

Springfield Township
Planning Commission Meeting
Minutes August 18, 2020

Call to Order: Chairperson Baker called the August 18, 2020 Business Meeting of the Springfield Township Planning Commission to order at 7:00 p.m. via Video/phone conference. He stated that the meeting is a video/phone conference call and provided an overview of meeting format.

Attendance:

Commissioners Present:

Dean Baker
Ruth Ann Hines
Dave Hopper
George Mansour
Jason Pliska
Terry Rusnell
Kevin Sclesky

Commissioners Absent

Consultants Present

Doug Lewan, Carlisle Wortman, Associates
Mike Smith, Anderson, Eckstein and Westrick, Inc.

Staff Present

Collin W. Walls, Supervisor
Erin Mattice, Planning Administrator
Laura Moreau, Clerk

Approval of Agenda:

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

Public Comment:

None

Consent Agenda:

1. Minutes of the June 16, 2020 Regular Planning Commission meeting

Commissioner Hines moved to approve the minutes of the June 16, 2020 Regular Planning Commission meeting as amended: page 5, change ground “size” to ground “sign”, page 6 change to “building sign increase is the only proposed size change”. Supported by Commissioner Hopper. Roll Call Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Rusnell, Sclesky. Voted no: None. Absent: None. Motion Carried.

Public Hearing:

1. Ordinance Amendments – Section 40-136 – Site Plan Review, Sec. 40-145 – Standards for Approval of Special Land Uses, and by amending Group Child Care Homes Provision of Sec. 40-275

Chairperson Baker opened the Public Hearing at 7:09 pm

No public comment was heard

Chairperson Baker closed the Public Hearing at 7:10 pm

2. Ordinance Amendment – Dixie Highway Overlay District – Section 40-596

Chairperson Baker opened the Public Hearing at 7:10 pm

No public comment was heard

Chairperson Baker closed the Public Hearing at 7:11 pm

New Business:

1. Quarry Ridge – Final Site Plan/Cluster Plan/Special Land Use Parcel ID#07-26-126-020, East side of Andersonville Road and Big Lake Road

Mr. Charles Burt, developer, introduced himself to the Commission.

Mr. Pat McWilliams, Kieft Engineering, introduced himself to the Commission. He provided an overview of the project.

Mr. Doug Lewan summarized his review letter dated July 21, 2020.

Commissioner Pliska asked about the greenbelt buffering and if the Planning Commission could waive the requirement or if the property owner would have to sign some type of document to make sure that the screening is done as per the site plan.

Mr. Lewan stated that the Planning Commission can waive the screening requirement. The applicant is suggesting that existing vegetation is used for screening from the adjacent residentially zoned property. Typically, the screening vegetation would be located on the applicant's property but in this case, the applicant is suggesting that the existing vegetation on the neighboring property is used.

Commissioner Pliska stated that if he owned the neighboring property, he would not want the screening contingent upon what exists on his property because he may decide to clear an area for a garden, for example.

Commissioner Hines stated that it is residential property against residential property. She asked why they are screening a residential house from a residential house.

Mr. Lewan stated that it is a Cluster Development and that is why the screening is required.

Commissioner Hines asked if it should be a part of the motion that if the neighboring property owner removes any of the vegetation, then they should have to replace it.

Mr. Lewan replied that the problem with that is enforcement. A similar buffer is required along the backs of units 2, 3, 4, 5, 6, 7, 8 and 9.

Commissioner Pliska stated that if he was the future purchaser of that parcel, he would like to know that the buffer was in place.

Commissioner Hines replied that if the property owner wants to fence their property in the back from the adjacent property owner, it is their right to do so.

Commissioner Hopper stated that he understands the intent of the screen. Since it is a more compact development, they are screening the higher density cluster development from the existing R-2. When you look at the location, if it was a standard development, there would be a house there. If you measure from the back of the adjacent residential property to the closest lot, 16 and 17, it is 400 feet. He feels that the waiver would be appropriate in this location because of the distance from the existing homes.

Mr. Lewan stated that the buffer is required when there is a less intense development next to a more intense development. He agreed with Commissioner Hopper.

Mr. Charles Burt stated that at the last meeting they suggested a waiver behind lot 10 and 11. It is completely screened from the road and the road is 4 feet lower.

Mr. McWilliams stated, regarding the Delcamp screening issue, heavy brush and trees currently exist and it would be difficult to look through the trees and see the other houses. The only lot that they would be able to see next to them would be lot 22.

Commissioners agreed with waiving the screening requirement between the Delcamp property and lot 22.

Mr. Lewan stated that the screening behind lots 10 and 11 wasn't waived but 10 and 11 do not back up against homes, they are up against Big Lake Road, and the screening is not required.

Commissioner Mansour commented on the requirement for the turn around for 1,500 linear feet or more. He would not want to see a big pavement area next to two houses if there is a way to waive that requirement since the road is only 150 feet too long.

Mr. Lewan replied that the applicant would have to obtain a variance.

Mr. Michael Smith, Township Engineer, summarized his review letter dated July 21, 2020. He commented that a waiver from the Township Board for the Design and Construction Standards requirement of the 1:4 slope around the pond would be required and is recommended by him.

Chairperson Baker asked about the grading plan showing that the areas around the lake would be graded to 1:4 for safety purposes. He asked if this statement supported what Mr. Smith described around pond #1.

Mr. Michael Smith stated that it would apply to everything around pond #1 except for the south area.

Mr. McWilliams stated that on Sheet #7 it explains the 1:3 area around pond #1 is proposed to preserve the vegetation.

Mr. Mike Smith stated that what is being proposed is a good solution.

Commissioner Hines asked if the southwest area of the pond requires a waiver from the Planning Commission or Township Board.

Mr. Lewan confirmed that the Township Board would consider this waiver.

Mr. Burt indicated that his partner was supposed to speak to the Delcamp's regarding the driveway access but hasn't yet. He commented that if this property uses their road, this property should have to conform to all the ordinances in the subdivision which are not laid out yet. The house is in disarray and there is garbage everywhere around it.

Mr. Lewan stated that it was not his intention to make this property part of the site condo, it was his intention to eliminate what appears to be an unsafe driveway next to a road.

Mr. Burt replied that it would look better if it were part of the site condo and they had to follow the rules of the subdivision.

Mr. McWilliams commented that if they could work out an agreement where the Delcamp's would agree to bring their house more into compliance with the rest of the properties, then maybe later, a driveway could be added.

Chairperson Baker asked if there was any other comment regarding this site.

No comment was heard.

Supervisor Walls stated that in this case, the primary advantage to the turn around would be not only a break in the cul-de-sac, but it also provides access to pond #1 that has sufficient capacity to be used as a water source.

Commissioner Hines moved to recommend Final Site Plan approval of Quarry Ridge Site Condominium on the east side of Andersonville Road, south of Big Lake Road, the site plan as presented be approved recommending the variance for the grade at the southwest corner of pond #1, recommending a waiver of the buffer between this development lot #22 and the Delcamp property and including the Land Planning Solutions Report and Program for treatment of invasive species. Applicant will continue communication with the Delcamp's around the potential to have them connect a driveway to the Halsey Road. Supported by Commissioner Pliska. Roll Call Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Rusnell, Sclesky. Voted no: None. Absent: None. Motion Carried.

Old Business:

1. Ordinance Amendments – Section 40-136 – Site Plan Review, Sec. 40-145 – Standards for Approval of Special Land Uses, and by amending Group Child Care Homes Provision of Sec. 40-275

Commissioner Sclesky moved to send Ordinance Amendments -Section 40-136 – Site Plan Review, Section 40-145 Standards for Approval of Special Land Uses and Section 40-275 Group Child Cares Homes to the Township Board for review at the earliest convenient time as outlined in today's Public Hearing Notice and the Public Hearing that took place August 18, 2020 and published July 30, 2020 by the Clerk's Office. Supported by Commissioner Hines. Roll Call Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Rusnell, Sclesky. Voted no: None. Absent: None. Motion Carried.

2. Ordinance Amendment – Dixie Highway Overlay District – Section 40-596

Commissioner Hines stated that on page 5, right after the chart, there is a letter b. and in the matter of the next sentence is a formatted c. which should be removed.

Commissioner Hopper stated that in that the Planning Commission held a Public Hearing to obtain public comment on the proposed amendments to the zoning ordinance, he recommended to the Township Board to amend Springfield Township's Code of Ordinances, Chapter 40, Zoning, by amending Section Article VI, Section 40-596 Dixie Highway Overlay District. Supported by Commissioner Hines. Roll Call Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Rusnell, Sclesky. Voted no: None. Absent: None. Motion Carried.

3. Sign Ordinance Amendments - Discussion

Mr. Lewan provided an overview of the proposed sign ordinance amendments and sample sign sizes document provided to the Commission.

Commissioner Sclesky commented on the appropriateness of the Huntington Bank sign shown, both in size and location. He suggested that two 50 square foot signs, one for Huntington Bank and one for the Urgent Care would be a lot of signage along Dixie Highway. He suggested that the developer should determine where he wants to put the sign and then have the discussion at the Planning Commission meetings. He likes the idea of both tenants on one sign instead of each having their own individual sign.

Chairperson Baker asked if Mr. Lewan knew how many signs in the Township do not meet current ordinance.

Mr. Lewan stated that the purpose of the Township's sign project was to catalog all the signs in the Township. This created a baseline of signs that the Township could use to tell if they were conforming or nonconforming. He doesn't know if there is a table that categorizes that information.

Supervisor Walls replied that there isn't a table. He explained the purpose of the sign project. He stated that some of the signs went to the Board of Appeals for approval, so they are not nonconforming. He stated that the Township probably has as many or more nonconforming signs that are larger than they do conforming signs.

Chairperson Baker concurred. He stated that he is going to need more time to digest the photos as they relate to the proposed language. He stated that several nonconforming signs are existing because of history and various approval processes. He stated that it would help to have a synopsis of, for example, the Valvoline sign and how it was nonconforming in comparison to current ordinance. He would like to be able to draw a comparison of what is present versus what the new sign provisions require in order to predict what impact the language would have on signs.

Mr. Lewan stated that he would be able to go through the ground sign pictures and determine which ones are nonconforming and by how much.

Commissioner Hines asked why both building signs and ground signs would not be measured from the road right of way.

Mr. Lewan stated that the reason it is that from the edge of the road it is assumed a car is near the edge of the road. The calculations are based on vision from a car to a sign and not from the right of way to the sign. If you measure from the road right of way, it will be variable from where the person is sitting in their car and looking at the building. If the right of way was always a uniform distance from the road, it wouldn't be a problem using it, but it's not.

Chairperson Baker stated that the ZBA has been asked to approve setbacks on signs from the road right of way because, for example, the right of way on Dixie Highway fluctuates quite a bit.

Supervisor Walls cautioned the Commissioners on how they define road. He suggested that they use the “outside lane” because a road could include a shoulder. They will primarily be looking at black top roads and they typically have an identifiable lane.

Mr. Lewan concurred.

Supervisor Walls asked about Building Signage, maximum area requirements. He asked if this number was for a single business or would it also apply for a building that has more than one business.

Mr. Lewan answered both, a multitenant or a single tenant.

Supervisor Walls stated 50 square feet for a multitenant commercial building would not be enough.

Mr. Lewan concurred. He suggested that they change it to 80 square feet although this number was based off of the recently three tenant building where Dunkin’ Donuts was going to go.

Commissioner Hines asked about the violation section. It appears that there is only a violation if the sign is in the right of way or on utility poles. What happens if there is another violation of this section.

Supervisor Walls stated that number three is unique because these are prohibited locations for signs. Other violations will be treated through the municipal infraction program where the ordinance officer or building official follows the procedure for civil violations.

Commissioner Hines asked if they should note it in the ordinance or is it just implied.

Supervisor Walls stated that it is in the ordinance, but in a different section.

Commissioner Hines suggested that they add a reference to the section that will handle additional violations.

Mr. Lewan concurred.

Supervisor Walls asked why there is a violation section here when there is a violation section for Chapter 40, and they do not reference violations in each individual section in other areas.

Mr. Lewan agreed; he suggested that he change it to just reference the violation section of the entire zoning ordinance or leave it out entirely. He stated he would look at this.

Commissioner Hines asked if a business could cover 25% of their windows with advertising.

Mr. Lewan responded yes without it being counted toward their building sign.

Commissioner Hines stated that she doesn't like this, it is just clutter.

Commissioner Hopper stated that this is an area of ordinance enforcement that is reviewed frequently and 25% seems like a good number.

Other Business:

Discussion: Ordinance Amendment Section 40-651 Septic Systems for Lots Abutting Water Bodies

Supervisor Walls explained that this stated as an amendment to Section 40-136 but Greg Need proposed as a separate section and reviewed and explained proposed provisions to Section 40-651 Septic Systems for Lots Abutting Water Bodies. The main purpose in introducing it tonight was to let the Commissioners know it was ready and to get input from the Commissioners. He thanked Bill Whitley and Ginny Fischbach who were extremely helpful with suggestions.

Chairperson Baker confirmed that it is a major step forward and he thanked the individuals who worked on it.

Commissioner Sclesky asked if the setback is the tank or from the field.

Supervisor Walls stated that it is any part of the system. He stated that since the tanks were now sealed, it might not need to be included especially at the 75 to 100 feet.

Commissioner Sclesky commented that a lot of work has gone into this.

Commissioner Hines asked about the replacement of a field and how the Township would become aware of the need.

Supervisor Walls stated that repairs are tricky but if the repair ends up being a new system, then the Oakland County Health Department has been advising people of the Township's ordinance and the fact that they might need a variance. This is true of all new requests. The contractors should know that a permit from OCHD is required.

Commissioner Hines asked if she got a permit and it was within the guidelines, the Township wouldn't even know.

Supervisor Walls agreed. They are talking about areas that even the Health Department is requiring an alternative system and those engineers who are required for alternative systems all know what the Township's requirements are.

Commissioner Hopper stated that on page 4, it says that the applicant will escrow money for attorney cost, he is assuming that it costs something to record documents.

Supervisor Walls stated that this would be included in these fees and he will add it to this area.

Commissioner Hopper stated that the proposal is clear and easy to follow.

Commissioner Mansour stated that this is exactly what they needed and thanked Supervisor Walls for all his hard work.

Chairperson Baker confirmed that there are some items Supervisor Walls needed to touch base with Greg Need on and he suggested that he does this before it gets moved to Public Hearing.

Supervisor Walls stated that in reference to the variance request in 50 foot to 25 foot range the ZBA may require low pressure distribution system. He asked if they would feel better to have at least some guidelines added to the language as to when that would be required.

Chairperson Baker answered yes.

Supervisor Walls asked if the Commissioners would like to see this before it gets published for public hearing.

Commissioners confirmed that they would like to see this language at the next meeting.

Commissioner Hines asked if they are saying that it is a maximum of three bedrooms for a house on a lake lot.

Supervisor Walls replied yes, if it is new construction. The number of bedrooms in a house is what the health department uses for guidance for the size of a system.

Commissioner Hopper commented that the 3 bedroom requirement was 75 feet and under.

Commissioner Hines stated that between 75 and 100 feet there is no restriction on the number of bedrooms.

Commissioner Hopper concurred.

Public Comment:

None.

Adjournment:

Commissioner Baker moved to adjourn the meeting at 9:29 p.m. Supported by Commissioner Hopper. Roll Call Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Rusnell, Sclesky. Voted no: None. Absent: None. Motion Carried.

Erin A. Mattice, Recording Secretary