

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
FEBRUARY 27, 2013  
APPROVED MINUTES  
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2-1 CALL TO ORDER**

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

2-2 ROLL CALL

The following members were present: Anderson, Baker, Copley, Gardner, Guenther, McGill and Phillips. Also present were Don Pennington and Rodney Nanney, Township Planners, Jacob Rushlow, Township Engineer and Rick Mayernik, Building/Zoning Administrator.

2-3 DETERMINATION OF QUORUM

A quorum was present.

2-4 ADOPTION OF AGENDA

A motion was made by Anderson and supported by Baker to adopt the agenda as amended, adding a letter from the Township Supervisor. The motion carried.

2-5 APPROVAL OF MINUTES

A. MINUTES OF THE JANUARY 23, 2013 MEETING

A motion was made by Anderson and supported by Gardner to approve the minutes as corrected. The motion carried.

2-6 CITIZEN PARTICIPATION

There was no Citizen Participation

2-7 CORRESPONDENCE

A. Letter of Appreciation for John Copley from the Township Supervisor.

Dave Phillips read a letter from William McFarlane thanking Planning Commissioner John Copley for his twenty years of service on the Planning Commission and for his many contributions.

Guenther said that the Planning Commission will miss Mr. Copley.

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A motion was made by Gardner and supported by Baker to receive the letter. The motion carried.

2-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

There were no Public Hearings.

2-9 REPORTS

A. Ordinance Officer

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

B. Building Inspector

A motion was made by Copley and supported by Baker to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Anderson and supported by Gardner to receive the report. The motion carried.

2-10 OLD BUSINESS

STPC#13-01The Woodlands of Geddes Glen Final Site Plan – Proposal to develop 32 single-family detached houses on 30 acres located on the north side of Geddes Rd., west of Gale Rd. (postponed from the January 23, 2013 Planning Commission meeting.)

Bill Anderson, representing the applicant Toll Brothers, described the changes made to the final site plan since the Planning Commission's last review. He said the street lighting detail and the 4-foot wall have been clarified. He said the tree survey was further evaluated and the reference to "private wells" was deleted from the cover sheet. He said the 25-foot landscape easement was added and a reference to directional boring for the water main was added.

Pennington presented his report dated 2-19-13. He said he reviewed the plan to make sure it complied with the approved preliminary site plan. He read an email message from James Kosteva, Community Relations Director of the University of Michigan, stating that the University was still interested in considering an easement.

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Rushlow presented his reported dated 2-22-13. He said the applicant has optimized storm water management on the site. He said permits and approvals will be needed from the Washtenaw County Road Commission, the Washtenaw County Water Resources Commissioner and the Michigan Department of Environmental Quality (DEQ).

Copley questioned the proposed directional boring as a way to allow the water line to be installed without removing trees. He said there is still a potential to damage the trees. Bill Anderson said the minimum depth of boring would be 5 ½ feet with a ditch on the side of the road, so there should be little impact on the trees.

Gardner said he understood the idea behind directional drilling but it is a controversial aspect of the final site plan. He said he would have a hard time supporting it with the possible impact on the old growth tree line. He asked if the project could be developed without the looping the water line. Mike Noles, representing Toll Brothers, said the reason for looping the water line is to support redundancy in the Township's water system. He said Toll Brothers is willing to develop without looping but they are also still willing to put the water main within an easement on the University of Michigan property.

Guenther asked if the looped system is a Township requirement. Phillips said Rick Church, Director of the Utilities Department, said the DEQ is still indicating that a loop is required. Guenther questioned if the DEQ requirement was still in force because the original site plan is no longer in force. Mayernik said the requirement was put on the original DEQ permit for the water line for Geddes Glen. Noles said it was part of a three party agreement among Superior Township, Ann Arbor Township and the DEQ.

Phillips said that while the plan shows directional boring, the Planning Commission prefers to have the water line in a University of Michigan easement. Phillips said approval of the final site plan will allow Toll Brothers to begin building and perhaps cause the University of Michigan to move ahead with the easement request. Noles said he would support a condition of site plan approval that should Tolls Brother obtain the easement, the water line would be required to be located in the easement.

Guenther said the Township's Master Plan supports the preservation of the Township's rural character and scenic roads. He noted that Geddes Rd. is classified as a scenic road. He read several sections from the Master Plan describing how the utilities shall be located to protect landscape and scenic roads and how the Township wants to keep the rural character of Geddes Rd.

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He said in light of these sections of the Master Plan he said he could not support directional boring under 900 feet of trees along Geddes Rd.

Baker said she agreed with Commissioner Phillips in that approving the site plan will allow the applicant to continue negotiating with the University and still allow directional boring as a fall back option. She said directional boring supports the goals and objectives of the Master Plan. Baker said her concern was about the required ten trees per lot. She asked what could be done to prevent a homeowner from cutting down the trees on an individual lot. Noles said if the homeowner does not want the trees planted on their lot, Toll Brothers could offer to plant them in a common area on the site.

Phillips made a motion to approve the final site plan. It was not supported.

Gardner asked if it was possible to approve the final site plan except for the utilities and revisit that part of the plan in six months. The Planning Commission discussed the possibility of a partial approval. Porshea Anderson was concerned that the developer needed everything approved so the engineering could begin. Pennington said there is no procedure in the Zoning Ordinance for a partial approval. Guenther said the Planning Commission would be setting a precedent and it already had done so by modifying the tree preservation ordinance for this project.

Phillips said the fact that Toll Brothers is willing to use the expensive process of directional drilling shows their concern for preserving the trees. The Planning Commission discussed putting the water line under the shoulder of the road. Guenther asked if the motion could require the water line to be within the shoulder of the road.

Copley said he appreciated the effort to preserve the trees. He noted however that the plan does not address invasive species.

A motion was made by Phillips and supported by Baker that the Planning Commission approves STPC #13-01 The Woodlands at Geddes Glen Final Site Plan dated 2-8-13 finding that the plan conforms to the requirements of Sections 2.115 (Zoning District), 10:07 (Required Site Plan Approval), 10:10 (Standards for Site Plan Approval) and Article 12 (Condominium Regulations). This approval is subject to the following conditions:

1. All of the issues identified in the OHM letter dated February 22, 2013 are satisfactorily resolved prior to issuing final engineering approval.

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2. The Developer shall take all actions necessary to make reasonable efforts to preserve the trees shown on Sheet 10, *Utility Plan Offsite*, that are inside of the Geddes Road right-of-way and are listed on Sheet 18, *Geddes Road Water Main Tree Mapping List*. Actions to preserve the trees include but are not limited to:
  - As shown on Sheet 10, installing the 12-inch water main by directional drilling.
  - The Developer and the Township shall continue to negotiate with the University of Michigan to secure a 25-foot wide easement along the Geddes Rd. right-of-way so that the 12-inch water main can be installed in the easement away from the trees in the right-of-way. If the easement is secured, the 12-inch water main will be required to be installed in the easement not withstanding anything to the contrary on Sheet 10.
  - If the installation of the water main is to be completed by directional drilling, the drilling shall be limited to a distance of 6 feet from the edge of the Geddes Road pavement.
3. The Developer shall comply with Section 14.05(F)(3)(f) (Invasive Species Information) of the Superior Township Zoning Ordinance to ensure the eradication and control of invasive species on the property.
4. Lighting depicted on Sheet L-3 shall be modified so that it conforms to Section 14.11 (Exterior Lighting) of the Superior Township Zoning Ordinance, to be confirmed by administrative approval.
5. The Developer shall provide the Township with an irrevocable letter of credit or escrow in an amount determined to cover the cost of the installation of the water main as shown on Sheet 10. The letter of credit or escrow is to be used by the Township to install the 12-inch water main along Geddes Road in a manner and location to be determined by the Township if the Developer fails to complete the installation of the 12-inch water main along Geddes Road within 36 months from the issuance of the first building permit or upon issuance of the 20<sup>th</sup> certificate of occupancy for homes in the development, subject to approval by Ann Arbor Township if required.

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The motion carried with the following vote:

Yes: Anderson, Baker, Copley, Gardner, Guenther, McGill and Phillips  
No: None  
Absent: None  
Abstain: None

2-11 NEW BUSINESS

A. STPC#13-02 Hyundai Site Expansion Phase 2 (Electrical Substation)–  
Preliminary Site Plan.

Mark Torigian, representing Hyundai, introduced representatives from DTE and SSOE, the consulting engineers for the project. He presented the site plan and described the views that will be seen from Geddes Rd. He said the plan incorporates shrubs and evergreens and will provide valuable aesthetics for all seasons.

Pennington presented his report dated 2-22-13. He said the detail provided for the preliminary site plan is normally filed with the final site plan. He said the plan met the standards for consideration by the Planning Commission.

Rushlow presented his report dated 2-22-13.

Gardner said he understood that landscaping cannot screen the pole but it should screen the transformer. There was a discussion about how fast the trees grow. Gardner suggested the landscaping be enhanced at the western boundary. He said the existing tree line cannot be relied upon for screening. He suggested increasing the height of the berm from 4 feet to 6 feet and planting evergreens on top of the berm.

A motion was made by Phillips and supported by Gardner that the Superior Township Planning Commission approves STPC#13-02 Hyundai Site Expansion Phase 2 Preliminary Site Plan as depicted by the plans dated 2-6-13, finding that the plan complies with Sections 7.103 (Special District Site Plan Approval) and 10.10 (Standards for Site Plan) of the Superior Township Zoning Ordinance subject to the following conditions: 1) The items described in the OHM report dated 2-22-13 are addressed; 2) Screening will be created on the western boundary consistent with the screening on the northeast boundary of the pad.

The motion carried with the following vote:

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Yes: Anderson, Baker, Copley, Gardner, Guenther, McGill and Phillips  
No: None  
Absent: None  
Abstain: None

2-12 POLICY DISCUSSION

Nanney updated the Planning Commission on medical marijuana.

2 -13 ADJOURNMENT

A motion was made by Gardner and supported by Anderson adjourn at 11:00 p.m. The motion carried.

Respectfully submitted,  
John Copley  
Planning Commission Secretary

Deborah L. Kuehn  
Planning Commission Recording Secretary  
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Ypsilanti, MI 48198 (734) 482-6099