

**SUPERIOR CHARTER TOWNSHIP
PLANNING COMMISSION – VIRTUAL MEETING
AUGUST 26, 2020
APPROVED MINUTES
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6:30 p.m. Pre-Application Conference – Proposal for a new Verizon Wireless cell tower north of Clark Road and east of Prospect Road, on parcel J-10-34-300-019

7:00 p.m. Pre-Application Conference – Proposal for new single story, multi-family apartments located north of Clark Road and east of Prospect Road, on parcels J-10-34-300-019 and J-10-34-300-001.

1. CALL TO ORDER

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

2. ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele. Also present were George Tsakoff, Township Engineer; Ben Carlisle, Carlisle Wortman; and Rick Mayernik, Building/Zoning Administrator.

3. DETERMINATION OF QUORUM

A quorum was present.

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.

5. APPROVAL OF MINUTES

A. Minutes of the June 24, 2020 Meeting

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

6. CITIZEN PARTICIPATION

None.

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7. CORRESPONDENCE

- A. Van Buren Charter Township Notice of Distribution of Draft Master Plan

A motion was made by Commissioner Brennan and supported by Commissioner Sanii-Yahyai to receive the notice. The motion carried.

8. PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

None.

9. REPORTS

- A. Ordinance Officer

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

- B. Building Inspector

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

- C. Zoning Administrator

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

10. OLD BUSINESS

None.

11. NEW BUSINESS

- A. STPC 20-02 Prospect Pointe West – Major/Minor Change Determination

Greg Windingland, Lombardo Homes, gave an overview of how the project has changed, necessitating a site plan revision. Mr. Windingland reported that Lombardo is working with the Washtenaw County Road Commission (WCRC) on the roads and petitioning the court to vacate the public streets from the plat.

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Commissioner Gardner inquired about the vacation process with the court. He asked if it would be contentious and if there is a possibility it could be challenged.

It was noted that vacating the public roads from the plat would make them private. This would mean the Washtenaw County Road Commission would not maintain them.

Mr. Windingland replied that it is more procedural in process. He added that each homeowner in Prospect Pointe and the HOA will be notified.

Mr. Carlisle reviewed the Planner's Report dated August 19, 2020.

Mr. Tsakoff reviewed the Engineer's Report dated August 19, 2020.

Commissioner Guenther asked Mr. Windingland if he anticipated any cost sharing agreement with the Prospect Pointe HOA for snow plowing and road maintenance.

Mr. Windingland replied that there is a cost-sharing agreement for the main road landscaping as well as the three entrances. He stated that there are no plans for a cost-sharing agreement for the public roads within Prospect Point. He explained that the Prospect Pointe HOA chooses to have a private contractor snow plow their internal public roads, which would normally be serviced by Washtenaw County Road Commission.

Hans Masing, Prospect Pointe Homeowner's Association Board of Directors, showed a photo of the roads within Prospect Pointe that they believe will be the most used for entrance into Prospect Pointe West. He stated that the Prospect Pointe HOA has been asking Lombardo for two years for a cost-sharing agreement, not on the plowing of the roads and winter maintenance, but cost-sharing for the long term maintenance, regarding asphalt and resurfacing.

Mr. Masing added that there will be a significant amount of traffic added to the Prospect Pointe streets and the cost of that maintenance will fall on the Prospect Pointe Homeowner's Association.

He went on to ask the Planning Commission to consider having a cost-sharing agreement for the long-term maintenance of the roads put into place before the site plan is approved. Otherwise, the entire burden of

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fixing those roads is put on the Prospect Pointe homeowners rather than being shared across both developments.

Mr. Windingland stated that they are not asking for site plan approval, they are asking for a revision to a site plan that was previously approved last year. He added that he does not feel they should be obligated to do cost-sharing on the road maintenance.

Commissioner Guenther replied that he thinks these types of cost-sharing agreements are common. He stated that they are common because there is a lot of wear and tear on the public roads.

Mr. Windingland noted that most of the wear and tear on the roads will not come from passenger vehicles, which are the residents, but from construction traffic. By having the construction entrances, the vast majority of the wear and tear is being taken off of the roads. He added that signage could be placed at the entrances for no construction traffic.

Mr. Masing stated that he is not talking about construction traffic, but in ten or 15 years when the Prospect Pointe HOA is forced to do a special assessment for many millions of dollars to resurface the roads and fix entrances.

Jill Ondreyka, Prospect Pointe Homeowner's Association Board, discussed the roads being vacated. She questioned if when the roads are vacated the land goes to the homeowners or whomever owns the land on either side.

Commissioner Guenther inquired if the roads that are vacated would become common elements in the HOA rather than owned by any individual or lot.

Mr. Masing stated they are not opposed to vacating those roads to Lombardo, the HOA just wants to make sure that they are not setting their homeowners up many millions of dollars for special assessments on the roads. They would be paying for roads that the Prospect Pointe West Association has benefitted from.

Mr. Windingland noted that regarding the vacated platted land - when it is a paper plat (one that has not been developed) he believes the vacated land would go to adjoining homeowners. In this case the land would go to

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Lombardo so that it could be attached to the property, but the judge will determine.

Commissioner Guenther stated that what is in front of the Planning Commission is a preliminary site plan. The Planning Commission does not want to get into a dispute between the Prospect Pointe HOA and Lombardo. What The Commissioners want to know is that you are in agreement.

Commissioner Guenther stated that he does not know if the Planning Commission has ever required, or has the ability to require, a cost-sharing agreement as a condition of site plan approval.

Mr. Carlisle stated that he has never seen a cost-sharing agreement as a condition of site plan approval. He reiterated that this is Preliminary Site Plan approval and many of these issues can be worked out between preliminary and final.

Commissioner Guenther explained that these are proposed amendments to a preliminary site plan. Even if we were at the final site plan, these disputes are private between the parties and outside the scope of the Planning Commission. He encouraged the parties to work together to find a mutually agreeable solution.

Jennifer Jarvis, Prospect Pointe Homeowner’s Association Board, explained in regards to the property west of Prospect Pointe West, the initial plans from Pulte did not show the development continuing.

Motion by Commissioner Brennan, supported by Commissioner McGill, to find that the revised Prospect Pointe West Site Plan dated July 28, 2020, meets the Major Site Plan Amendment standards set forth in Section 10.12 of the Zoning Ordinance.

Motion Carried.

Roll Call:

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

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Motion Carried.

A. STPC 20-03 Prospect Pointe West – Preliminary Site Plan Revision

Motion by Commissioner Brennan, supported by Commissioner McGill, to approve STPC 20-03, Prospect Pointe West Preliminary Site Plan dated July 28, 2020, with the following conditions:

- a. All interconnected sidewalks are ADA compliant.
- b. Confirm number of replacement trees.
- c. Confirm street lighting, particularly at the internal intersections.
- d. Submit elevations for all four sides of each proposed housing type.
- e. Cross access agreements to provide for connectivity to the west.
- f. Obtain all necessary outside agency approvals.

Motion Carried.

Roll Call:

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

Motion Carried.

12. POLICY DISCUSSION

None.

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13. ADJOURNMENT

Motion by Commissioner Brennan, supported by Commissioner Sanii-Yahyai to adjourn.

Motion Carried.

The meeting was adjourned at 9:15pm.

Respectfully submitted,
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary
Superior Charter Township
3040 N. Prospect Rd.
Ypsilanti, MI 48198 (734) 482-6099