

Green Oak Charter Township
Planning Commission
Regular Meeting Minutes
June 2, 2016

Approved: _____

The meeting was called to order by Mr. Smigliani at 7:00 p.m.

Roll Call: Russell Brooks
Rollin Green
Bill Haskell
Sarah Pearsall
Deborah Sellis
Lamberto Smigliani
Dean Williams

Absent: Rolling Green

Also Present: Debra McKenzie, Zoning Administrator
John Enos, Carlisle Wortman

Guests: 7

APPROVAL OF AGENDA

**Motion by Haskell, second by Pearsall
To approve the agenda as presented.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

Approval of the May 19, 2016 Regular Meeting Minutes

The applicant provided notes of clarification for the minutes and the Planning Commission felt that the changes were fine to incorporate into the minutes.

**Motion by Pearsall, second by Brooks
To approve the minutes of May 19, 2016 as revised.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

CALL TO THE PUBLIC – None

50 **BUSINESS ITEMS**

51
52 **A. Resolution of finding for approval of Special Approval Use SAU 02-2016,**
53 **Parcel #4716-32-300-001, 11648 N. Main Street, Whitmore Lake, MI 48189**
54

55 Mr. Enos explained at the last meeting there were issues regarding hours of operations,
56 how many people can be in the classrooms and outdoor activities. The Planning
57 Commission worked with the applicant to come to some conditions. There was overall
58 support of the special use. There are 5 conditions as part of the resolution. As a special
59 use it will run with the property so they need to make sure the conditions will prevent any
60 kind of problem with the neighborhood and prevent any future issues. .
61

62 The resolution conditions include the following:
63

- 64 1. No outdoor events are permitted at the site with the exception that a small scale
65 gathering of members for an activity like a cook out may be acceptable from time
66 to time.
- 67 2. No more than 45 attendees are permitted at the site at one time.
- 68 3. Hours of operation are limited to 7:00 a.m.-10:00 p.m. Monday through Friday,
69 8:00 a.m. – 10:00 p.m. on Saturday, and 8:00 a.m. -7:00 p.m. on Sunday.
- 70 4. If parking is determined to be an issue by the zoning Administrator, the applicant
71 shall install the deferred parking as depicted on the site plan; and
- 72 5. No more than two classes may be held a day and such classes cannot overlap in
73 time.
74

75 Mr. Enos recommended approval based on the conditions of the special use.
76

77 Mr. Leland stated generally their classes run from 7:00 p.m.-9:00 p.m. for a period of 8
78 weeks or 16 weeks. They agree with all recommended regulations except for number
79 one where it says no outdoor events. He would expect that during classes or regular
80 working hours people can walk around on the grounds. The reason they bought a 5 acre
81 parcel was for people to be able to walk around, they would not be loud. There would be
82 no loud concerts. In general operation they would not have more than 45 people on the
83 property but occasionally would have an open house where there could be more people
84 and he understood that was ok with the Planning Commission. He is concerned with the
85 wording that it says 45 people and no outdoor events.
86

87 Mr. Smigliani explained the intent of the 5 points is to limit the potential future use as well
88 the intent is to provide language that limits the type of activity, and stop someone from
89 putting 150 people there on a Saturday which would not be conducive to the
90 neighborhood or the parking issues. If something is advertised as an open house, once
91 a year, it could be deemed acceptable but some of this language is to deter that future
92 use. This type of situation will live on over the life of the property. Mr. Enos stated that
93 is correct and they are seeing in many communities outdoor wedding barns so they are
94 aiming high to enforce potential nuisances. Mr. Enos stated he is comfortable with it since
95 it is used to protect the neighbors and Township and yet allows flexibility for the applicant
96 to have outdoor activities from time to time, it is not meant to hamper.
97

98 Ms. Sellis stated that the event referenced the open house or retreat and the 45 people

99 limit was contemplated with respect to the courses that they have weekly. If at some
100 point down the road grow and there are 50 people there regularly and 50 people are
101 running laps around the building then that may be an issue, what the applicant is
102 requesting does not even come close to that. Ms. Sellis suggested defining “event”.
103

104 Mr. Smigliani suggested adding language along the lines of no more than 45 class
105 attendees are permitted at the site or facilities (point 2). No special events outside of
106 classes or courses except for an occasional small gatherings such as open houses.
107

108 Mr. Enos explained that the added language could be approved administratively.
109

110 **Motion by Haskell, second by Pearsall**
111 **To approve Resolution for Special Use SAU 02-2016 Tree of Life Ministries**
112 **with the exceptions of items 1 and 2 to be redefined.**
113

114 **Roll Call Vote: Ayes: Unanimous**
115 **Nays: None**
116

117 **MOTION APPROVED**

118 **REPORTS**

119 **Township Board Representative** – None
120

121 **ZBA Representative**- None
122

123 **Planning Consultant** – None
124

125 **Correspondence** – Ms. McKenzie reported that there was a meeting with the Road
126 Commission regarding The Legacy and it was found that they are going to need sewer
127 easements which will be another hurdle to meet the requirements of the PUD.

128 **Chairman** – Chairman/Vice Chairman report on MDEQ Public Hearing that was held on
129 May 23, 2016.

130 Mr. Haskell gave a brief explanation regarding the public hearing. The developer was
131 present as well. The overall concern was the septic fields being saturated with run off
132 and the wetland conditions. There are a number of things that have changed over the last
133 11 years such as the site has been logged and the remnants of those trees are scattered
134 all over. The original study was done in 2005/06 and needs to be updated. The Huron
135 Watershed Authority had a concern regarding the wetland impact.
136

137 **CALL TO THE PUBLIC**

138 **John Malek** – Regarding Willow Woods Mr. Malek explained he has been watching this
139 evolve and preliminary plans say a lot of things that don't say things in the final. Including
140 a document for an easement for the neighbor on the west, the developer is clearly
141 explaining that he will get x number of square feet of land in exchange for the easement.
142 When all the clear cutting is done, they are left with the impression that there won't be
143 anything left standing, but in the original plan it talks about all of the beautiful landscape
144 aspects, the trees that have been logged over were just left standing. The bigger issue
145 is the water, a different set of plans has storm water plans that the developer wants in
146 place from under the road in the north, all converging into a small swale on the northwest
147

148 corner, saturating his septic field and will move downhill into a detention pond into a FIN.
149 Not one word was spoken about water that is going into the ground. 20-25% of that water
150 will saturate into the ground. They live off the this water, it has a unique characteristic it's
151 green grasses, a very clean environment and grows to be about 2-3 football fields that
152 slowly sinks in and feeds the aquifer. He did not think the Huron Watershed would object
153 to something if it wasn't needed. They all have wells and septics in their yards and they
154 are all very concerned.

155
156 Mr. Malek continued from the documents that were set forth in 2006, the changes that
157 have taken place and where they are now causes him great concern since a lot of detail
158 has been left off. Because it is not a county drain, Livingston County Drain Commission
159 has no jurisdiction and there is a different set of information going to different agencies.
160 The Methodology that is being used to review and approve, a very convoluted process
161 and it is intended to not be a full disclosure. He has asked for transparency and to not
162 have his rights stomped on by a developer. SEMCOG has stated in their watershed
163 section due to the storms and weather changes they are requesting all future storm water
164 be judged with a 10-20% increase. He has provided a lot of information to raise the
165 consciences of what goes on back there and what has been done in a PUD plan. He
166 thinks it matters to the taxpayers and the neighbors.

167
168 **Joseph Falcone**, property borders on the east. He has heard that there have been a lot
169 of changes from the preliminary plan. He is concerned that this will be a private sewer
170 plant and not township owned, the storm water will be such a high volume that it escapes
171 the site which indicates the density is too high. Originally the site was full of woodlands,
172 and now he heard it is logged out. The plan that exists today was not the same plan that
173 was put forth 10 years ago. A PUD is supposed to have open space and beautiful areas,
174 and now cram in all these lots and avoid the zoning. He urged that they compel the
175 developers to resubmit the whole thing so the public can comment on it.

176
177 **Carl Baker**, lives son Spicer Road. He is disappointed in the Township that he was not
178 given a written notice regarding a project of this magnitude. An approval has to go
179 through 5-7 boards and they don't work together and the terminology is different for each
180 one. We need some current data. He is also concerned with the wetlands, used to be
181 that the DNR didn't let you within 100 yards of a wetland. He is concerned with storm
182 water ending up in his well. In 20 years down the road his well be ruined. Serious info
183 needs to be looked at.

184
185 **Resident** – He commented that he moved here 3 years ago and they will back up to the
186 development They are approx. 200-250 from the north wetland area. They are in a low
187 spot on the property and have major concerns about the amount of water that will be
188 redirected as well as the saturation and worry about their well and septic. They are
189 worried about the impact and the clearing and the impact on their property. When they
190 moved in they had not heard anything about this until they got a letter on their door the
191 Sunday before the meeting that took place on Monday. Trying to be made more aware
192 so they can be more involved and informed and voice their concerns. They would
193 appreciate help with communication.

194
195 **Janay D.** – She stated she is not directly connected to the property, but they have been
196 diligent about testing the water on their site. They test their water yearly. The quality

197 issue was not about the actual contaminants in the water, the MDEQ had explained at
198 the meeting that they do not measure for that but the system would pull the solids out but
199 they would not do testing of the run off of oils. She felt that was a concern. She
200 questioned if the Township would be looking at that or if they have access to that
201 information. The development on the other side her property will be tying into the sanitary
202 sewer and that is a concern for her.

203
204 Mr. Smigliani briefly explained the procedures and process for GreenOak Township and
205 explained that MDEQ and other entities have their own standards. Those items can be
206 considered by the Township but cannot be overridden. There are only certain things the
207 Township can control.

208
209 Mr. Enos agreed, there are a number of issues with this project. There are new rules and
210 requirements and the site plan PUD need to meet those new rules. The residents will be
211 notified when it goes before them.

212
213 Ms. McKenzie gave a brief explanation as to the notification process, that all residents
214 will be notified within 300' of the property.

215
216 Mr. Malek questioned if the Township has the ability to communicate between the other
217 entities in the county so everyone is aware of what everyone is seeing. He requested
218 that a new environmental study be commissioned where the Township picks who does it
219 with true relevant information that meets today's standards and not from 11 years ago.

220
221 **ADJOURNMENT**

222
223 Mr. Smigliani adjourned the Regular Planning Commission meeting at 8:09 p.m. due to
224 no further business.

225
226
227 Respectfully Submitted,

228
229 *Kellie Angelosanto*

230
231 Kellie Angelosanto
232 Recording Secretary