

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting June 4, 2014

1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:03 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	Present
Larry Roman	Present

Also present:

Planning Consultant Douglas Lewan,
Carlisle/Wortman Associates
Township Manager Howard Fink
Recording Secretary Lisa Lemble
Members of the Community

4. APPROVAL OF AGENDA

Chockley noted that item 9J might not be discussed by the Commission.

- **Motion:** Dignan moved, Cousino supported, that the agenda be adopted as presented.
Motion carried 7—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

Biltmore Development Proposal. [See information in Correspondence Section].

Wayne Dockett, 9097 Main Street, said he does not think the Township tax base would benefit much from the changes proposed by Biltmore to the Master Plan, especially since most of the affected area is in the Ann Arbor school district and it will increase sewer costs. He added, however, that he is not necessarily opposed to the proposed development.

Joanne Marttila Pierson, 5756 Earhart Road, said residential developments have a negative net impact on government treasuries, so she cautioned against making changes to the Master Plan.

Ed Wojtys, 6235 Hellner Road, said many people remember when a similar proposal was presented to the Township (Grand Sakwa) it required a lot of time and effort, cost the Township a lot of money, and caused a lot of consternation. He said a development of

this type would greatly change the southern end of the Township.

Lenore Zelenock, 1440 Six Mile Road, asked that the Planning Commission follow the Master Plan.

George Hanson, 6519 Linton Way, said his house is next to Parcel A of the proposed development, so he would be affected every day. He said they chose this site for their home based on the Township's Master Plan, and it would be an affront to him and others who make their plans based on the Master Plan.

David Gordon, 5558 Hellner Road, presented a letter he wrote on behalf of Northfield Neighbors regarding the Biltmore Development proposal. He agreed that the Township has been down this road before and it was ugly and he would hate to see that happen again. He said the Township's vision is about as far as it can be from the vision this proposal creates. He said it would be dangerous to extend sewers to this location because of the precedent it would set. He said if Biltmore proposed a development in line with the current zoning he imagines they would be applauded, but this proposal amounts to putting a development in the middle of a cornfield. He said he doubts Whitmore Lake Road could handle this traffic.

Sam Iaquinto, Planning Commissioner, read a letter on behalf of Mary Devlin who has been a Township resident for 40 years. Her letter stated that adjacent townships have seen this kind of growth, but Northfield has not, and it would be shame not to welcome this type of development.

Gary Wellings, 341 Lillian, agreed that the Township learned lessons from the Grand Sakwa matter which was proposed 12 years ago. He said anyone who has chosen to live near the three exits to the Township from US-23 made a mistake if they thought there would not be development in those areas. He said residential development does bring in good tax money, development along US-23 should be encouraged and the rest of the Township preserved.

Raven Tuttle, 470 W. Five Road, said a Master Plan was just developed as a thoughtful way of moving forward in the Township. She said this is very rich farmland and needs to be maintained as such, and US-23 cannot handle the additional traffic from developments like this. She said she is not against progress, but planning must be done carefully to avoid hasty actions that are regretted.

Dale Brewer, 11548 E. Shore Drive, said this type of development is needed in Northfield Township. He said it can be used as a tool to encourage schools of choice in the Whitmore Lake School District, and it will help to facilitate the desired commercial and industrial

development at Territorial and US-23. He said a plan has been approved to improve US-23 with construction to start in 2016, and cost/benefit analysis will show that this will help balance the development in the Township.

6. CORRESPONDENCE

Biltmore Development Proposal. Chockley explained that she first heard of the Biltmore Development proposal last week, so this is new information to everyone and it is clear from the comments made that rumors are swirling. She read two letters from Biltmore asking that the Township's Master Plan be amended to the MDR designation to allow housing ranging from multi-family and one-quarter acre residential to large-lot residential on several parcels in Sections 29 and 32 west of US-23.

Scott Betzoldt, civil engineer with Midwestern Consulting, said they are assisting Biltmore in assessing the properties involved, but they are still in the early stages of that investigation. He said the first step is changing the Master Plan. He said Biltmore is a great company, and David Stollman is fair, honest, and does a great job. He said no community has been disappointed with the developments he has done.

He said it is always interesting when a project site of this size can be assembled because it allows for proper public improvements as opposed to piecemeal development.

Dignan asked if Biltmore has ever done a project of this type in a rural area like Northfield Township. Betzoldt cited Cherry Hill in Canton.

Planning consultant Douglas Lewan said the process of amending a master plan is mandated by State law, and the fact that there is a process indicates that there are legitimate reasons to change master plans to reflect changes in a community. He noted that a small change to Northfield Township's Master Plan is on this agenda. He reviewed the State-mandated steps involved, including approvals and recommendations at several public meetings and a public hearing, and said the very soonest the Township Board could approve a change to the master to allow the proposed development would be August 26th.

In answer to a question from Dignan, from Lewan said the question the Township will be considering is whether the Township wants to allow development at the proposed density at the location cited. Dignan said desirability of school districts was not considered when planning for density in the Master Plan. He said there is no question that the Ann Arbor school district is more desirable than the Whitmore Lake school district, and since high density was not designated in the Ann Arbor school district areas of the Township it seems the Master Plan failed in that area. Lewan said while school districts can be considered, he has not been involved in creating a master plan in which that was a major consideration.

Chockley recalled that a goal was to concentrate development around US-23 and Territorial. She said she agrees that the Planning Commission should be looking at this request based on the potential density. She said everyone is invested in the community, and this developer could be a very good partner for development in the Township.

Dignan asked how close these parcels come to the area where the sewer district is currently being expanded. Chockley said the two areas are adjacent to each other.

At David Gordon's request, Chockley read the letter submitted earlier in the meeting by Gordon which stated that this subdivision would be in the middle of nowhere, be a drain on the tax base as a solely residential development, take valuable farmland out of production, and lower the quality of life for people who already live in the Township. He said homes can be built on this site under the current five acre zoning.

7. REPORTS

7A. Board of Trustees

Chick reported that at the Township's workshop session on May 27th Clerk Manning's resignation was accepted. She said applications are being accepted, and a new Clerk will be selected by the Board in July.

7B. ZBA

Dignan reported that a request for variances as part of a proposal to split a lot will be considered at their June 16th meeting.

7C. Staff Report

Nothing to report.

7D. Planning Consultant

Lewan reported that a request by Nowatzke Trucking to allow a service station will be on the next agenda.

8. PUBLIC HEARINGS

8A. Master Plan Amendment.

- ▶ **Motion:** Iaquinto moved, Darden supported, that the public hearing be opened.
Motion carried 7—0 on a voice vote.

Lewan explained that this is a proposal to update the Master Plan, and mainly concerns the mixed-use (MU) designation in the area of North Territorial and US-23. He said properties have been added to that MU area and uses have been expanded. He presented maps showing the existing and expanded MU areas. He said one of the main goals is to create a jobs node to spur economic development, but a limited amount of industrial and also some high-density residential could be part of a larger project. He noted that increased building height and smaller front yard setbacks are encouraged.

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He explained there are no directly compatible zoning districts for the development desired, so the Commission has already begun work on developing a new district for this area. Lewan explained that use of a PUD will not be required to develop property in this area.

In answer to a question from Iaquinto, Lewan said the area that is the subject of these changes is just north of the Biltmore development proposal discussed earlier in the evening. Township Manager Fink pointed out the Biltmore site on the Master Plan map.

Dale Brewer, 11548 E. Shore Drive, said he is a real estate broker representing D.A.B. Property Consulting LLC, said the agricultural assessed values in this area range from \$4,600/acre to \$17,000/acre, so it is imperative to allow some mixed uses that take that into account. He said the idea that agriculturally-zoned properties in these areas will remain in agriculture is completely unrealistic.

Brewer said he supports the idea of mixed uses in this area and said this area will prosper quickly. He cautioned against being too restrictive in the uses allowed. Chockley noted that the action under consideration is only the Master Plan amendment, and the Commission still needs to work on the overlay and zoning district.

- ▶ **Motion:** Iaquinto moved, Dignan supported, that the public hearing be closed.
Motion carried 7—0 on a voice vote.

8B. Amendment to Article 31.0—LC-Local Commercial

8C. Amendment to Article 32.0—GC-General Commercial

8D. Amendment to Article 33.0—HC-Highway Commercial

- ▶ **Motion:** Iaquinto moved, Dignan supported, that the public hearings on amendments to Article 31, 32, and 33 be opened.
Motion carried 7—0 on a voice vote.

Lewan noted that no significant changes are being proposed in these districts, including no changes to lot sizes, setbacks, or uses, rather formatting.

- ▶ **Motion:** Iaquinto moved, Dignan supported, that the public hearings be closed.
Motion carried 7—0 on a voice vote.

8E. Amendment to Article 51.0—RTM-Research/Technology/Manufacturing

- ▶ **Motion:** Iaquinto moved, Chick supported, that the public hearing be opened.
Motion carried 7—0 on a voice vote.

Lewan explained that in addition to some housekeeping changes the main change will allow places of public worship and cemeteries as conditional uses.

Chockley read a letter from Gregory Kolecki, 5959 Sutton Road, which opposed allowing religious organizations in the RTM district saying they do not fit in the district, this change will conflict with Township goals, this is the only RTM area in the Township, and it might lead to additional changes in the future. He also stated he believed two Commissioners have a conflict of interest because they are members of a church interested in an RTM property, so they should abstain from voting on this amendment. She also read a second letter from Sandra Gast stating she is opposed to allowing religious entities in the RTM district and believes Dignan and Iaquinto have a conflict of interest on this matter.

- ▶ **Motion:** Iaquinto moved, Dignan supported, that the public hearing be closed.
Motion carried 7—0 on a voice vote.

8F. Amendment to Section 60.37—Temporary Outdoor Sales

8G. Amendment to Section 60.38—Outdoor Seating and/or Service

8H. Amendment to Section 60.39—Mini-Warehousing

8I. Amendment to Section 60.40—Drive-in Facilities

- ▶ **Motion:** Iaquinto moved, Darden supported, that the public hearings regarding amendments to Sections 60.37, 60.38, 60.29, and 60.40 be opened.
Motion carried 7—0 on a voice vote.

Lewan explained that the each of these sections is being changed to move the standards for setbacks, etc. to a single section elsewhere in the ordinance for clarity.

- ▶ **Motion:** Iaquinto moved, Darden supported, that the public hearings be closed.
Motion carried 7—0 on a voice vote.

9. OLD BUSINESS

9A. Master Plan Amendment.

- ▶ **Motion:** Iaquinto moved, Chick supported, that the Planning Commission recommends adoption of the Master Plan amendment to the Township Board.
Motion carried 7—0 on a roll call vote.

9B. Amendment to Article 31.0—LC-Local Commercial

- ▶ **Motion:** Iaquinto moved, Darden supported, that the Planning Commission recommends adoption of the amendment to Article 31.0—LC-Local Commercial to the Township Board.
Motion carried 7—0 on a roll call vote.

9C. Amendment to Article 32.0—GC-General

- ▶ **Motion:** Darden moved, Iaquinto supported, that the Planning Commission recommends adoption of the amendment to Article 32.0—GC-General Commercial to the Township Board.

Chockley confirmed that Commissioners are in favor of allowing churches in this district.

Motion carried 7—0 on a roll call vote.

9D. Amendment to Article 33.0—HC-Highway Commercial

- ▶ **Motion:** Darden moved, Dignan supported, that the Planning Commission recommends adoption of the amendment to Article 33.0—HC-Highway Commercial to the Township Board.
Motion carried 7—0 on a roll call vote.

9E. Amendment to Article 51.0—RTM-Research/Technology/Manufacturing

- ▶ **Motion:** Darden moved, Iaquinto supported, that the Planning Commission recommends adoption of the amendment to Article 51.0—RTM-Research/Technology/Manufacturing to the Township Board.

Chockley noted that this would add churches as conditional uses.

Motion carried 5—2 on a roll call vote, Chick and Roman opposed.

Darden said it was useful to hear opinions from the individuals who reached out to the Commission.

9F. Amendment to Section 60.37—Temporary Outdoor Sales

- ▶ **Motion:** Iaquinto moved, Chick supported, that the Planning Commission recommends adoption of the amendment to Section 60.37—Temporary Outdoor Sales to the Township Board.
Motion carried 7—0 on a roll call vote.

9G. Amendment to Section 60.38—Outdoor Seating and/or Service

- ▶ **Motion:** Darden moved, Chick supported, that the Planning Commission recommends adoption of the amendment to Section 60.38—Outdoor Seating and/or Service to the Township Board.
Motion carried 7—0 on a roll call vote.

9H. Amendment to Section 60.39—Mini-Warehousing

- ▶ **Motion:** Chick moved, Darden supported, that the Planning Commission recommends adoption of the amendment to Section 60.39—Mini-Warehousing to the Township Board.
Motion carried 7—0 on a roll call vote.

9I. Amendment to Section 60.40—Drive-in Facilities

- ▶ **Motion:** Iaquinto moved, Dignan supported, that the Planning Commission recommends adoption of the amendment to Section 60.40—Drive-in Facilities to the Township Board.
Motion carried 7—0 on a roll call vote.

9J. Mixed Use South District—Discussion of Uses

Not discussed.

10. NEW BUSINESS

- ▶ **Motion:** Iaquinto moved, Darden supported, that Carlisle-Wortman start the process for a possible amendment to the Master Plan for the 460 acre development proposed by Biltmore Development.

Cousino asked if a request from a developer is all that is required to start this process. Lewan said the Planning Commission could decide not to investigate this, but this type of request is one way the amendment process begins. Chockley said the reason the Commission considered the Master Plan amendment it just recommended to the Board regarding the MU area was because property owners in that area wanted to expand sewer service for their properties.

Cousino said it seemed like those opposed to the Biltmore development already were well aware of it given the points they cited in their statements. Fink

said the letter from Biltmore was received last Wednesday, he reviewed it with Chockley the next day, and it was added to the Planning Commission agenda at which point the public became widely aware of it. He added that the people who live in the area had probably heard something about Biltmore's plans earlier.

Chockley said the Planning Commission's job is to review the request. She noted Biltmore is asking for MDR on the entire site and that seems like a rather abrupt change in use from the surrounding area, rather than a stepped-down approach. Iaquinto said he has attended many planning trainings, and it has been ingrained in him never to say no until the information has been presented and considered. He said it costs the Commission nothing to listen to see whether it would benefit the Township or not.

Motion carried 7—0 on a roll call vote.

11. MINUTES

May 21, 2014, Regular Meeting

- ▶ **Motion:** Iaquinto moved, Chick supported, that the minutes of the May 21, 2014, regular meeting be approved as presented, and to dispense with the reading. **Motion carried 7—0 on a voice vote.**

12. POLICY REVIEW & DISCUSSION

None.

13. COMMENTS FROM THE COMMISSIONERS

Biltmore Development Master Plan Amendment Request. Roman said it was not clear that Scott Betzoldt was representing Biltmore when he spoke concerning this request, and said the developer should have been present.

Food Truck Application. Fink reported that an application for a food truck has been denied because it was a truck, rather than a cart as allowed by the

ordinance, and because of its proximity to two restaurants. He said if the Township would like to allow trucks under the food cart ordinance an amendment would be needed.

Iaquinto recalled that the Commission discussed at length and was very specific about the maximum size of food carts. Fink said if it was the intent of the Commission not to allow trucks he would not allow a request for a variance to be submitted to the Zoning Board of Appeals.

Lewan said he also recalls that the Commission talked about the catering trucks that show up for a short time at construction sites and factories being something different and permissible. He said he will talk more about this with Fink.

Commission Process. Chick referred to a comment earlier in the meeting about the Planning Commission not being hasty in making decisions. She said in her time on the Commission it has always been very thorough in its deliberations.

14. SECOND CALL TO THE PUBLIC

Biltmore Development Master Plan Amendment Request. Dale Brewer said once a document is received by the Township it is a public document and available to the public. He commended the Commission for putting it on the agenda quickly and allowing public comment.

15. ANNOUNCEMENT OF NEXT MEETING

June 18, 2014, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

- ▶ **Motion:** Iaquinto moved, Roman supported, that the meeting be adjourned.
Motion carried 7—0 on a voice vote.

The meeting was adjourned at 9:01 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 July 2, 2014.

Marlene Chockley, Chair

Kenneth Dignan, Secretary