federal money. As a result, they were required to maintain Department of Interior standards for the relocation process and they applied for the standard that gave them the most flexibility which were the reconstruction standards. As part of that covenant, they have to maintain the historical character but they are allowed to make substantial modifications. They had to make structural modifications during the relocation process.

Chairperson Baker stated that this is the Commissioner's opportunity to offer ideas and suggestions. The proposal will next be presented to the Township Board and will have a Public Hearing at that meeting.

Commissioner Sclesky stated that they have done a great job in moving the barn and he is concerned about preserving the historical character of that structure because it was painstaking to move it. He doesn't see having weddings there with women in their high heels having to walk in grass parking lot making their way into the barn area especially since they have Springfield Oaks right across the street. He asked why no money has been invested in Springfield Oaks since it was constructed, although Oakland County did recently update White Lake Oaks.

Mr. Donnellon stated that 10 years ago the infrastructure was redone and most recently the electrical system at Springfield Oaks was improved. Oakland County Parks and Recreation has a 15 year forecast to maintain all of their structures and a maintenance program is part of this. In this forecast they do have money set aside for structural improvements and fire suppression system for the Ellis Barn and any utility upgrades that they may encounter. There are no façade changes that are in the proposal, but there are

some upgrades coming to the 2nd floor of the barn. When the electrical system was upgraded at the barn, they utilized paths and conduit so that it is very difficult to see the electrical improvements when you visit the barn.

Commissioner Sclesky stated that he can see the uniqueness of the facility but he does not see someone trying to get to the facility in high heel shoes in a grass or gravel parking lot.

Commissioner Hines stated that she has had three or four people talk to her about renting that barn for their wedding.

Commissioner Hopper stated that having a barn dance in a barn with a gravel or grass parking lot is authentic in his opinion.

Commissioner Leddy asked if there was heating in the barn and the proposal says that the doors will remain open during events so it seems like it will be used during the three warmest seasons. He asked about bathroom facilities.

Mr. Donnellon stated that they are putting up portable restrooms for bathroom facilities.

Commissioner Leddy asked about the loud music being played during the event with the doors open.

Mr. Noyes answered that they are working in volume controls into the facility use agreement and they would work out the administrative controls over these types of things with the Township. They get about 100 inquiries a year requesting information about having a wedding in the barn; a bride recently got married in her bare feet.

Chairperson Baker stated that there is a limit on the use sound amplification equipment which is only the hours between 8 am until 11 pm. He also wondered about the bathroom facilities.

Mr. Donnellon stated that accommodations are made by staff for guests with disabilities.

Chairperson Baker confirmed that they could accommodate 100 people on the second level without structural changes.

Mr. Noyes concurred.

Chairperson Baker reiterated that the Commission has the ability to waive hard surface parking; he asked Mr. Oppmann if this should be in the motion.

Mr. Oppmann stated that the Special Land Use is tied to Site Plan so technically they are reviewing the Site Plan as well. Nothing is being changed on the site and they were given a waiver when the barn was moved so they would be reissuing the waiver. They would be getting Concept approval tonight and then they could come back for the final.

Commissioner Hopper moved to AMEND the approved site plan and Special Land Use and recommend to the Township Board Special Land Use Concept approval for the Ellis Barn at Springfield Oaks for the specific purpose to expand use to Special Events Facility which would allow educational programs/tours, fairs, markets and expos, meeting space and public gatherings, barn dances and barn themed festive events subject to:

- 1. Ordinance 40-136 through 40-144, Site Plan Review**
- 2. Ordinance 40-145 through 40-152, Special Land Use**
- 3. Ordinance 40-213 through 40-215, Parks and Recreation Zoning**
- 4. As no physical expansion to the facility is proposed, to waive the hard surface parking requirement**
- 5. No change to exterior lighting is proposed and any future modification would require review by the Township**
- 6. Any site plan or Special Land Use given by the Township does not supersede any required fire or building code requirements and that the Planning Commission defers to the Township Board and to the Fire Department and to the Building Departments any additional internal modifications are required due to this proposed use change**
- 7. Both sound and light shall meet the provision of Ordinance Section 40-888 and 40-883.**

Seconded by Commission Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Willson. Voted no: Sclesky. Absent: None. Motion Carried.

3. Meeting Dates 2013

Commissioner Willson moved to approve the Meeting Dates for 2013 as presented, which is the third Monday of each month at 7:30 PM. Seconded by Commissioner Hines. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

4. Election of Officers

Commissioner Leddy moved to appoint Commissioner Baker as Chairperson of the Planning Commission for 2013. Seconded by Commissioner Sclesky. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Chairperson Baker moved to appoint Commissioner Hines to act as Vice-Chairperson of the Planning Commission for 2013. Seconded by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Old Business:

1. Performance Guarantees – Discussion regarding Section 40-35

Mr. Oppmann stated that the last document that the Commission saw was the redlined, strikethrough document presented last month. The document presented tonight is the same document with all of the changes accepted.

Commissioner Hines stated that a comma was missing on page 2, number 9, after “cost estimates”.

Mr. Oppmann responded that this will be corrected.

Commissioner Hines moved to set a Public Hearing at the next most practical date for the revisions to Section 40-35 Performance Guarantees as written and reviewed on draft date November 20, 2012 and revisions to Zoning Ordinance Section 40-593 Project Regulations. Seconded by Commissioner Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

2. Recycling Facilities – Update/Discussion

Mr. Oppmann stated that they have been given proposed definitions for Recycling Facilities as provided by Greg Need. They discussed this during a prior meeting where the general consensus was that these facilities should be a Special Land Use in M-1 and M-2 district. They developed specific standards that should be met and these have been provided to the Commission. They want the recycling facilities to be in an enclosed building and with required screening and anything stored outside should be in a transportable container and incineration should be prohibited.

Chairperson Baker stated that Section 40-650 should be changed to Section 40-598.

Mr. Oppmann agreed. He would double check the numbers and make sure that they line up prior to next month’s meeting.

Mr. Oppmann stated that Section 40-2, Definitions, should also be in the motion.

Commissioner Hines moved to schedule a Public Hearing regarding amendments to Section 40-2, Section 40-455, Section 40-485 and Section 40-598 relevant to Recycling Facilities at the most practical date and time. Seconded by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Other Business:

1. Update Priority List

Commissioners reviewed and made updates and revisions to the current Priority List.

Commissioner Hopper stated that the Township Board approved funding for the Dixie Highway Corridor Plan at the December Board meeting and wastewater options were outlined to be one of the priorities. The Board wanted to be prepared so that if a developer approaches the Township they are prepared.

Chairperson Baker asked if a timeline was established.

Mr. Oppmann answered that they first had to get the funding approved and then they can move forward; he did not have an exact timeline.

Commissioner Sclesky stated that this is critical to the development of this area; if they are not prepared, these developers will go to other communities.

Public Comment: None.

Adjournment:

Commissioner Hopper moved to adjourn the meeting at 9:28 p.m. Supported by Commissioner Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Willson. Voted no: None. Absent: None. Motion Carried.

Erin A. Mattice, Recording Secretary