

**ANN ARBOR CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING  
MINUTES OF MEETING  
WEDNESDAY, AUGUST 9, 2006**

**I. ROLL CALL**

The regular monthly meeting of the Ann Arbor Charter Township Planning Commission was called to order by Chair Olsson at 7:35 p.m.

Commissioners present: Kris Olsson, John Allison, Peter Kotila and Randolph Perry.

Richard Mitchell arrived at 7:43 p.m.

Commissioners absent: Diane O'Connell and James Snyder.

Also present: Township Attorney Sandra Sorini Elser, Township Planner Zak Branigan, Township Engineer Damien Wetzel, Environmental Consultant Eugene Jaworski and Planning Assistant Joanne Collins.

**II. CITIZEN PARTICIPATION**-No citizen signed up for participation.

**III. APPROVAL OF MINUTES**

Corrections to the 7/5/06 minutes: Under V.A. in the tenth line strike "are" and insert "as" and in the thirteenth line insert "OSPC" after "Township". On page 2 in the first paragraph strike "arranging from" and insert "including". Under V.C. in the first line insert "to a PUD" after "made". On page 4 in the fifth paragraph second line change "WCRC" to "WCDC" and on page 5 under Perry's motion insert "it" after "and".

**Allison moved approval of the July 5, 2006 minutes as amended. Kotila seconded the motion which was adopted unanimously. Kotila moved approval of the July 12, 2006 Planning Commission Workshop minutes. Allison seconded the motion which was adopted unanimously.**

**IV. COMMUNICATIONS**

Allison reported on the Board of Trustees meeting held on July 17, 2006. The minutes were included in the Commissioners' packets.

**Allison moved approval to amend the agenda to move item VI. B. to VIII. B. Kotila seconded the motion which was adopted unanimously.**

**V. PUBLIC HEARING**

**A. Public Hearing on Zoning Ordinance Amendment based on the new Public Notice Requirements under the Zoning Enabling Act.**

The Township Attorney informed the Commission the new Zoning Enabling Act became effective July 1, 2006 and the new act requires notice not less than fifteen days on any kind of public hearing. The Township Attorney stated the conference she attended on the new act recommended townships to adopt the 15 day notice provision to avoid any confusion. The Township Attorney said the Township Clerk also recommends adopting the 15 day notice requirement. The Township Attorney advised the Commission the Sign Requirement remains the same at a minimum of 21 days.

There were no comments by the Township Consultants.

Chair Olsson opened the public hearing at 7:44 p.m. There were no public comments. Chair Olsson closed the public hearing at 7:45p.m.

Allison expressed concern the 15 day notice requirement was not enough time to adequately notified residents and said he personally favors the 21 day notice requirement currently used by the Township. Kotila shared Allison's concern and suggested the Township establish a policy to post public hearings as soon as possible with the understanding of the legal obligations under the ordinance.

**Allison moved to recommend approval to the Township Board of the Zoning Ordinance Amendment for Public Notice Requirements and recommend the Township Board establish a policy to provide written notice for public hearings as soon as possible.**

Perry objected to the motion recommending the Township establish a policy to provide written notice as soon as possible because the Township would be adopting a policy which would have a subjective standard.

**Allison moved to withdraw the motion. Allison moved to recommend approval to the Township Board of the Zoning Ordinance Amendment for Public Notice Requirements. Kotila seconded the motion which was adopted unanimously.**

**B. Public Hearing to approve a Zoning Ordinance Amendment to Section 130.1115D.1.h.**

The Township Attorney informed the Commission changes in the zoning map or a PUD desired by the Township Board may, at the discretion of the Township Board, be referred back to the Planning Commission for review and recommendation prior to Township Board action.

There were no comments by the Township Consultants.

Chair Olsson opened the public hearing at 7:50p.m. There were no public comments. Chair Olsson closed the public hearing at 7:51p.m.

**Perry moved to recommend approval to the Township Board of the Zoning Ordinance Amendment to Section 130.1115D1.h. Mitchell seconded the motion which was adopted unanimously.**

**C. Public Hearing to approve a Zoning Ordinance Amendment to Section 130.2503.F.**

Chair Olsson stated this amendment provides for optional referral of Township Board changes to zoning ordinance amendments to the Planning Commission as permitted by the Zoning Enabling Act.

There were no comments by the Township Consultants.

Chair Olsson opened the public hearing at 7:52p.m. There were no public comments. Chair Olsson closed the public hearing at 7:53 p.m.

**Perry moved to recommend approval to the Township Board of the Zoning Ordinance Amendment to Section 130.2503.F. Allison seconded the motion which was adopted unanimously.**

## **VI. OLD BUSINESS**

### **A. SP-05-06 Northbrooke Single Family Subdivision Preliminary Site Plan Approval.**

Damien Wetzel, Township Engineer updated the Commission on the current status of Northbrooke's preliminary site plan. Wetzel informed the Commission the WCDC approved Northbrooke's preliminary plan in a letter dated July 24, 2006. Wetzel said there were a few additional comments by the WCDC which will need to be addressed for final site plan approval. Wetzel stated he is concerned about the 30 foot wide surface drainage easement proposed by the Petitioner which drains to the southeast and will impact approximately one acre of farmland. Wetzel said in order to lessen the impact a closed pipe may need to be installed or a 2 to 3 foot deep drainage ditch will need to be constructed. Wetzel said the preliminary plan is consistent with the previous plan and there have been no ~~minor or~~ major changes. Wetzel recommended approval of the preliminary site plan based on WCDC approval.

Zak Branigan, Township Planner stated he submitted a memo to the Planning Commission indicating there have been no substantial changes to the preliminary site plan and all conditions have been met by the Petitioner.

**Allison moved approval of the Northbrooke Preliminary Site Plan based on approval by the WCDC and that there have been no substantial changes to the preliminary site plan and all conditions have been met by the Petitioner. Kotila seconded the motion which was adopted unanimously.**

The Commission had a detailed discussion of various issues of concern for final site plan approval. Issues addressed by the commission were extension of lot lines for lots 22 and 23 and extension of the fence line; identification and location of drain tiles, conservation easement, revisions to the master deed and private road maintenance agreement, PWS, wetland conservation, berms and landscaping.

Zak Branigan, Township Planner said the biggest concern for final site plan approval is the need for a more detailed oriented plan from the Petitioner.

Damien Wetzel, Township Engineer said there are no major factors of concern for next Wednesday's resubmittal deadline and items of concern have been addressed by the Petitioner. Wetzel informed the Commission he would be submitting a "memo of record" indicating all permits required by the Petitioner in order to achieve the September 20, 2006 land transfer deadline.

Eugene Jaworski, Environmental Consultant stated the MDEQ may require a wetland permit since 4 basins discharge into a wetland. Jaworski also noted the Petitioner may be under on the required number for tree replacement. Jaworski said he reviewed the tree inventory and 100 trees have been excluded for replacement due to poor quality. Jaworski said the term "poor quality" needs to be better defined and clarified and recommends the Petitioner add an additional 100 trees.

George Fahmie, 4545 Pontiac Trail: Mr. Fahmie expressed concern regarding the size of the culvert drive which crosses the conservation easement and suggested a size of 15 feet instead of the proposed size of 22 feet. After review by the Township Consultants it was determined the size of the culvert should be 18 feet.

## **VII. NEW BUSINESS**

### **A. NF-01-06 – AW Technical Center – Set a public hearing for a Natural Features Permit.**

The Commission determined an application for a Natural Features Permit had not been filed by the Petitioner and it was determined by the Township Consultants a Natural Features Permit is required. **Allison moved approval to schedule a public hearing for a Natural Features Permit at the September meeting. Perry seconded the motion which was adopted unanimously.**

### **B. SP-04-06 – AW Technical Center – Parking Lot Expansion – Preliminary and Final Site Plan Approval.**

Bryan Webster was present representing the Petitioner. Webster indicated the comments by the Township Consultants have been addressed and revised plans have been resubmitted to the WCDC.

Zak Branigan, Township Planner, stated the Petitioner addressed the 11 comments as outlined in their report dated July 27, 2006. Branigan said he does not have any outstanding concerns and therefore recommends approval.

Damien Wetzel, Township Engineer, referenced his August 1, 2006 review letter. Wetzel said the WCDC did not approve the latest submission of revised site plans and he addressed the comments outlined in the WCDC's letter dated August 1, 2006. Wetzel stated he found the plans to be technically correct, however, the plans are not signed and sealed by a professional engineer and the document sheets are oversized.

Eugene Jaworski, Environmental Consultant referenced his report dated July 27, 2006. Jaworski addressed item 2 of his report regarding the natural features setback and item 5 regarding the percent of imperviousness. Jaworski noted the 26.4% of imperviousness is

over the 20% of imperviousness allowed under Township policy and suggested the Commission may want to require some mitigation measures.

Wetzel noted based on historical information from 20 years ago, the plans were approved with deferred parking, however, the current plans now show 66% less parking than the approved original site plan. Perry commented this seems to be a logical extension of the parking and something contemplated by the original plan.

The Commission further discussed the proposed storm water system.

**Allison moved approval to table approval of the preliminary and final site plan to the September meeting. Mitchell seconded the motion which was adopted unanimously.**

### **VIII. ITEMS FOR DISCUSSION**

#### **B. Attorney's comments to Site Plan Review Ordinance Amendments**

The Township Attorney advised the Commission that the main changes are in the second section of the ordinance. The Commission determined the need for further review and decided to defer the matter to the September 11, 2006 workshop meeting.

C. Olsson informed the Commission the September meeting date needs to be changed due to the MDEQ public hearing on the Colt Farms discharge permit. **Allison moved approval to set the Planning Commission meeting for September 6, 2006 at 7:30 p.m. Motion was seconded and approved.**

The Commission briefly discussed the topics for discussion for the workshop meeting on August 16, 2006.

### **IX. INFORMATIONAL ITEMS**

Informational items were included in the Commissioners' packets.

### **XI. PUBLIC COMMENT – none**

### **XII. ADJOURNMENT**

**Allison moved approval to adjourn the meeting at 9:55 p.m. Mitchell seconded the motion which was adopted unanimously.**