

**SUPERIOR CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 22, 2017
DRAFT MINUTES
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3-1 CALL TO ORDER

Chairman Guenther called the regular meeting to order at 7:30 p.m.

3-2 ROLL CALL

The following members were present: Brennan, Findley, Guenther, McGill, and Sani-Yahyai. Gardner and Steele were absent. Also present were Rodney Nanney, Township Planner, Jacob Rushlow, Township Engineer, and Rick Mayernik, Building/Zoning Administrator.

3-3 DETERMINATION OF QUORUM

A quorum was present.

3-4 ADOPTION OF AGENDA

A motion was made by Commissioner Brennan and supported by Commissioner Findley to adopt the agenda as presented. The motion carried.

3-5 APPROVAL OF MINUTES

A. Minutes of the January 25, 2017 Meeting

A motion was made by Commissioner Brennan and supported by Commissioner Findley to approve the minutes as presented. The motion carried.

A motion was made by Commissioner Findley and supported by Commissioner McGill to approve the adopted amended minutes. The motion carried.

3-6 CITIZEN PARTICIPATION

There was no Citizen Participation.

3-7 CORRESPONDENCE

A. Notice of Intent to Amend the 2015 Master Plan – Charter Township of Plymouth.

A motion was made by Commissioner Brennan and supported by Commissioner Findley to receive the correspondence. The motion carried.

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3-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

3-9 REPORTS

A. Ordinance Officer

A motion was made by Commissioner Brennan and supported by Commissioner Findley to receive the report. The motion carried.

B. Building Inspector

A motion was made by Commissioner Findley and supported by Commissioner Brennan to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Commissioner Brennan and supported by Commissioner McGill to receive the report. The motion carried.

3-10 OLD BUSINESS

There was no Old Business.

3-11 NEW BUSINESS

A. STPC #17-01 Prospect Pointe West Final Site Plan – Phase 1

Anthony Lombardo, CEO of Lombardo Homes noted that approval from the Washtenaw County Water Resources Commissioner's Office (WCWRC) had not yet been granted. He asked that the Planning Commission grant the Final Site Plan approval pending the approval from WCWRC.

Kate Bond, Atwell, stated that she tried diligently to receive WCWRC approval for tonight's meeting, to no avail. She stated that the holdup with the WCWRC is related to BMPs as well as soils in Phase One.

Rodney Nanney presented the Planner's report dated March 15, 2017.

Jacob Rushlow presented the Engineer's report dated March 14, 2017.

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Mr. Lombardo stated that by getting Planning Commission approval tonight, he could go forward with the engineering approval portion of the plan. He added that he may not make the construction season if denied.

Kate Bond, Atwell, spoke in regards to street trees. She noted that there is a section of road that has a double sewer and trees cannot be placed in that area.

Mr. Rushlow stated that the Township prefers that tree plantings stay out of the water/sewer easement in case repairs are needed in the easement. He continued to speak to the proximity issue that exists between the street tree requirement and utility maintenance.

Mr. Nanney stated that the Planning Consultants are comfortable with relocating the trees that are in the double sewer area. He added that this is an issue with many developments.

Discussion followed about putting a smaller tree in the street margin to help prevent issues with the water/sewer.

It was noted that Mr. Lombardo as well as OHM had no objection to putting a smaller variety of tree in the street margin.

Chairperson Guenther stated that if the trees need to come out of the lots and into the street margin that is a substantial change to the site plan. Also, if WCWRC required a reconfiguration of lots with the granting of approval, that would be a substantial change.

Chairperson Guenther added that if these items are not final in the plan, the Planning Commission doesn't have a final site plan. He also questioned that if the Planning Commission is just looking at the Final Site Plan for Phase One, why do they have a 50 sheet plan that includes phases one through four.

Mr. Nanney replied that Atwell wanted to keep the submittal whole.

Chairperson Guenther stated that any action that is taken by the Planning Commission will only apply to Phase One. He added that most of the pages refer to subsequent phases and that could imply that what is being approved is more than just Phase One.

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Mr. Nanney stated that on any of the sheets it could be noted that phases two, three, and four are subject to Planning Commission approval.

Mr. Lombardo asked that the Planning Commission approve the Final Site Plan with conditions in accordance with the standards. He added that he has developed several subdivisions in Superior Township and fulfilled obligations. He stated that he was asking the Planning Commission for leeway.

Chairperson Guenther replied that the Planning Commission does not have leeway to enforce the Zoning Ordinance or not enforce it. He added that the Planning Commission has no desire to impede the building process, but if pieces of the Final Site Plan are not final, it cannot be approved.

Commissioner Findley stated that she is inclined to listen to the Township Engineer and the Township Planner, as they are our consultants.

Mr. Nanney stated that the Planning Consultants recommended that the applicant revise and resubmit; however, Atwell specifically asked to be on the agenda to discuss this.

Ms. Bond explained that there are some issues that are considered substantial changes to the site plan, and some changes that are not. She noted that she is hearing for the first time that the submitted plans are not suitable for the Planning Commission to make a decision.

Chairperson Guenther asked that a statement be placed on the sheets of the Final Site Plan noting that phases two, three and four are illustrative and not for approval purposes.

It was noted that the Planning Commission and the Township will allow the applicant to acquire water and sewer permits prior to obtaining Final Site Plan approval.

It was also noted by Mr. Nanney that street trees will need to be in the street margins with the exception of the area with the double sewer.

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Mr. Mayernik added that the Township would like to have something in writing stating that the applicant is obtaining utilities without Final Site Plan approval at their own risk.

Motion by Commissioner Brennan, supported by Commissioner Findley to postpone STPC #17-01, Prospect Pointe West Final Site Plan as depicted on plans for Phase One dated February 1, 2017 at the request of the applicant to satisfy the planning and engineering consultants concerns, to the May 24, 2017 meeting.

Motion was made by voice vote. Motion carried.

Yes: Brennan, Findley, Guenther, McGill, Sanii-Yahyai.
No: None.
Absent: Gardner, Steele.
Abstain: None.

B. STPC #17-02 Bromley Park Condominium Fence – Minor Site Plan

Kenneth Graham, President of the Bromley Park Condominium Association stated that they would like to install a six foot tall vinyl fence on their property line, with approximately two inches of clearance on the bottom. He noted that the neighboring community has stated that they welcome the fence as long as it is maintained by Bromley Park Condominiums.

Rodney Nanney presented the Planner's report dated March 14, 2017.

Jacob Rushlow presented the Engineer's report dated March 17, 2017.

Chairperson Guenther stated that he understands the desire to have a fence there. He also noted that it could be approved conditionally upon satisfaction of the engineering comments.

Mr. Mayernik suggested that the Planning Commission motion clarifies that any of the three colors provided by the applicant (white, almond, or natural clay) would be suitable.

Motion by Commissioner Brennan, supported by Commissioner Findley to approve STPC #17-02 Bromley Park Condominium Fence, finding that it meets the requirements in Section 6.01 and Section 10.10, accepting the proposed fence installation as a minor change to the approved

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Bromley Park Condominium Area Plan and Final Site Plan, and to approve the Bromley Park Condo Association Minor Site Plan titled “fence proposal” consisting of an aerial photo/plan view and a fence detail sheet, subject to the following conditions:

1. Revise the six (6) foot tall privacy fence installation to ensure that it is set back at least 75 feet from the Geddes Road right-of-way as required by Section 6.01B.2 (Residential Fences) of the Zoning Ordinance.
2. The color shall be white, almond or natural clay.
3. Satisfaction of the conditions in the Engineering Report dated March 17, 2017.

Yes: Brennan, Findley, Guenther, McGill, Sanii-Yahyai.
No: None.
Absent: Gardner, Steele.
Abstain: None.

3-12 POLICY DISCUSSION

Chairperson Guenther inquired about the update of the Master Plan. Mr. Nanney stated that Board of Trustees is looking at making changes to the Dixboro Area Plan.

3-13 ADJOURNMENT

A motion was made by Commissioner Findley, supported by Commissioner Brennan to adjourn at 9:26 p.m. The motion carried.

Respectfully submitted,
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary
Superior Charter Township
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Ypsilanti, MI 48198 (734) 482-6099