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2 Green Oak Charter Township
3 Planning Commission
4 Regular Meeting Minutes
5 February 16, 2017

6 Approved: _____

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

8
9 Roll Call: Keith Lee
10 Sarah Pearsall
11 Michael Sedlak
12 Deborah Sellis
13 Lamberto Smigliani
14 Tim Keyser
15 Michelle Stock, observing only
16

17 Absent: None

18
19 Also Present: Debra McKenzie, Zoning Administrator
20 Paul Montagno, Carlisle Wortman
21

22 Guests: 7
23
24

25 **APPROVAL OF AGENDA**

26
27 **Motion by Pearsall, second by Lee**
28 **To approve the agenda as presented.**

29
30 **Voice Vote: Ayes: Unanimous**
31 **Nays: None**
32

33 **MOTION APPROVED**

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35 **Approval of the January 19, 2017 Regular Meeting Minutes**

36
37 **Motion by Pearsall, second by Lee**
38 **To approve the minutes of January 19, 2017 as presented.**

39
40 **Voice Vote: Ayes: Unanimous**
41 **Nays: None**
42

43 **MOTION APPROVED**

44
45 **CALL TO THE PUBLIC** - None
46

47 **BUSINESS ITEMS**

48
49 **1. Public Hearing Shoppes at Green Oak R 01-17 PUD, Retail 1B, requesting an**

50 **amendment to the Planned Unit Development Agreement for the Shoppes at**
51 **Green Oak also known as the Gateway to the Shoppes at Green Oak. This**
52 **amendment would address the permitted uses allowed on Retail 1B only**
53

54 Mr. Montagno referenced the Carlisle Wortman memo dated February 10, 2017. At this
55 time he recommended that the Planning Commission carefully review the proposed
56 additional uses for the site to determine if they are appropriate. Through this evaluation
57 the Planning Commission could work with the applicant to update the proposed list of
58 uses. At such time as the Planning Commission has determined the appropriate list of
59 uses to which the applicant has agreed, the Planning Commission should then make a
60 positive recommendation to the Township Board to approve the amendment to the PUD
61 agreement based on that list.

62
63 The applicant explained they purchased the property at the end of 2016. It is a vacant
64 space and they were looking to put a Jazzercise studio in the space. They found out
65 that use wasn't allowed per the PUD. There would be no major changes to traffic and no
66 outdoor storage allowed. It's not a large change, they would be making what they were
67 given a little more workable.

68
69 Clerk Sedlak explained this client is the one that was next to the Kroger located in
70 Brighton. The traffic would not be a big difference. He didn't have a problem with this
71 request.

72
73 Ms. Sellis confirmed there was no child care at Jazzercise.

74
75 Mr. Lee stated they are defining one use, is there some other way to describe it so there
76 is some control over what type of spa would go in there, other than using the term
77 Massage Envy. Mr. Montagno stated they can add some language to that to help
78 define it.

79
80 Mr. Keyser felt the use fit perfectly.

81
82 Mr. Smigliani opened the public hearing at 7:13 p.m. and closed it due to no one
83 wishing to comment.

84
85 Mr. Montagno suggested Therapeutic Massage as the language to use.

86
87 **Motion by Pearsall, second by Sedlak**
88 **To suspend normal rules in order to make a motion.**

89
90 **Voice Vote: Ayes: Unanimous**
91 **Nays: None**

92
93 **MOTION APPROVED**

94
95 **Motion by Sedlak, second by Lee**
96 **To recommend approval R01-17 Shoppes at Green Oak PUD Amendment for**
97 **the proposed Shoppes at Green Oak Amendments to the Township Board**
98 **based on the attached list of uses agreed upon at this meeting. Those uses**

99 permitted in the Shoppes at Green Oak development shall be limited to Retail
100 uses, banks (with or without drive-through facilities), office uses, sit down
101 and carry out restaurants, and up to one (1) drive through fast food
102 restaurant. The parcel known as 1B as described in the Planned Unit
103 Development shall include the allowed uses as well as Therapeutic Massage,
104 SAT/ACT prep, beauty salon, nail salon, tanning salon, health/exercise and
105 dance/exercise studios, jazz and ballet type uses. Service stations, auto
106 repair operations (except as may be associated with the proposed auto
107 dealership), bowling alleys, funeral parlors, billboards, stores in operation
108 for twenty-four (24) hours a day, and spotlights meant to be seen in the sky
109 from a distance shall be prohibited from the Shoppes at Green Oak
110 development. Adult uses shall be regulated under the provisions of Section
111 5.28 of the Green Oak Township Zoning Ordinance.

112
113 **Roll Call Vote: Ayes: Unanimous**
114 **Nays: None**

115
116 **MOTION APPROVED**

117
118 **B. Public Hearing Timberview Estates a 128.97 Acre Planned Unit Development**
119 **and Site Plan Review, R 03-2016, Parcel 4716-35-200-004 & 4716-35-200-011**
120 **& 4716-35-400-018 & 4716-36-100-003 southeast corner of Nine Mile and**
121 **Rushton Road**

122
123 Mr. Montagno referenced the Carlisle Wortman memo dated February 9, 2017. He
124 explained one of the parcels is new to the project so they wanted to make sure the public
125 hearing was held again to include that parcel. He provided a brief history of the project.
126 A 2,000 sq. ft. community center is another new portion to the project. Also, a minimum
127 of 14' between buildings has been noted, but they want to make sure how that will be
128 communicated through the site plan.

129
130 Ms. Zawada briefly reviewed the CES memo dated February 9, 2017. The engineering
131 design standards require all pathways and sidewalks to be hard surface. It is her
132 understanding that there are down-stream drainage concerns and an analysis will need
133 to be provided for that. She also noted that bio-retention swales may be required on the
134 detailed engineering plans. Those should be shown on the PD plans as well. Under the
135 road systems, there are two different road configuration deficiencies where they do not
136 meet the road commission standards. Private roads are proposed and a variance could
137 be granted. Although a maximum length for a cul de sac is 750' and there is a 900' cul
138 de sac proposed. Minimum spacing is 250' and 190' is proposed. She also noted the
139 road commission review comments of 1/17/17 and noted there are items that need to be
140 addressed in the traffic impact study.

141
142 Mr. Anderson explained they are looking at their 3rd set of plans. The addition of the
143 community center with some off street parking was added. The building setbacks were
144 modified as well. There will be 14' minimum between each building. They modified the
145 27' cross section parking on one side. They are offering additional surety for wells within
146 a 700' distance of their community well. Hydro geo reports are going on and should wrap
147 up within the next few weeks. They have talked about the density, it is significantly less

148 than what is called out in the Master Plan. There are two boulevard entrances proposed
149 off of 9 Mile Road. The end user is Pulte Homes and they have looked at it in great detail.
150 They wanted to minimize the impact on Rushton and keep two entrances on 9 Mile Road.
151 The Road Commission is very comfortable with the circulation.

152
153 Mr. Anderson touched briefly on the traffic study. The only traffic improvement that came
154 out of it with the existing traffic and future traffic without the development were
155 improvements to 9 Mile and Rushton Road with the need for some lane extensions and
156 a traffic signal. When the traffic is added from their development, taper lanes were
157 needed along with a center left turn lane and they are ready to comply with those
158 recommendations.

159
160 Ms. Sellis asked for clarifications with regard to the setbacks. Mr. Anderson explained
161 previously the setbacks were 10' between homes and now they are proposing 14' setback
162 between buildings. The front yard setbacks are 22'. Mr. Montagno confirmed a plot plan
163 is done for each home. Mr. Anderson explained the front yard setback allows for adequate
164 parking in the driveway and will not impact the sidewalk. Clerk Sedlak suggested using
165 25' in order to allow for large trucks with extended cabs. Mr. Anderson explained they
166 allowed for a deck, so it's 23' from the face of the building to the face of the sidewalk.

167
168 Mr. Lee stated when he looks at the plan he will not be seeing any of the open space, he
169 will see the compressed housing space because the free space is behind the
170 development and the other open space is not adjacent to the property. To him he drives
171 down 9 Mile and he is hit by this massive development with homes 14' apart and it will
172 look massive because he can't see the open space. He still has a problem with the
173 setbacks and the overall density in that space. Mr. Anderson stated that he is surprised
174 by the comment because he felt it will be a beautiful view. The homes are pulled off of 9
175 Mile, it's a very small window of housing on 9 Mile and it will be double landscaped.

176
177 Ms. Sellis stated she is having trouble with the layout; she appreciates the type of housing.
178 At present, depending on what the product is, she is struggling with the lot size. She is
179 also concerned with the possibility of how a deck will impact the size. Mr. Anderson
180 agreed to amend the front setback to 25'.

181
182 Ms. Zawada questioned the wastewater treatment EQ basin and wondered if it is
183 proposed to have a lid? Mr. Anderson stated that yes it will have a lid.

184
185 Ms. Zawada questioned if the intersection of Rushton and 9 Mile is warranted right now,
186 with a signal. Mr. Anderson stated the taper lanes are existing now and when you add
187 on existing traffic and township growth then a signal will be required. The signal is not
188 warranted right now.

189
190 There was brief discussion regarding the tree mitigation. Mr. Anderson explained that
191 they met the landscaping requirement and with regards to the woodland replacement they
192 had the discussion that the 3" caliper is acceptable. Ms. Bond explained that she is a
193 landscape architect and she specified a number of these trees and one of the things that
194 is built into a landscape plan is a guarantee, so if the trees doesn't survive there are
195 guarantees to ensure the trees survive. She is comfortable recommending 3" trees and
196 it is a size that is used as an industry standard. Mr. Anderson stated they are doing as

197 many trees as they can and doing supplemental landscaping and they are requesting a
198 waiver for 1600 trees.

199
200 Mr. Smigliani opened the public hearing at 8:18 p.m.

201
202 **Jeff DeLong, 11300 Post Lane** – He commented that they are very concerned regarding
203 the amount of water that will be pumped out of the well. They are looking for more than a
204 2 year surety that they won't have a problem. The date when it would start has not been
205 identified. Most wells will last about 30 years and he just put his well in 4 years ago. He
206 is looking for a twenty year surety.

207
208 **Amy Ponsock, 11202 Scotch Court** – She struggles with this development for many
209 reasons. Is it appropriate for this area? She read the Master Plan. She found that the
210 definition of a multi-family residential could be duplexes, apartments, multi-plexes, it's a
211 variety. She felt it is a scare tactic when the developer comes in and says there could be
212 1000 units. It's not a fair thing to compare. Throughout the master plan, guidelines and
213 objectives are laid out and community infrastructure, discourage expansion beyond
214 infrastructure and should not be allowed. With a development like this, there are no public
215 unities here and everyone is concerned with their well. Another objective is to promote
216 safety and efficient transportation. There is no interconnectivity to Rushton Road. Low
217 density should be put where horses are and there are horses located right there. She is
218 not sure how high density got on this corner. She would like to know who is on this well
219 agreement since she lives close to the well.

220
221 **Scott Gheringer, 11560 Post Lane** – He is behind the waste water plant and nothing
222 has been mentioned about protection of his well. His water will never be as good as it is
223 now. What will he see from his back yard, will there be a fence. A 2,000 sq. ft. building
224 with parking is not that great of a thing for the township, there will be trails back there and
225 he didn't see a benefit for the township at all.

226
227 **Susan Young, 9647 Plumrose Drive** – She questioned how the density was calculated
228 if it stayed at the multi development level. The master plan does refer to multi-family and
229 it references Centennial Village, Centennial Farms, and Lake Forest Trails off of Grand
230 River, those don't bother her, you can't tell they're there. She is more comfortable with
231 a Centennial Village or Centennial Farms going on that property than she is this multi-
232 family development. It would lend itself more to retirees and they wouldn't get the traffic.
233 The morning traffic in the area is crazy. Try to turning left out of this sub to go to US 23
234 will be very difficult. To put this type of community with lack of infrastructure is not
235 beneficial to the community at all. She questioned if there was any consideration for the
236 impact of the schools, they are already stressed, there is no art room, music room or
237 media center. She would hate to see South Lyon build out and contribute to the problem
238 in the area.

239
240 **Jason Demink, 13104 Gorget Drive** – How many variances is too many? He also
241 questioned the trail, he stated the location for this trail is all wetlands. Where are people
242 parking to use those trails? He wondered if it would be paved? He didn't want to see a
243 dead end trail since that is where you will typically find empty beer cans and trash.

244
245 Mr. Smigliani closed the public hearing at 8:31 p.m. due to no further comments.

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Mr. Smigliani confirmed the surety will be 2 years post certificate of occupancy.

Mr. Lee questioned if there is a standard or data that says 2 years is a reasonable number. Ms. Zawada stated for bonding 2 years is typical if building infrastructure, it's similar to what the applicant is offering. Mr. Anderson stated this is above and beyond what's required for a community well. Mr. Anderson stated it would be appropriate to put the surety in the PUD Agreement.

Mr. Lee questioned if there were restrictions regarding yard irrigation. Mr. Anderson stated there is pretty definitive data on this and their professionals are assured as to what kind of production is needed. Mr. Smigliani stated it also fits to limit salt usage and fertilizer.

Mr. Lee commented how the master plan spoke about maintaining a rural feel and this is an urban scale development. He would like to see some timing of when the buffering is installed. He would rather see the buffering go up as soon as construction begins to lessen the impact.

Clerk Sedlak stated that the parking is not enough for the community center to be used for a voting precinct. He felt that 20 spaces would be needed and or a widening of the street in front of the community center to allow on street parking on both sides would be more acceptable. Six parking spaces for a 2000 sq. ft. building is inappropriate. They need to double the amount of parking and widen the street to allow parking on both sides of the street. Mr. Anderson stated he liked the road widening and the additional parking.

Mr. Montagno suggested having limestone for the pathway vs. wood chips.

Clerk Sedlak asked if the applicant incorporated the LID techniques as required. Mr. Anderson stated they are prepared to do that.

Mr. Smigliani commented on infrastructure and noted that no matter what option was chosen they would be looking at issues with regard to the schools and there would be challenges no matter what option happened. It is not up to the Planning Commission to regulate the schools although it is a valid point.

Ms. Zawada explained that the downstream analysis was requested due to the possible flooding issue downstream. When they are reviewing large developments like this and discharging storm water they want to know with detention if there is a flooding concern downstream, and if there is that could affect how their ponds are designed and the downstream issue may need to be resolved. It does have potential to affect the layout. Mr. Anderson stated they are prepared to address that, but they don't know what the additional things are; they haven't heard anything about a problem. Ms. Zawada stated this is a typical request.

There was brief discussion regarding the process and what the next steps are.

After brief discussion the Commissioners agreed that a Rushton Road access was needed. Mr. Anderson explained their desire is to have the one access move to 9 Mile so

295 there are two on 9 Mile. They checked with their traffic engineer and there is no need
296 for it to be off of Rushton. If it's a deal killer he would do a stub road off of Rushton but it
297 wouldn't be landscaped.

298
299 Mr. Lee questioned an emergency exit. If something was to happen on 9 Mile there is no
300 way to get in or out except from the two entrances on 9 Mile and it seemed that a Rushton
301 Road access would be a benefit. Clerk Sedlak stated on a personal level he thought a
302 Rushton Road access would be beneficial.

303
304 **Motion by Sedlak, second by Pearsall**

305 **To postpone action on Timberview Estates Planned Unit Development & Site**
306 **Plan Review application number SP05-2016, and direct the applicant to:**

- 307
308 **1. Update community benefit statement.**
309 **2. Update the typical lot diagrams on sheet 5 to show requirement for 14 feet**
310 **between buildings.**
311 **3. Provide a wider road that will accommodate parking on both sides in front**
312 **of the community center and more parking on site to accommodate a polling**
313 **location, 20 minimum.**
314 **4. Provide an access point on Rushton Road along the frontage of the PUD.**
315 **5. Connect the hiking path on the east side to the well path.**
316 **6. Update road improvements based on comments from the LCRC.**
317 **7. Front yard setbacks must be 25 feet.**
318 **8. Complete downstream analysis on the storm water management per the**
319 **Township Engineer's report dated 2/9/17 prior to final site plan approval.**
320 **9. Incorporate LID techniques as required under the Township's storm water**
321 **management ordinance into the storm water design.**
322 **10. Woodchip paths must be replaced. Hard surfaces are required for sidewalks**
323 **and other non-deteriorating surface such as limestone on paths and hiking**
324 **trails.**
325 **11. Update tree replacement calculations to reflect the requirements of the**
326 **Zoning Ordinance.**
327 **12. Start date for well protection will commence at the time the Certificate of**
328 **Occupancy is used for the last home.**

329
330 **Roll Call Vote: Ayes: Unanimous**
331 **Nays: None**

332
333 **MOTION APPROVED**

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336 **REPORTS**

337
338 **Chairman – None**

339 **Township Board Representative – Clerk Sedlak brought the Commission up to date**
340 **regarding the last Board meeting.**

341 **ZBA Representative– None**

342 **Planning Consultant – None**

343

344 **Correspondence** – None

345

346 **CALL TO THE PUBLIC**

347

348 **Resident** – She thought she had heard through the MDEQ report that there was a
349 suspicion of an endangered species and she wanted to know if it was confirmed there
350 was no endangered species on that property. In reference to the hiking and walking path,
351 it was mentioned that its wetlands and she wondered if the pathway would be located in
352 the wetlands. They have to go to the Township Board for a recommendation and she
353 wondered if that is to change the master plan to be rezoned. Mr. Smigliani explained the
354 process. She didn't think it would hurt anyone's feelings if this wasn't approved with the
355 density they are trying to get.

356

357 **ADJOURNMENT**

358

359 Mr. Smigliani adjourned the Planning Commission meeting at 9:46 p.m. due to no further
360 business.

361

362 Respectfully Submitted,

363

364 *Kellie Angelosanto*

365

366 Kellie Angelosanto
367 Recording Secretary

368