

Bridgewater Township

Planning Commission

Minutes of Regular Meeting – April 11, 2005

1. Call to Order Chair called the meeting to order at 7:30 PM

2. Roll Call

Present: Mike Bisco, Glen Finkbeiner, Dave Faust, Jim Fish, Mark Iwanicki, Amy Riley, and Jim Tice.

Absent: Glenn Burkardt and David Woods

Also present: Wanda Fish, Gary Niethammer, Derek Niethammer, Doug Frey, Wade Peacock, Carlos Acevedo and Gabe Dull.

3. Review Agenda Chair added item for Master Plan Review, a change needed to include PDR, an item requested by the Township Supervisor. Add to #10.

Also add items of correspondence under #15, Other Business. Agenda adopted as amended.

4. Review Minutes The minutes of March 14 were approved as printed.

5. Public Comments

Wade Peacock regarding Bridgewater Clean Up Day May 14 and Recycling Day in Manchester on April 16.

There were no other comments

6. Site Plan Review Bridgewater Farms

Chair stated he had received comments from some members Tice, Bisco and Finkbeiner. Those were forwarded to Derek Niethammer. Revised plat drawing was distributed earlier to members.

Gary Niethammer presented a another layout for Bridgewater Farms. No copies were provided for members.

He stated that he had addressed concerns:

- Deleted the “C” shaped lots which had previously been indicated to address lot size requirements.
- Added a second cul de sac and open space is now at 31%. Based on the comments from the planner received on Friday, a private road is not allowed for a subdivision.
- Now want to have the plan considered as a site condo rather than a subdivision. Do not want land divisions or a plat, rather site condo under section 1222 of the Zoning Ordinance. Request the new concept be approved this evening. We can then go forward for additional approvals and return to the Planning Commission when ready for final approval.
- Added a 20' greenbelt next to Kaiser Road,
- Enlarged the access easement to the open space.
- The detention ponds will generally be dry. Will continue to be in a lower area.

- Runoff will be channeled to Washtenaw County drain. Will go from one pipe into a smaller pipe. Will be water if there is especially heavy rain, but won't remain long. Each lot without easements meets the one acre requirement for cluster approval.
- With regard to 150' frontage requirements on the cul de sac, it should be

measure

at the setback, not at the road right of way. Ordinance is not clear on where the measurement is taken.

Chair: Understand what you are saying, but don't have the answer as to whether or not the measurement is taken at the setback or at the road right of way, will defer to the

Township Planner. Finkbeiner: See page 15 of Zoning Ordinance. Mark Iwanicki: Lot width is not the same as lot frontage, does not depend on which way the house faces. Chair: Comments that it is harder when members don't have the material.

Faust: Seeks to clarify where the width is measured in terms of the building envelope. Finkbeiner comments there will be two front yard setbacks on the corner lot. Chair: In that instance, doesn't matter where the house is, it is still a corner lot. Iwanicki: Difference is that we've not had to deal with smaller lots before this, never been an issue, so there haven't been discussions.

Gary Niethammer: Have to have approval tonight to go forward, get SAC approval and private road approval. Bisco: Refers to Ordinance and questions if in the case of a corner lot, you don't have to have two front width minimums of 150' in this case?

Chair: Agrees two front yards are required. Discussion that the building envelope for that lot will be smaller. Faust: 150' at the road right of way or setback line?

Finkbeiner: Asks if applicant has talked with the Drain Commission regarding the size of easements. G. Niethammer: There are discussions, but nothing is firm.

Chair: Points out that the Township Planner's review was against the subdivision ordinance sections and not against the site condominium sections. Has not been reviewed as a site condo because this is the first time we've heard that you have changed your approach. G. Niethammer: Complains that Rod Arroyo has not returned calls or responded to questions. Chair: They will respond to a specific application and plan, as opposed to a proposal that is floating. Have some difficulty responding to your request for approval this evening when we've not had comments on the changed proposal or had a chance to review it. G. Niethammer: What would change? Chair: Two different sections of the Ordinance, different criteria. We review your application for what you say it is. G. Niethammer: Need to have the concept approved tonight, can then go forward with other reviews and get approvals, come back for final review. Chair: As I tried to indicate in e-mail to Derek Niethammer, the information for us to determine whether or not provisions of the Ordinance are being met are not contained in the information you have presented. We need to have clear documentation. Derek Niethammer: It's there, go look at the property. Chair:

Looking at the property does not provide documentation that establishes that you meet the Ordinance. Need to have clear, written application and site plans. G. Niethammer: You don't need it until we are at final site plan review stage. Chair: You want us to state that we approve this in concept, you're asking for authority to go ahead for approvals that are needed from other bodies but we don't have the specifics for key review criteria. We've asked you to look at the ordinance requirements and demonstrate in writing how your application meets the ordinance. Critical components of open space preservation are not in what you have presented.

G. Niethammer: Refers to Section 1222, saying they are asking for preliminary plan review.

Amy Riley: Asks about what changes have been made in the plan that Members have in their hands. G. Niethammer: Open space areas have been changed and detention areas have been changed. Made some of the changes that Rod Arroyo

said needed to be made.

Chair: His report was based on this being a subdivision. Now, you've changed to a site condominium with a cluster option. The criteria are different. G. Niethammer:

Have to have this preliminary approval to start this process. Need to have it tonight.

Chair: Asks about access through the detention area, access to open space. G.

Niethammer: Will be dry 99% of the time. Discussion of what areas will have access and if access will be available most times. Faust: Wetlands can be part of the open space, not an issue.

Iwanicki: As long as access is available at least some of the time. Chair: Iterates where on the site plan the open space is located, asks total.

Gary Niethammer: There is 31%, to meet the requirement.

Finkbeiner: Asks if the easement indicated on lot 12 is part of the open space. G.

Niethammer: No.

Faust: Are you including the berm area along Kaiser Road as part of the open space? G. Niethammer: Do you want a bermed area or not? Chair: Was addressed

in the planner report, screening is required. Derek Niethammer: Not looking to berm.

Glen Finkbeiner: Don't know if a site condo with cluster requires 20' screening.

Chair: Asks for clarification on the drain easement and whether it is part of the road right of way. Discussion of where the sewer line is located. Faust said he isn't fully

clear on the location. G. Niethammer: Could screen with trees, whatever the body

wants. Chair: Looking for some kind of natural screening. Derek Niethammer:

Berms look fake. Chair:

Then you plan to keep the elevations essentially where they are? G. Niethammer:

May have to do some berming to direct water away from some of the houses.

Faust: How do you determine what is a natural feature that you want to preserve?

Not a lot of distinction. Chair: That's one of the things we need the applicant to

define. Need a clear statement. Derek Niethammer: This is too vague. Chair: For

example, point out the retention area is also habitat. G. Niethammer: All this can be

covered later. Have to have this concept approved now so we can move forward

with the County review process. Chair: Need to have clear documentation of the

Township's decision process for a full record. Protects the Township and the

applicant alike. G. Niethammer: Not necessary tonight, this is a conceptual approval.

Chair: At the last meeting, we did not give you approval but did ask you to come back

with solutions to some of the concerns, we indicated general agreement with the

concept. Doug Frey: We addressed a lot of the concerns, gave up two choice lots to

accommodate, added in some costs for more roadway.

Faust: Refers to page 77 of the Ordinance, regarding the preliminary plan review

process. Plan has to go Washtenaw County Subdivision Advisory Committee. Seems

to cover where we are, can go to the Subdivision Advisory Committee. Refers to

page 55, seems we also have enough to give conceptual approval at this point. You

are preserving some natural features, such as a water course. Asks if the area in the

southwest corner is naturally wet, where you plan a retention area, that will be

preserved, a wetlands/flood plains area, also the only unique topography. Asks if the

Planning Commission can't give a preliminary concept approval with the condition

that the applicant will return with a plan that reflects what has been discussed, with

the narrative that clearly reflects how the project meets the requirements?

Chair: Asks about the retention area in the back of the property, if the Drain

Commission has looked at it. G. Niethammer: Need a concept approval from this

entity before I can work out all the details with the drain commissioner's office. Glen

Finkbeiner: Asks for some further clarification on the retention area, easements, and

open space, referring to Planner's comments. Chair: Comments were directed to requirements for subdivision, may not apply to a site condominium, don't know. Asks G. Niethammer to clarify what changes have been made on the site plan from which they are now working. The planner had a version that appears now to be two versions earlier and members don't have the plan you're asking them to approve. What are the changes from the version that members have and the version you are just now presenting? G. Niethammer: The greenbelt area isn't on your copies, the easement to the open area has been widened to 15. Bisco: Asks if under section 1222, preliminary plan process and 1101, what are the steps? Chair: The process requirements for approval for a single family cluster and for a site condominium development seem to differ. Those for a site condo are substantially more detailed. Maybe we can approve a conceptual site plan, meeting the intent of the preliminary plan content identified in 1222 A 1 b.

Douglas Frey: Asks if it isn't possible for Gary Niethammer to sort out some of the issues through direct contact with the Township Planner. For example, could have told the planner that we were looking to possibly change to a site condo approach. Chair: Need to understand the consultant works for the Township and we covered this at the last meeting, agreeing there could be direct communications, but need to do it only in a way that provides full documentation. Prefer that communications be funneled through the Planning Commission. Wanda Fish: Ultimately have to be sure the record is fully complete. When you get into the area of verbal, undocumented discussions, you then can wind up with people insisting they said this and another saying, no I said that. The record isn't clear and complete and no one is served well. Gary Niethammer: Then instruct Arroyo to respond at least to E mails. I asked him if he had a copy of this plan and didn't hear. Chair: Then send the communication to me and I can generally respond or work with the planning firm, need to plan for the time it takes to get the material to us and for us to get it out for review.

Motion: Faust, support by Iwanicki: Accept the site plan presented by the applicant at the meeting as a conceptual site plan under Section 1101 and as a preliminary plan concept under Section 1222 A 1 b, with the condition that the balance of the review process will follow. Motion adopted unanimously.

Iwanicki: Will need to have a lot more specific information from you to go forward.

Chair: You will need to get an application for a site condominium/single family cluster development and copies of the site plan. Concern about having the plans clearly identified so we can all work on the same page, from the same plan. Have had a lot of problems with too many plans not being well marked. The members should not have to spend a lot of time just trying to figure out what the latest version is. Need to have it clear.

G. Niethammer agreed to send 12 11" x 17" copies of the most recent plans to Chair for distribution to members, consultants. Plans will show changes to lot 6, potential berm, the 15' easement and 20' greenbelt. Members also asked that open space areas be more clearly labeled.

7. Joann Trail/Bridgewater Condos

Chair stated it was necessary to amend the R-3 text and Section 1222 to facilitate a private road. G. Niethammer: Asked if condominiums were included in R-3 and Chair replied that the consultant had indicated they would be permissible even if not specifically outlined in the R-3 district. Discussion of what the R-3 cluster includes, G. Niethammer urged to look at the R-3 Ordinance, pull it from the internet. Chair said he hoped the necessary amendment would move quickly.

Unanimous agreement consideration will be laid over to a future meeting.

8. Wireless Plan Amendment

Motion: Riley, second by Faust: Move to accept the amendment for a public hearing on May 9, 2005. Motion passed unanimously.

9. Private Road Amendments

A - B. Chair stated that it was necessary to amend both the R-3 text, Section 1237 and the Private Road Ordinance (which is separate from the Zoning Ordinance) to correct an oversight. Carries out the intent of the overall Master Plan and Ordinance, which is to permit private roads only in areas of cluster development. Provides further incentives for cluster development.

Motion: Finkbeiner, second by Iwanicki: Move the amendments forward for public hearing on May 9, 2005. Motion passed unanimously.

C. Private Road Ordinance.

Chair: The Private Road Ordinance is a general law ordinance, meaning the Board has the sole authority to amend it. The Commission needs to make a recommendation to the Board, however.

Motion: Glen Finkbeiner, second by Mike Bisco: Layover to the next meeting. Motion passed unanimously.

10. Master Plan Review

A. Existing Conditions review

Amy Riley provided information regarding what she had found regarding how much land was in active farming in Bridgewater Township. Said she had talked with the County Planning Office about aerial photography that might be available in December.

Chair: Glen Finkbeiner provided information that was included in the meeting material, an update on building permits, population projections.

When we were working on the last Master Plan, the existing land use map was ground tested by the consultant, driving around and observing and noting the use of the land. Perhaps the members could update the use, see where there are major changes. Discussion of how it might be done. It was agreed that Amy Riley will call Ron Mann to see if the equalizer tax program could be used to derive part of the data. Wanda Fish will check the U.S. Census site to see if anything further can be developed.

Discussion of how a drive around update could be accomplished by the Members. Tice, it would be easier if you were simply updating rather than creating.

Chair: Under new state statutes, the Master Plan needs to reference agricultural preservation in the Master Plan. Supervisor has called this to our attention. Will need to get some kind of estimate on the costs from the consultant. If we do not update our Master Plan to include the Purchase of Development Rights program, any farmer in the Township who applies will be turned down. Riley: Asked when it had to be accomplished. Chair: By the end of the year, I believe. Finkbeiner asked if the PDR had been included in the County's Master Plan. Would then need to bring the estimate to the Board, hesitate to add any expenses without explicit discussion with the Board.

11. Zoning Administrator Report - written report was received and distributed.

12. Member Reports

13. SWWCOG Report

Chair reported that police services will be the primary topic for the next meeting.

14. Zoning Board of Appeals - None

15. Other Business

Chair said he had been asked by a resident about address assignments by GTE on pedestals.

Clarify that the Zoning Administrator assigns addresses for new properties.

16. Public Comments

17. Motion to adjourn: Faust, second by Riley. Meeting was adjourned at 10:10 PM.