

Bridgewater Township
Planning Commission
Minutes of Regular Meeting - May 9, 2005

Location: Bridgewater Township Hall, 10990 Clinton Road, Clinton, Michigan

- 1. Call to Order** Chair Fish called the meeting to order at 7:30 P.M.
- 2. Roll Call** Present: Mike Bisco, Glenn Burkhardt, Dave Faust, Jim Fish, Mark Iwanicki, Amy Riley, and Dave Woods
Absent: Glen Finkbeiner and Jim Tice
Also present: Jonathan Ringel, Zoning Administrator
Wanda Fish, Administrative Assistant
Bruce and Lisette Krueger, Gary Niethammer, Ron Finkbeiner, Joann Finkbeiner, Doug Frey, Derek Niethammer and Carlos Acedvedo
- 3. Review Agenda** Agenda approved as prepared.
- 4. Review Minutes** Minutes of April 11, 2004 were approved as prepared.
- 5. Public Comments** None
- 6. Public Hearings** Chair stated the public hearings for R-3 amendments and Wireless amendments could not be held because the notification-required timetable could not be met.

Motion: Glenn Burkhardt, second by Amy Riley, to reschedule the hearings until June 13, 2005. Motion passed unanimously.

7. Private Road Ordinance

Chair stated the Planning Commission will make specific recommendations to the Board to amend the Private Road Ordinance, but also noticed there needed to be an addition, to provide for gravel roads in a cluster development. Need to clarify the issue. Faust: When it was discussed when it was passed, the consideration was the logic of gravel to gravel. Need to have more clarification, possibly during the public hearing.

Motion: Dave Woods, second by Dave Faust: Lay this over to the June 13, 2005, meeting. Motion passed unanimously.

8. Site Plan Review - Site Condominium - Bridgewater Farms

Chair stated that additional materials were distributed. Updated copies of the site plan, the notice of intent required under Section 71 of the Condominium Act, that communicated to Washtenaw County Planning information that we are aware of the Bridgewater Farms project proposed. This permits it to go forward for review by the Subdivision Advisory Committee, scheduled May 12. Received additional review comments from planner under the site condominium preliminary site plan review provisions, and those have been forwarded to the applicants and their consultant. Asked for confirmation that the Planning Commission will get updates from the applicant regarding the County Subdivision Advisory Committee and any others.

G. Niethammer: Agreed. The intent is to request formal approval on June 13. He provided two sets of the final road plans. Chair: We can indicate they have been received, but you will have to file an application under the private road ordinance. G. Niethammer: Requested the forms a week ago from the clerk, but have not received them. Chair: I will give you the application forms I have, but I am not sure if they are the correct ones - they may be old. You

should get them from the Clerk and submit them to the Clerk. I also requested the forms from the Clerk, but have not received them either. There's a check list. G. Niethammer: The Planner's comments are the same thing that we talked about at the April meeting. Chair: Are these the same plans that you presented to us last month? G. Niethammer: There have been updates. We've indicated a name on the cul de sac. We have discussed how to get 150' of frontage on Lot #6. We resolved that at the last meeting. Chair: Planner indicated the frontage was at the setback initially, indicated so again and so we will flag this for resolution. This remains an unresolved question, effectively. G. Niethammer: Insists must be resolved. Goes on to discuss bio-detention ponds.

Doug Frey: Question regarding the sewer hook up fee, want to attach payment to each property ID number and the fee would be spread out over time. Asks cooperation from Planning Commission to discuss with the Board. Chair: Urges applicants to put this in writing to the Board.

Derek Niethammer: States they want to put a sale sign of large size on the property, but don't see anything in the Ordinance that permits the size they would like. Closest thing he has found is Section 1303 dealing with temporary signs. Similar to what has appeared on other developments. Jonathan Ringel: Would need to see a specific proposal so we could try to see how the Ordinance applies. Glenn Burkhardt: Assume you are looking for something similar to what was put up when Gerry Marion split his property? Assume he had approval for a sign. Chair: As long as a sign is within the bounds of the Ordinance, it is an issue for the Zoning Administrator. If the applicant wants to do something that is not permitted, can request a variance from the ZBA.

G. Niethammer: Asks for clarification on sizes of site plans to be submitted. Chair: Requests that as site plans are changed, the plans be clearly identified and dated so that people know what they are looking at. We spend too much time trying to figure out which is which otherwise.

Glenn Burkhardt: Raises questions regarding some of the planners comments that should be addressed, such as sidewalks, detention and so on. Dave Woods asks if the Drain Commission has had input. Chair: Believe the Drain Commission and Road Commission will be involved through the Subdivision Advisory Committee. Question regarding Township Engineer input. Chair: Believe the Township Board may be changing the engineer at this point. When we have a new Township engineer, will forward the material for review. Woods: Without County approval on several items, don't know how we can approve the project. G. Niethammer: Several areas will not need County involvement, such as sidewalks, open space, lot six.

Detention/Retention Discussion

Discussion of whether or not the detention area be included in the open space requirement.

Discussion of planner's suggestion for small bio retention areas. Question regarding the appearance of the detention areas after the project is finished. G. Niethammer: May be changes after the SAC meeting and discussions with the Drain Commission. Might lose some of the trees. Chair: Over time, will there be changes in the character of the detention area, will they lose their capacity to provide natural detention due to construction. G.

Niethammer: Will have to revegetate following construction. Chair: Concern is how the detention areas will function over time. Will they need to be maintained in some way so they don't become blocked and cause flooding, for example. Glenn Burkhardt: Notes the applicant will need to include maintenance responsibility, part of the agreement.

Chair: Should the detention areas be included as part of the open space? Burkhardt: Believes the Zoning Ordinance is silent on that specific question as it relates to detention ponds.

Purpose of the open space provision is to retain natural features, so if we say that a natural

low area that acts as a detention area for a development is included in the open space area calculation, then will need to do so for every project that makes a similar request. Setting a precedent for future. Bisco: If the detention area is natural flood plain, it should be included. Burkhardt: Notes the area along Kaiser Road is not naturally occurring, but will serve as a path for storm water and buffer the area. Chair: We can consider the areas as part of a way to preserve the natural flow of water in the area. Bisco: Want to be sure the area retains the function. Taken as a whole, with the retention area which is a natural wetland, can be considered as a whole natural system with some additional water to the detention area when there is rain. Discussion as to whether or not the capacity will be adequate and whether there is a possibility the drain may back up and cause flooding. Gary Niethammer: Are discussing a check valve with the Drain Commission. Glenn Burkhardt: Notes that unless there is a lower area, such as a manhole, there is a potential for backup.

Motion: Glenn Burkhardt, second by Mike Bisco: Allow the detention and retention areas designated in the site plan to be considered as part of the open space because they do preserve existing natural features of the land. Motion passed unanimously.

Pathway Discussion

Discussion of whether the pathway access to the open space areas should be concrete sidewalks or a woodchip pathway. Bisco noted a woodchip path, if maintained, will be more natural and more in keeping with a rural area. Would need to be included in a maintenance agreement. Discussion of how a maintenance agreement is achieved, probably as part of the master deed.

Motion: Glenn Burkhardt, second by Dave Faust, accept the 15' wide woodchip path. Motion adopted unanimously.

Sidewalk Discussion

Discussion of planner's comment that the Planning Commission may require sidewalks. Bisco: Doesn't seem appropriate. Burkhardt: Sidewalks along Kaiser Road would not make much sense, will not be a high traffic area. Faust: States sidewalks are not required in this kind of development in the agricultural zoning district. Iwanicki: The intention of requiring sidewalks in the Hamlet was to eventually connect them, and this subdivision is outside of that.

Motion: Glenn Burkhardt, second by Bisco: Move to determine that concrete sidewalks are not necessary, giving the zoning. Motion adopted unanimously.

Glenn Burkhardt: Landscape plan will need to be submitted when the final plans come forward. Agreement there should be additional narrative description of natural area and features that should particularly. Applicants said they planned to have a naturalist do a site specific survey report which would be provided.

Planner point 3.5 regarding access to open space - Planning Commission should make a determination that access to the open space areas meet the intention of the Ordinance.

Motion: Burkhardt, second by Bisco: The access to the open space as proposed meets the intent of the Zoning Ordinance. Motion adopted unanimously.

Iwanicki - raises a discussion of whether there is a need to make any determination as to whether roads might be extended in the future. G. Niethammer stated that wetland is regulated. Chair: Indicates that development is unlikely to the south, due to location of treatment plant and there is no effective way to develop the area immediately to the west.

Motion: Burkhardt, second by Faust: The Planning Commission has consider the possible extension of principle streets into adjacent properties and does not believe it is appropriate, given the underlying zoning of the adjacent properties. Motion passed unanimously.

Agreement to take the question to the planner regarding lot width measurement, whether it's at the setback or at the front property line. Faust: Observes it should be at the setback.

9. Joann Trail - Bridgewater Condominiums

Chair stated that materials were distributed. Changes to the Private Road Ordinance are pending. G. Niethammer: Asks about the schedule for amendments to the private road ordinance. Chair: Attorney is reviewing. Public hearing is scheduled for June 13. Township Board will meet on June 15. Assuming the attorney accepts and the Planning Commission acts on it, then it's possible the Board might act, but it's tight. Note that Board will not need to have a hearing on amending the Private Road Ordinance. G. Niethammer: Will submit the road plans within five days, fifteen sets. But cannot formalize the application due to timetable for the SAC. Should be ready for consideration in July.

Asks about whether or not one unit will be possible without approval of the whole plan.

Chair: Don't have an answer. If the unit meets the zoning ordinance as a single unit, shouldn't be an obstacle, but you may be taking a risk in terms of the whole development being approved. Apply to the Zoning Administrator and if he sees a problem, we can go from there. G. Niethammer: If he's willing to take the risk, use the entire property for a personal residence.

Chair: Refers to March 14, 2005 report from Planner, commenting on the plans. Several issues: Identify existing vegetation on the site, indicate density calculations to demonstrate the buildable area per unit. As proposed, you will need to demonstrate compliance with a residential cluster under the R-3 ordinance, show detail. Burkhardt:

If you take the buildable land area, subtract the road right of way, setbacks and the pond, then divide by the total number of units, you exceed the requirement. G. Niethammer: Way more, under that formula, could put up 68 units, but we are proposing 30. Constraint is the sewer.

G. Niethammer: Is the commercial zoning on the one area in place? Chair: Yes.

Sidewalks: Bisco says his understanding is that the Planning Commission can waive the sidewalk requirement if it finds they are not practical. Chair: There has been no request for a waiver, so we regard them as required. G. Niethammer: Then we request a waiver.

Burkhardt: Urges a determination by the Planning Commission regarding sidewalks. Chair: Sidewalks were discussed a great deal and the R-3 Ordinance states they are generally required when two or more units were involved unless waived under a bond for later installation. Waiver would be allowed when sidewalks are deemed not practical. Ron Finkbeiner: States the Hamlet does not want sidewalks. Chair: That's why we included a

way to not construct them immediately unless it was not practical. The long term discussion was that ultimately sidewalks will be included in the Hamlet and that any new development will include them when it is built. Iwanicki: The intention was only to avoid constructing sidewalks that were intermittent. Ron Finkbeiner: The whole idea was to keep the Hamlet

looking the same, sidewalks will change it. Chair: Adding 30 units is a change. Discussion of what was said at the meetings for R-3. Chair comments that the R-3 was held up for a considerable period of time. Burkhardt: Suggests the applicants look more closely at the Ordinance and determine what they want to do, will need to be in the concept plan or at minimum addressed. Iwanicki: Can see that sidewalk construction on Austin might be a

problem, but not on a new internal road serving a development. Issue of child safety. Ron Finkbeiner: Units restricted to 55 and older. Joann Finkbeiner: Older people will want to walk and there will be grandchildren. Iwanicki: Older residents will want to walk to visit neighbors. Joann Finkbeiner: Need to have sidewalks along the internal road. Further discussion they might be desirable along Austin to the intersection with Boettner.

Chair: Need to look at Section 1103.

Burkhardt: Will need to understand the grinder pump units to serve 4 REUs will not be the same as other units. It's a cautionary area.

G. Niethammer: Requests approval in concept, would like to have for the SAC. Chair: You don't need an approval tonight for the SAC, we will write the Committee telling them we are aware of the proposal, all that is required at this point.

Motion: Burkhardt, second by Iwanicki: Layover to the June meeting. Motion passed unanimously.

Burkhardt: Points out that he has not been at last two meetings, but believes there appears to be a level of unofficial agreement with the project as it is developing? Chair: Indicates he agrees, has not seen definitive opposition, but is not speaking for the Planning Commission.

10. Master Plan Update

Amy Riley reported she had gone to the map store and will be able to obtain an aerial photo map that will show the parcels so we can see what has changed since 2000. Might be able to see some of the changes in land use. Chair: Will see if we can obtain a larger version of the existing land use map from the plan adopted in 2001. Carlos Acevedo suggested using material from equalization. Chair said he had received some information from Ron Mann arraying some data from the county's tax program. Might give us a little more information. Glenn Burkhardt noted that some of the population growth projections used in the 2001 Master Plan did not appear to be holding up against actual growth as measured in data such as housing starts. There is more growth than was projected.

Chair stated that he had not heard more about PDR. There is a meeting Thursday at Scio on updating master plans to conform to the new state requirements to participate in the PDR program. Glenn Burkhardt said he would try to attend. Must include this in the master plan for residents to participate.

11. Zoning Administrator Report

Written copy provided.

12. Member Reports

None

13. SWWCOG

Chair said primary issue will be the Sheriff's patrols.

14. Zoning Board of Appeals

No report

15. Other Business

None

16. Public Comments

None

Motion to adjourn: Faust, second by Riley. Meeting was unanimously adjourned at 9:25.