

Bridgewater Township Planning Commission Minutes - Approved

I. 13-Dec-10 meeting called to order 7:00 P.M. by Dave Horney

II. Roll Call

Gary Baetens	Chris Brown	Laurie Fromhart	Jeff Simkiss
Dave Horney	Mark Iwanicki	Tom Wharam	

III. Citizen Participation

- None

IV. Approval of Agenda

- Motion to accept agenda as amended – Laurie Fromhart
- Second to motion – Tom Wharam
- Vote - unanimous

V. Approval of Minutes

- Motion to approve minutes from 8-Nov-10 as amended – Tom Wharam
- Second to motion – Gary Baetens
- Vote – unanimous

VI. Public Hearings

A. Aaron Enzer Limited Business/Home Based Business Special Land Use

1. Presentation

- Laurie Fromhart announced the public hearing notifications, including the publication in the Manchester Enterprise (25-Nov-10), letters of notification (19-Nov-10) and posting of the public hearing at the Bridgewater Township Hall (25-Nov-10). The public hearing notifications record is on file.
- Aaron Enzer of 13001 E. Austin Road gave a brief overview of his software business including clientele, types of services provided, locations of clients
- SLU is for:
 - Limited software business
 - Two employees who write software and support clients
 - Home based business
 - Minimal impact to community
 - Provide employment
 - No changes to site

2. Consultant/PC Comments

- Bill DeGroot described the submitted 12-Apr-10 review for Special Land Use (SLUA); included zoning concerns; proximity of parking area, screening concerns; number of employees; parking area lighting

3. Public Comment

- Opened public hearing at 7:16
- No comment
- Closed at 7:16

4. PC Discussion/Action

- Tom Wharam asked about the lighting

- Mr. Enzer replied that lighting is residential only
- First shift only
- Laurie Fromhart asked about the present screening
 - Have 20' pine trees for screening; also, front of property has trees and scrubs, pines between parking area and neighbors
- Laurie Fromhart asked about the parking lot
 - Size of parking; on submitted site plan
- Chris Brown asked about the business plan including potential for growth
 - Business since 1992; stable size so should not grow
- Laurie Fromhart asked about the legal name
 - ACE-E LLC is legal name
- Motion to approve SLU for a limited business for ACE-E LLC based on the planning commission review of application and finding of fact as outlined in township planners report dated 11-Nov-10 and also previous planner Carlisle/Wortman SLU review report 1-Apr-10– Laurie Fromhart
- Second to motion – Chris Brown
- Roll call vote – Gary Baetens - yes Chris Brown - yes Laurie Fromhart – yes Dave Horney – yes Tom Wharam – yes

B. St. Aidan's Places of Worship Special Land Use

1. Presentation

- Laurie Fromhart announced the public hearing notifications, including the publication in the Manchester Enterprise (25-Nov-10), letters of notification (19-Nov-10) and posting of the public hearing at the Bridgewater Township Hall (25-Nov-10). The public hearing notifications record is on file.
- Susan McGarry, pastor at St. Aidan's church, introduced Alan Vayda, Senior Warden, Sheryl Manning, attorney for the present owner (Elizabeth (Betty) Rees) and Craig Terrell (of Land Architects), landscape architect and planner
- Supplied handouts to audience
- SLU for religious purposes, ecological preservation and education
- Elizabeth Rees wanted to donate 10 acres on Columbia Lake to St. Aidan's Episcopal church because they are the best candidate to carry on her tradition of ecological preservation
- Described Elizabeth Rees 65 years of ownership, described land layout and usage; mostly lowland and marsh; different from neighbors land which is higher
- St. Aidan's is already involved in ecological preservation, note Ann Arbor property
- Church must maintain institutional memory of commitment beyond single ownership
- Elizabeth Rees will be giving a conservation easement to the Legacy Land Conservancy (LLC), which restricts amount of building on the property
- Land will be used for prayer retreats, so it must be preserved
- Alan Vayda; Senior Warden of Vestry; looking for permission to use land for minor activities
- Will improve existing driveway for emergency vehicles
- No permanent structures at this time
- Five car parking at end or along driveway

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- A long driveway at the eastern end of the property
- Will use existing game trails with trimming as well as gathering areas
- Small groups, up to 15 people at a time; expected daytime use only
- No water or electricity;
- Possibility of a porta potty;
- No church will be built; maybe build a shed and a boat house and a pavilion
- Are a small church of about 100 members
- Not opened to other; but may grant permission to other churches
- Chain across entry
- Craig Terrell showed slides of site, the local ecology, the wetland indicator species and wetlands
- Identified 40 different trees and bushes, 14 species of perennials
- Described the driveway and proposed parking area
- Described what improvements will be performed

2. Consultant/PC Comments

- Bill DeGroot described the submitted 15-Nov-10 report; site plan finding of facts
- Dock is not in the site plan or application
- No change of the location of the driveway so road commission permit not indicated
- Porta potty usage; section 14.06 places of worship – non residential and section 12.16 green zone;
- Non-compliance with land conservancy not on deed
- If co-applicants with Legacy Land Conservatory, there will be no buildings on property
- Lighting requirements do not apply since there are no proposed buildings
- Driveway must have inside 40' radius on all curves, not intended for a cul-de-sac
- Parking area- because it is an existing parking area, there is no impact to existing neighboring property owners
- Do not need to look at additional screening
- Future buildings will need SLU and DEQ permission
- Manchester fire chief does not see any problems with driveway
- Dave Horney asked about motorized boats
 - Susan McGarry replied that they will not have motorized boats
 - Probably will ask DNR for permit for dock in future
 - Will not put in a launch
 - St. Aidan's understands that need a permit for any changes

3. Public Comment

- Open at 7:52 PM
- Janice Raab of 11655 Bemis Road; – will this be weekend only or full week;
 - Mostly summer daylight usage, could be weekday use, some fall and spring
- Also concerned about driveway visibility from both directions because of trees and the hill
 - Road Commission said that there were no concerns because of the proximity to the existing driveway by the bridge

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- Ronald Raab of 11655 Bemis Road; – turned in pictures of driveway, blind driveway, speed limit 55, both west & east driveways are blind hills, who owns barn, are areas wetlands, believes the curve is in Freedom Township
 - Driveway is on dry ground
- Karen Reynolds of 11211 Bemis Road, described self and background, concerned about 2 part approval, concerned about blind drive and Bemis curves and hill, member of nature conservatory, concerned about number of people, no body will be regulating, where is it going to go, setting a ~~president~~precedent, no partnership with Legacy Land Conservatory, night stays, acoustical instruments
- Lionel Aris of 11201 Bemis Road– all parking screened by 40’ natural buffer zone, drafted a letter in opposition, turned in a letter stating that he and neighbors oppose the SLU
- Sharon Stein of 11215 Bemis Road– does Mrs. Rees want this, who will monitor property when not there,
 - Sheryl Manning replied make sure land will, Legacy Land Conservatory will monitor usage and easement
 - Betty Rees will have to sign the transfer of property rights, Betty Rees signed SLU
 - Betty Rees sought out St. Aidan’s Church to conserve the land
 - Property will be used for prayer and spiritual development
- Jim Pearson from Ann Arbor– parishioner, St. Aidan’s is not a mega-church, showed picture of existing church, showed certified wildlife habitat certificate
- Sharon Stein commented on the groups of people scaring wildlife
 - Susan McGarry responded that land cannot be developed if not allowed, game trails used to best corral people, don’t need a new church
- Ronald Raab asked if Washtenaw Land Trust (WLT) was asked if they wanted the property
 - WLT would not take because too small
- Julie Moon of 11233 Bemis Road, new to area, do they own into lake? Concerned about site distance of driveway, cannot see driveway, what about added traffic on road, don’t know if people on land are supposed to be there
- Karl Frankena an attorney from Ann Arbor representing an adjacent landowner to south, if someone owns part of the lake bottom, someone else cannot put in dock
- Soil will not take perk
- Washtenaw Land Trust & Legacy Land Conservancy are the same
- Should have a conservation easement before sell the property
- Could be on part of the property
- Can list in the easement what can or cannot be done on the property
- There is no public access
- Would like to see a map with a survey showing what portion is going to be used for road, turn-around, parking, future sites for physical improvements
- Should wait for LLC, if cannot, should approve with conditions
- Asked about key-holing ordinance
 - Bill DeGroot responded that Bridgewater Township does have a keyhole ordinance that was amended

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- Closed at 8:41 PM

4. PC Discussion/Action

- Dave Horney asked Sheryl Manning if this needs to be acted upon this calendar year
 - Sheryl Manning replied that Mrs. Rees would like to have this arrangement completed in her lifetime, in active negotiations with LLC to iron out details, church looking for permission to worship at location, if not, no reason to continue, no reason to negotiate with LLC if cannot transfer land
 - Susan McGarry replied that Betty Rees was going to leave St. Aidan's Church the property in her will, Susan convinced her to go through the process before she died
- A comment was made about a six month approval period
 - Sheryl Manning replied that this is the property transfer agreement
 - The six months just expired, there are three 3 month extensions
 - Betty just signed the first of three extension
 - Sheryl drafted this to encourage the negotiations moving
 - As written, the agreement does expire, Betty will allow as much time as is needed
- Laurie Fromhart commented that we need to look at site distance, driveway permit, wetlands
- Laurie Fromhart asked if there was a specific location for the outdoor worship area (circle of chairs)
 - Susan pointed out likely locations
- Dave Horney had to excuse himself because he got called into work around 9:00 PM so Laurie Fromhart took over chairing the meeting
- Laurie Fromhart asked if there were going to be trails
 - Susan responded that no trails were currently proposed, not sure about the future
- Laurie Fromhart asked how many people at a time would be using the property
 - Susan responded 15 people or less
- Someone asked if the zoning changed
 - Laurie Fromhart responded that it would not be rezoned from agricultural, this is just a special land use
- Laurie Fromhart talked about tabling the hearing
- Bill made suggestions of what can do, have continuance of road commission, what will lake be used for, can ask for wet land study
- Motion to table the discussion pending further information from applicant, regarding LLC, Road Commission (re: driveway visibility), traffic, where porta potty is in regards to wetlands – Chris Brown
- Second to motion – Laurie Fromhart
- Vote – unanimous
- Motion to continue meeting (since it is 9:08) – Laurie Fromhart
- Second to motion – Chris Brown
- Vote – unanimous

C. TIA Corp – Educational Institutions Special Land Use

1. Presentation

- Laurie Fromhart announced the public hearing notifications, including the publication in the Manchester Enterprise (25-Nov-10), letters of notification (19-Nov-10) and posting of the public hearing at the Bridgewater Township Hall (25-Nov-10). The public hearing notifications record is on file.
- Per Wickstrom of TIA Corp. gave a short description of the TIA Corp. operation
- Talked about security at the current facility
- Current facility has ½ million dollar homes next to it
- Do not take hard criminals
- Showed pictures of existing facility
- No parties; games are allowed, want to help people get sober
- Chris Brown asked if lock down facility
 - Per responded that it is not, TIA will take people who want to leave to the airport to fly home
- Laurie Fromhart asked about number of patients
 - 60 – 70 patients works best
- Laurie Fromhart asked about people living at the facility full time
 - Per will live at the house on Allen Road
- Three doctors will be on call from Battle Creek, RN on duty 12 hours per day, not at night
- Medical withdrawal done in Battle Creek, licensed by state, inspected every 3 months, have recipient rights, education facility
- 30-45 day stay, (personal inventory, life skills, 1 on 1 with counselors, religious study)

2. Consultant/PC Comments

- 15-Nov-10 report, summary of history and current buildings
- Section 14.07 (education use), because it does not fall into any other category
- Should be a standalone SLU, not an amendment to the High Scope SLU
- Number of employees is based upon state requirements
- No new structures or entry ways
- Dark sky compliant lighting
- Any improvements need re-approval
- Laurie Fromhart talked about High Scope history
 - ~~There was no~~Laurie provided background on High Scope

3. Public Comment

- Opened at 9:41
- Gordon Rady of 14135 Allen Road, concerned about rehabilitation and craving for substances
 - 44% from Mi, 25% from NJ
 - Record everything 24 hours a day
 - Two security guards at all times, all doors alarmed
 - Per will give Gordon personal cell phone number
 - Short term program with Sundays off
- Tony Rady of 1120 Rady Drive, will clients be outside?

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- Only with counselors, state requires 1 counselor per 12 students
- Battle Creek has 55 workers with 75 patiententsts
- 33 year old median, no hard criminals
- Everyone has already been through detoxification (5 -7 days for heroin, OxyContin, etc.)
- \$18,500 per stay
- 64% success rate,
- Dale Embry of 15140 Sheridan Road, concerned about education zoning and security
 - Night vision cameras, security guards, building alarms, lighting
 - Same security systems as in Battle Creek
 - Three head counts per day
 - Battle Creek facility is in 100% residential area
 - This program is less of a medical concern than Battle Creek, use vitamins, minerals and amino acids
- The comment was made that the last couple of years has seen little use (week-ends and summers only)
- Chris Brown asked if the buildings will be able to handle the number of people and the use
 - The facility has been inspected and it should be capable of handling the load
 - Want to get SLU before perform all inspections needed for state approval
- Jolea Mull of 11430 Clinton Road - how many people on property, never less than 6 people full time on property
 - Per, executive director, deputy executive director, full time caretaker, security guard, male and female counselors in each house
 - At least six full time people
- Closed 10:11
- 4. PC Discussion/Action
 - Laurie Fromhart expressed concerned about educational zoning-use
 - Teachers have masters and are licensed counselors and licensed social workers
 - Laurie Fromhart said that a legal description of property is needed
 - Need a detail description of the security systems that will be installed
 - Bill DeGroot stated that education has a wide description by state law, this facility does not meet other zoning criteria
 - Asked about the families that were talked to
 - Family had right of first refusal but could not afford
 - Not all family members were talked to
 - Bill DeGroot said that the planning commission can issue SLU under the 'other' section of the educational category
 - Can vote for, deny, for with conditions or table
 - The SLU could be repealed if the facility fails state inspections
 - Tony Caprarese of unstated address, is real estate dealer for High Scope properties; inspections for well, all four septic fields passed; described other offers for the property, thinks this is the best offer and fit

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- Motion to table pending, complete legal description, lighting plan, security plan, inspection reports, number of employees – Laurie Fromhart
- Second to motion – Gary Baetens
- Vote – 3 for, 1 against

- Motion to table the rest of the meeting due to the time – Laurie Fromhart
- Second to motion – Gary Baetens
- Vote - unanimous

~~VII. Old Business~~

~~A. WCPARC – W. DeGroot update~~

~~B. Revisit By Laws Conflict of Interest Policy – Opinion from Fred Lucas & MTA~~

~~C. Ordinance update – Review of section 1 (finish)~~

~~VIII. New Business~~

~~A. SLU/Rezoning packets for Zoning Administrator (update from L. Fromhart)~~

~~B. Election of Officers~~

~~C. Set 2011 Meeting Dates~~

~~D. Discuss Annual Report to the Board of Trustees~~

~~IX. Communications~~

~~A. Report on 2 Dec 10 Board of Trustees meeting – Laurie Fromhart~~

~~B. Report on 10 Nov 10 SWWCOG Meeting – Dave Horney~~

~~C. Report on 16 Nov 10 & 11 Dec 10 MCJPC Meeting – Dave Horney~~

~~D. Report from Zoning Administrator – Laurie Fromhart~~

~~X. Informational Items~~

~~XI. Public Comment~~

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XII. Adjournment

- Next meeting: 10-Jan-11 at 7:00 P.M.
- Motion to adjourn – Chris Brown
- Second to motion – Tom Wharam
- Vote – unanimous

Meeting adjourned at 10:56 P.M.

APPROVED