

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting April 2, 2014

1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:00 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Marlene Chockley	Present
Brad Cousino	Present
Andrea Darden	Present
Kenneth Dignan	Present
Sam Iaquinto	Absent with notice
Larry Roman	Present

Also present:

Township Manager Howard Fink
Planning Consultant Douglas Lewan,
Carlisle/Wortman Associates
Recording Secretary Lisa Lemble
Media Operations, Jim Nelson

4. APPROVAL OF AGENDA

Chockley removed the appointment of a representative to the Parks and Recreation commission and approval of the minutes of the March 19th meeting.

- **Motion:** Dignan moved, Darden supported, that the agenda be adopted as amended.
Motion carried 6—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

None present.

6. CORRESPONDENCE

None.

7. REPORTS

7A. Board of Trustees

Chick briefly reviewed the subjects discussed at the joint meeting of the Planning Commission with the Township Board on March 25th.

7B. ZBA

No meeting has been held since the last Planning Commission meeting.

7C. Staff Report

Nothing to report.

7D. Planning Consultant

In answer to a question from Chockley, Lewan said Regal Recycling's new engineer has contacted him, but no new information has been submitted regarding their site plan.

8. PUBLIC HEARINGS

None.

9. OLD BUSINESS

None.

10. NEW BUSINESS

10A. Appointment of Representative to the Parks and Recreation Commission.

Removed from the agenda.

11. MINUTES

Removed from the agenda.

12. POLICY REVIEW & DISCUSSION

Educational Workshop: Advanced Site Plan Review

Planning consultant Douglas Lewan gave a presentation on reviewing site plans. His comments included:

- In Northfield Township—as is the case in most communities—the Planning Commission is the approving body for site plans; they are not reviewed or approved by the Township Board. He said he has reviewed hundreds of site plans since he began working in the field in 1988, and at that time it was more common for elected officials to approve site plans.
- The information in his presentation was primarily taken from a Planning and Zoning Certification class presented by Michigan State University.

Purpose of Site Plans

Site plans are required to illustrate what the developer plans to do before construction begins and to show compliance with zoning requirements. Site plans are enforceable; for example, the Township can use the plan to require installation of landscaping features which are missing a year or two after the project is complete. The Michigan Zoning Enabling Act gives local

governments the right to establish and enforce zoning provisions.

Zoning Requirements for Site Plans

- The key elements of a site plan are the title block, north arrow, scale, structures, topography, soil types, parking, stormwater detention, utilities, transportation access, and notes. Site conditions—soils, slopes, vegetation—can present opportunities and constraints.
- Site plans are required for by-right uses for new commercial and industrial developments and most expansions of them, for multi-family residential, special land uses, Planned Unit Developments (PUDs), changes of use, or when a structure is moved. It is not required for single-family structures, and in Michigan schools are exempt under State law. Some miscellaneous uses, including small day care centers and some church projects are also exempt. Dignan noted that the State Board of Education supervises public school projects. Lewan said he would defer to the Township's attorney regarding private schools because he has seen differing legal opinions as to whether they are subject to the zoning ordinance. Cousino noted that private schools do not have the oversight of the State Board of Education, so it would be reasonable for them to be reviewed by the Township.
- In answer to a question from Township Manager Fink, Lewan said public schools are exempt from all zoning issues, including design standards, but are subject to all building regulations.
- Site plans must have the seal of a professional and may be prepared by engineers, architects, professional community planners, landscape architects, or land surveyors.
- Who reviews plans must be specified in the zoning ordinance. The primary reviewers may be the zoning administrator or Planning Commission (if they have site plan review training), and secondary reviewers may include the other governmental agencies such as fire and police, road commissions, Department of Environmental Quality, health departments, and drain commissioners.
- Site plans expire after one year per Northfield Township's zoning ordinance, although if a building permit is pulled during that time, the period is extended about six months. If a phased project is partially completed, the future phases also expire and require further approval. The Planning Commission may approve extensions of approved site plans if the plans are still valid.
- Northfield Township has a very good site plan review checklist which must be submitted with every plan. That list is in the Northfield Township Site Plan Process Manual which was developed 2-3 years ago to help applicants understand what is required. Developers have found this to be very helpful.

- Northfield Township allows administrative review of site plans in limited situations such as very small building additions.
- Prior to submittals being sent to the Planning Commission, site plans are reviewed by professional staff to allow applicants to make alterations prior to Planning Commission consideration to save applicants time. This works very well to increase the likelihood that proposals are complete when first seen by the Commission. Fink said this is an excellent, professional way to handle this process.
- Detailed engineering is not required at the preliminary site plan stage because changes to building locations, parking, etc., could result in great expense to the developer if engineering work had to be redone. However, if detailed engineering work requires significant changes to a site plan, it must go back to the Planning Commission for further review. The Planning Commission Chair should not sign a final site plan that differs from what was reviewed.
- Lewan showed a sample site plan for a fast food restaurant in another community which was substantially complete. He pointed out the notes made to address zoning requirements, the landscape plan and plant list, floor plans, elevation drawings (which showed building height, type, and materials), and the site lighting plan (which included foot candle measurements and a drawing of the fixtures).
- Site plans for Planned Unit Developments (PUDs) and Conditional Use Permits (CUPs) may have special requirements.

Understanding and Utilizing Ordinance Standards

- Zoning ordinances are complex with inter-related sections; all applicable sections must be referenced in site plan reviews.
- Zoning standards can be found in many places in a zoning ordinance including Definitions, General Provisions, Site Plan Review section, Special Land use and PUD sections. Generally, if it is not written down, it can be requested, but it cannot be required.
- Nondiscretionary standards include things like height, lot area, and setbacks. Discretionary standards usually apply only for CUPs and PUDs, and while there is a list of discretionary standards which the Commission could use to deny a site plan that would be difficult to justify. Generally, site plan review is a non-discretionary exercise, although the Commission may ask for items that are not required. Dignan used the example of asking a developer to provide a connection between two non-motorized paths which abut a site. Lewan said that is an example of something that could be requested, but could not be used to deny a proposal that otherwise meets the site plan review standards. He said if the Township wants to require connection of existing paths, that requirement should be included in the ordinance.

Identifying and Correcting Site Plan Deficiencies

- If the Commission feels additional work is required for a site plan, it should make a motion to postpone which includes a list of deficiencies and recommended dates for resubmittal by the applicant and further review by the Commission.
- The State enabling legislation allows conditional approvals, but the conditions must be items required by ordinance. Chockley noted that density bonuses are provided in the open space ordinance if a developer agrees to do certain things not otherwise required in the ordinance.
- If an ordinance requirement is missed by the developer and the Township during the site plan review, once discovered it can still be required because doing otherwise would constitute a variance from the ordinance.
- Performance guarantees can be required to allow a certificate of occupancy to be issued prior to construction being complete. Lewan said he has seen such bonds issued, but he has never seen one cashed to complete a project because the bond company puts pressure on the developer to complete the project. Fink said many communities also require a maintenance bond for utility infrastructure such as sewers.

Lewan says when he is doing zoning compliance reviews he asks the developer to circle everything on a site plan that is not done and state the amount it will cost to complete each item.

The Township cannot require a bond for items that are required by another agency, such as a turn lane required by the Road Commission.

Approving and Filing Site Plans

- The Township has a Final Zoning Compliance Checklist which the Zoning Administrator uses to confirm that the project submitted for building permit is in compliance with the approved final site plan. There are also landscaping and engineering checklists.

- Final copies of site plan should be deposited in the permanent master file, with the inspector, and with the applicant. As-built plans are required, and Lewan recommends that approved copies be signed.

Long Term Monitoring

Site plans run with the land, not the owner, and they are enforced like a contract. Long-term enforcement is dependent on good plan storage, periodic inspection, and informing secondary owners.

Chockley said from what she is hearing development will probably start picking up soon.

13. COMMENTS FROM THE COMMISSIONERS

Chick and Darden thanked Lewan for a very helpful presentation. Chockley said she hopes this helps the public understand what the Commission and Lewan do and how thorough reviews are.

14. SECOND CALL TO THE PUBLIC

None present.

15. ANNOUNCEMENT OF NEXT MEETING

April 16, 2014, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location. A public hearing on the master plan will be on the agenda.

16. ADJOURNMENT

- **Motion:** Dignan moved, Chick supported, that the meeting be adjourned.
Motion carried 6—0 on a voice vote.

The meeting was adjourned at 9:03 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on April 16, 2014.

Marlene Chockley, Chair

Kenneth Dignan, Secretary

Official minutes of all meetings are available on the Township's website at http://twp-northfield.org/boards/planning_commission/Minutes